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

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

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

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

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

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

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

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

1. (1) cannabis concentrate;

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

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

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

1. (1) Bois Forte Band;

2. (2) Fond Du Lac Band;

3. (3) Grand Portage Band;

4. (4) Leech Lake Band;

5. (5) Mille Lacs Band;

6. (6) White Earth Band;

7. (7) Mille Lacs Band;

8. (8) Mille Lacs Band;

9. (9) Mille Lacs Band;

10. (10) Mille Lacs Band;

11. (11) Mille Lacs Band;

12. (12) Mille Lacs Band;

13. (13) Mille Lacs Band;

14. (14) Mille Lacs Band;

15. (15) Mille Lacs Band;

16. (16) Mille Lacs Band;

17. (17) Mille Lacs Band;

18. (18) Mille Lacs Band;

19. (19) Mille Lacs Band;

20. (20) Mille Lacs Band;

21. (21) Mille Lacs Band;

22. (22) Mille Lacs Band;
3.14 (7) Red Lake Nation;
3.15 (8) Lower Sioux Indian Community;
3.16 (9) Prairie Island Indian Community;
3.17 (10) ShakopeeMdewakantonSiouxCommunity;and
3.18 (11) Upper Sioux Indian Community.
3.19 (i) "Tribal medical cannabis business" means a medical cannabis business licensed by
a Minnesota Tribal government, including the business categories identified in paragraph
(e), as well as any others that may be provided under the law of a Minnesota Tribal
government.
3.20 (j) "Tribally regulated land" means:
3.21 (1) all land held in trust by the United States for the benefit of a Minnesota Tribal
government ("trust land");
3.22 (2) all land held by a Minnesota Tribal government in restricted fee status; and
3.23 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal
government that is subject to the civil regulatory jurisdiction of the Tribal government. For
the purposes of this section, land that is subject to the civil regulatory jurisdiction of the
Tribal government includes:
3.24 (i) trust land, or fee land held, including leased land, by the Tribe, entities organized
under Tribal law, or individual Indians; and
3.25 (ii) land held, including leased land, by non-Indian entities or individuals who consent
to the civil regulation of the Tribal government or are otherwise subject to such regulation
under federal law.
3.26 Subd. 2. Acknowledgment and purpose; negotiations authorized. (a) The state of
Minnesota acknowledges the sovereign right of Minnesota Tribal governments to regulate
the medical cannabis industry and address other matters of cannabis regulation related to
the internal affairs of Minnesota Tribal governments or otherwise within their jurisdiction;
without regard to whether such Tribal government has entered a compact authorized by this
section. The purpose of this section is to provide for the negotiation of compacts to
proactively address jurisdictional issues related to the regulation of the medical cannabis
industry. The legislature finds that these agreements will facilitate and promote a cooperative
and mutually beneficial relationship between the state and the Tribes regarding the
legalization of cannabis. Such cooperative agreements will enhance public health and safety,
ensure a lawful and well-regulated medical cannabis market, encourage economic
development, and provide fiscal benefits to both Indian Tribes and the state.
(b) The governor or the governor's designee shall negotiate in good faith, and has the
authority to execute and bind the state to, a compact with any Minnesota Tribal government.
wishing to enter into such a compact regulating medical cannabis flower and medical cannabis products.

Subd. 3. Terms of compact; rights of parties. (a) A compact agreed to under this section may address any issues related to the medical cannabis industry, including medical cannabis flower, medical cannabis products, extracts, concentrates, and artificially derived cannabinoids that affect the interest of both the state and Minnesota Tribal government or otherwise have an impact on Tribal-state relations. Indian Tribes are not required to enter into compacts pursuant to this section in order to regulate the medical cannabis industry, or engage in medical cannabis businesses or activities on Tribally regulated land or participate as a licensee in the state’s legal medical cannabis market.

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

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

(2) require that any revenue generated by a medical cannabis business licensed by a Minnesota Tribal government be subject to any state cannabis gross receipt taxes or state and local sales or use taxes on sales of cannabis;

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

(4) require a Minnesota Tribal government to consent to state licensing of a medical cannabis business on the Tribally regulated land of the Minnesota Tribal government;

(5) require any Minnesota Tribal government or any medical cannabis business licensed by a Minnesota Tribal government pursuant to a compact agreed to under this section to comply with specific state law or regulations on Tribally regulated land; or

(6) impose, or attempt to impose, and shall not require or attempt to require any Indian Tribe to impose, any taxes, fees, assessments, and other charges related to the production, processing, sale, purchase, distribution, or possession of medical cannabis flower and medical cannabis products on Minnesota Tribal governments, or their members, on a reservation or Tribally regulated land.

(c) Compacts agreed to under this section may allow an exemption from any otherwise applicable tax for: (i) sales to a Minnesota Tribal government, a Tribal medical cannabis business, or Tribal members, of medical cannabis flower and cannabis products grown, produced, or processed as provided for in said compacts; or (ii) for activities of Tribal medical cannabis businesses.

Subd. 4. Civil and criminal immunities. (a) Without limiting any immunity or exemption that may apply under federal law, the following acts, when performed by a Tribal medical cannabis business or an employee in the course of their employment for a Tribal medical cannabis business, pursuant to a compact entered into under this section, do not constitute a criminal or civil offense under state law:

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

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

5.3 (2) require that any revenue generated by a medical cannabis business licensed by a Minnesota Tribal government be subject to any state cannabis gross receipt taxes or state and local sales or use taxes on sales of cannabis;

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

5.5 (4) require a Minnesota Tribal government to consent to state licensing of a medical cannabis business on the Tribally regulated land of the Minnesota Tribal government;

5.6 (5) require any Minnesota Tribal government or any medical cannabis business licensed by a Minnesota Tribal government pursuant to a compact agreed to under this section to comply with specific state law or regulations on Tribally regulated land; or

5.7 (6) impose, or attempt to impose, and shall not require or attempt to require any Indian Tribe to impose, any taxes, fees, assessments, and other charges related to the production, processing, sale, purchase, distribution, or possession of medical cannabis flower and medical cannabis products on Minnesota Tribal governments, or their members, on a reservation or Tribally regulated land.

(c) Compacts agreed to under this section may allow an exemption from any otherwise applicable tax for: (i) sales to a Minnesota Tribal government, a Tribal medical cannabis business, or Tribal members, of medical cannabis flower and cannabis products grown, produced, or processed as provided for in said compacts; or (ii) for activities of Tribal medical cannabis businesses.

Subd. 4. Civil and criminal immunities. (a) Without limiting any immunity or exemption that may apply under federal law, the following acts, when performed by a Tribal medical cannabis business or an employee in the course of their employment for a Tribal medical cannabis business, pursuant to a compact entered into under this section, do not constitute a criminal or civil offense under state law:
5.26 (1) the cultivation of medical cannabis flower, and the extraction, processing, or manufacture of medical cannabis and artificially derived cannabinoid products, extracts, or concentrates;
5.29 (2) the possession, purchase, and receipt of medical cannabis seed, cannabis flower, and medical cannabis products that are properly packaged and labeled as authorized under a compact entered into pursuant to this section, and the sale, delivery, transport, or distribution of such products to a licensed cannabis business; and
5.32 (3) the delivery, distribution, and sale of medical cannabis seed, cannabis flower, and medical cannabis products that are properly packaged and labeled as authorized under a compact entered into pursuant to this section, and that takes place on, or originates from, the premises of a Tribal medical cannabis business on Tribally regulated land, to any person eligible to participate in a medical cannabis program.
6.6 (b) The following acts, when performed by a patron of a Tribal medical cannabis business do not constitute a criminal or civil offense under state law: the purchase, possession, or receipt of medical cannabis seed, cannabis flower, and medical cannabis products as authorized under a compact entered into pursuant to this section;
6.9 (c) Without limiting any immunity or exemption that may apply under federal law, actions by a Tribal medical cannabis business, a Tribal member, employee, or agent of a Minnesota Tribal government or Tribal medical cannabis business on Tribally regulated land pursuant to Tribal laws governing cannabis, or a compact entered into under this section, do not constitute a criminal or civil offense under state law;
6.12 (d) The following acts, when performed by a state-licensed medical cannabis business, or an employee of such business, and which would be permitted under the terms of the applicable medical cannabis business license if undertaken with another state-licensed medical cannabis business, are permitted under the state license conditions when undertaken with a Tribal medical cannabis business and do not constitute a criminal or civil offense under state law: the possession, purchase, wholesale and retail sale, delivery, transport, distribution, and receipt of medical cannabis seed, cannabis flower, and medical cannabis products that are properly packaged and labeled as authorized under a compact entered into pursuant to this section;
6.22 (e) Without limiting any immunity or exemption that may apply under federal law, the following acts, when performed by a Minnesota Tribal government, a Tribal medical cannabis business licensed by such Tribal government, or an employee of such Tribal government, regardless of whether the Minnesota Tribal government issuing such license has compacted with the state under this section, do not constitute a criminal or civil offense under state law: purchase, sale, receipt, or delivery (including delivery that involves transit through the state, outside a reservation) of medical cannabis flower, cannabis seed, and medical cannabis products from or to another Minnesota Tribal government or cannabis business licensed by such government.
6.33 (f) Notwithstanding any other provision of law, a state-licensed cannabis testing facility may provide cannabis testing services to a Tribal medical cannabis business, and the possession or transport of cannabis flower or cannabis products for such purpose by a Tribal cannabis business shall not constitute a criminal or civil offense under state law.

7.1 Subd. 5. **Publication.** The governor shall post any compact entered into under this section on a publicly accessible website.

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

Sec. 2. Minnesota Statutes 2022, section 18K.03, is amended by adding a subdivision to read:

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

7.13 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.215, subdivision 1, is amended to read:

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

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

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

(c) signs of substance use disorders;

(d) treatment options; and

(e) healthy coping strategies for children and adolescents.

8.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.215, subdivision 2, is amended to read:

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

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

(2) refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
Sec. 3. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

(i) "Labeling" means all labels and other written, printed, or graphic matter that are:
Section 4. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 2, is amended to read:

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

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

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

EFFECTIVE DATE. This section is effective July 1, 2024.
Sec. 5. Minnesota Statutes 2023 Supplement, section 151.72; subdivision 3, is amended to read:

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

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

1. by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product;
2. through chewing, drinking, or swallowing; or
3. through injection or application to a mucous membrane or nonintact skin.

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

1. for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; or
2. to affect the structure or any function of the bodies of humans or other animals.

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

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

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

1. the retailer must also hold an on-sale license issued under chapter 340A;
2. products, other than products that are intended to be consumed as a beverage, must be served in original packaging, but may be removed from the products' packaging by customers and consumed on site;
3. products must not be sold to a customer who the retailer knows or reasonably should know is intoxicated;
4. products must not be permitted to be mixed with an alcoholic beverage; and
(4) products that have been removed from packaging must not be removed from the
premises;
(5) Edible cannabinoid products that are intended to be consumed as a beverage may be
served outside of the products' packaging if the information that is required to be contained
on the label of an edible cannabinoid product is posted or otherwise displayed by the retailer.

EFFECTIVE DATE: This section is effective July 1, 2024.

Sec. 6. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 4, is amended
to read:
Subd. 4. Testing requirements. (a) A manufacturer of a product regulated under this
section must submit representative samples of each batch of the product to an independent,
accredited laboratory in order to certify that the product complies with the standards adopted
by the board on or before July 1, 2023, or the standards adopted by the commissioner's office.
The testing must be consistent with generally accepted industry standards for herbal and Botanical
substances, and, at a minimum, the testing must confirm that the product:
(1) contains the amount or percentage of cannabinoids that is stated on the label of the
product;
(2) does not contain more than trace amounts of any mold, residual solvents or other
catalysts, pesticides, fertilizers, or heavy metals; and
(3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

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

(c) Upon the request of the commissioner's office, the manufacturer of the product must
provide the commissioner's office with the results of the testing required in this section.
(d) The commissioner's office may determine that any testing laboratory that does not
operate formal management systems under the International Organization for Standardization
is not an accredited laboratory and require that a representative sample of a batch of the
product be retested by a testing laboratory that meets this requirement.
(e) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or
possession of a certificate of analysis for such hemp, does not meet the testing requirements
of this section.
Additional requirements for edible cannabinoid products.

(a) In addition to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid must meet the requirements of this subdivision.

(b) An edible cannabinoid product must not:

1. bear the likeness or contain cartoon-like characteristics of a real or fictional person, animal, or fruit that appeals to children;
2. be modeled after a brand of products primarily consumed by or marketed to children;
3. be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item;
4. be substantively similar to a meat food product; poultry food product as defined in section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision 7;
5. contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in food;
6. be packaged in a way that resembles the trademarked, characteristic, or product-specialized packaging of any commercially available food product; or
7. be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.

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

(d) If an edible cannabinoid product, other than a product that is intended to be consumed as a beverage, is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size that appear on the edible cannabinoid product.

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

(f) If an edible cannabinoid product, other than a product that is intended to be consumed as a beverage, is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size that appear on the edible cannabinoid product. If it is not possible to indicate a single serving by scoring or use of another indicator that appears on the product, the edible cannabinoid product may not be packaged in a manner that includes more than a single serving in each container, except that a calibrated dropper, measuring spoon, or similar device for measuring a single serving, when sold with the product, may be used for any...
A label containing at least the following information must be affixed to the packaging or container of all edible cannabinoid products sold to consumers:

- (1) the serving size;
- (2) the cannabinoid profile per serving and in total;
- (3) a list of ingredients, including identification of any major food allergens declared by name; and
- (4) the following statement: "Keep this product out of reach of children."

An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol or delta-9 tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an artificially derived cannabinoid. Edible cannabinoid products are prohibited from containing any other artificially derived cannabinoid, including but not limited to THC-P, THC-O, and HHC, unless the commissioner authorizes use of the artificially derived cannabinoid in edible cannabinoid products. Edible cannabinoid products are prohibited from containing synthetic cannabinoids.

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

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

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

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

(1) Every person selling an edible cannabinoid product to a consumer must be registered with the office. Existing registrations through the Department of Health must be transferred to the office by July 1, 2024. All other persons required to register must register in a form and manner established by the commissioner. After October 1, 2023, the sale of edible cannabinoid products by a person that is not registered is prohibited.

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

Sec. 10. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5b, is amended to read:

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

(1) Every person selling an edible cannabinoid product to a consumer must be registered with the office. All existing registrations with the Department of Health, Office of Medical Cannabis, as of June 30, 2024, will automatically transfer to the office on July 1, 2024. All
The sale of edible cannabinoid products by a person who is not registered with the office is prohibited. The sale of edible cannabinoid products by a person who is not registered with the office is prohibited.

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

The commissioner shall not charge a fee for registration under this subdivision.

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

Sec. 9. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

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

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

Sec. 11. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

(b) A product regulated under this section shall be considered a noncompliant product if the product's labeling is false or misleading in any manner or in violation of the requirements of this section.
(c) The commissioner office may assume that any product regulated under this section that is present in the state, other than a product lawfully possessed for personal use, has been manufactured, imported, distributed, or stored with the intent to be offered for sale in this state if a product of the same type and brand was sold in the state on or after July 1, 2023, or if the product is in the possession of a person who has sold any product in violation of this section.

(d) The commissioner office may enforce this section, including enforcement against a manufacturer or distributor of a product regulated under this section, under sections 144.089 to 144.093, section 342.19.

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

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

Sec. 10. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 7, is amended to read:

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

(1) knowingly alters or otherwise falsifies testing results;

(2) intentionally alters or falsifies any information required to be included on the label of an edible cannabinoid product; or

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

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

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

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

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

Subd. 8. The commissioner may assume that any product regulated under this section is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than $3,000, or both:

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

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

(3) sells an edible cannabinoid product to a person under the age of 21, except that it is an affirmative defense to a charge under this clause if the defendant proves by a preponderance of the evidence that the defendant reasonably and in good faith relied on proof of age as described in subdivision 5c.
**EFFECTIVE DATE.** This section is effective July 1, 2024.

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

Subd. 11. Registered designated caregiver. “Registered designated caregiver” means a person who:

(1) is at least 18 years old;

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

(3) has been approved by the commissioner or assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility; and

(4) is authorized by the commissioner or assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility; and

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

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

Subd. 14. Qualifying medical condition. “Qualifying medical condition” means a diagnosis of any of the following conditions:

(1) Alzheimer’s disease;

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

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

(i) severe or chronic pain;

(ii) nausea or severe vomiting; or

(iii) cachexia or severe wasting;

(4) chronic motor or vocal tic disorder;

(5) chronic pain;

(6) glaucoma;

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

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

(9) obstructive sleep apnea;
post-traumatic stress disorder;
Tourette's syndrome;
amyotrophic lateral sclerosis;
seizures, including those characteristic of epilepsy;
severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
inflammatory bowel disease, including Crohn's disease;
seizures, including those characteristic of epilepsy;
severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
inflammatory bowel disease, including Crohn's disease;
terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
(i) severe or chronic pain;
(ii) nausea or severe vomiting; or
(iii) cachexia or severe wasting; or
any other medical condition or its treatment approved by the commissioner
that is:(i) approved by a patient's health care practitioner; or
(ii) if the patient is a veteran receiving care from the United States Department of Veterans Affairs, certified under section 152.27, subdivision 3a.
Veteran. "Veteran" means an individual who satisfies the requirements in section 197.447 and is receiving care from the United States Department of Veterans Affairs.
EFFECTIVE DATE. This section is effective July 1, 2024. Sec. 15. Minnesota Statutes 2022, section 152.22, subdivision 3a, is amended by adding a subdivision to read:

Subd. 2. Range of compounds and dosages; report. The commissioner office shall review and publicly report the existing medical and scientific literature regarding the range of recommended dosages for each qualifying condition and the range of chemical compositions of any plant of the genus cannabis that will likely be medically beneficial for

EFFECTIVE DATE. This section is effective July 1, 2024. Sec. 16. Minnesota Statutes 2022, section 152.25, subdivision 2, is amended to read:

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

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

Sec. 15. Minnesota Statutes 2022, section 152.27, subdivision 1, is amended to read:

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

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

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

Sec. 16. Minnesota Statutes 2022, section 152.27, subdivision 2, is amended to read:

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

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

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

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

(4) create and provide a certification to be used by a health care practitioner for the practitioner to certify whether a patient has been diagnosed with a qualifying medical condition and include in the certification an option for the practitioner to certify whether the patient, in the health care practitioner's medical opinion, is developmentally or physically disabled and, as a result of that disability, the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility;
(5) supervise the participation of the health care practitioner in conducting patient
(6) develop safety criteria for patients with a qualifying medical condition as a
(7) conduct research and studies based on data from health records submitted to the
EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 17. Minnesota Statutes 2022, section 152.27, subdivision 3, is amended to read:
Subd. 3. Patient application. (a) The commissioner’s office shall develop a patient
application for enrollment into the registry program. The application shall be available to
the patient and given to health care practitioners in the state who are eligible to serve as
health care practitioners. The application must include:
(5) supervise the participation of the health care practitioner in conducting patient
(6) develop safety criteria for patients with a qualifying medical condition as a
(7) conduct research and studies based on data from health records submitted to the
This section is effective July 1, 2024.

Sec. 19. Minnesota Statutes 2022, section 152.27, subdivision 3, is amended to read:
Subd. 3. Patient application. (a) The commissioner’s office shall develop a patient
application for enrollment into the registry program. The application shall be available to
the patient and given to health care practitioners in the state who are eligible to serve as
health care practitioners. The application must include:
the name, mailing address, and date of birth of the patient;
(2) the name, mailing address, and telephone number of the patient's health care practitioner;
(3) the name, mailing address, and date of birth of the patient's designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver;
(4) a copy of the certification from the patient's health care practitioner that is dated within 90 days prior to submitting the application that certifies that the patient has been diagnosed with a qualifying medical condition; and
(5) all other signed affidavits and enrollment forms required by the commissioner under sections 152.22 to 152.37, including, but not limited to, the disclosure form required under paragraphs (b) and (e).
(b) The commissioner shall require a patient to resubmit a copy of the certification from the patient's health care practitioner on a yearly basis and shall require that the recertification be dated within 90 days of submission.
(c) (b) The commissioner shall develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure. The disclosure must include:
(1) a statement that, notwithstanding any law to the contrary, the commissioner, or an employee of any state agency, may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 152.22 to 152.37; and
(2) the patient's acknowledgment that enrollment in the patient registry program is conditional on the patient's agreement to meet all of the requirements of sections 152.22 to 152.37.

EFFECTIVE DATE. This section is effective July 1, 2024.
Sec. 18. Minnesota Statutes 2022, section 152.27, is amended by adding a subdivision to read:
Subd. 3a. Application procedure for veterans. (a) Beginning July 1, 2024, the office shall establish an alternative certification procedure for veterans to enroll in the patient registry program.
(b) A patient who is a veteran receiving care from the United States Department of Veterans Affairs and is seeking to enroll in the registry program must submit a copy of the patient's veteran health identification card issued by the United States Department of Veterans Affairs and an application established by the office to confirm that the veteran has been diagnosed with a condition that may benefit from the therapeutic use of medical cannabis.

EFFECTIVE DATE. This section is effective July 1, 2024.
Sec. 20. Minnesota Statutes 2022, section 152.27, is amended by adding a subdivision to read:
Subd. 3a. Application procedure for veterans. (a) The office shall establish an alternative certification procedure for veterans to confirm that the veteran has been diagnosed with a qualifying medical condition.
(b) A patient who is also a veteran and is seeking to enroll in the registry program must submit a copy of the patient's veteran health identification card issued by the United States Department of Veterans Affairs and an application established by the office to certify that the patient has been diagnosed with a qualifying medical condition.
EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 19. Minnesota Statutes 2022, section 152.27, subdivision 4, is amended to read:

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

(1) be at least 18 years of age;

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

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

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

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

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

Sec. 20. Minnesota Statutes 2022, section 152.27, subdivision 6, is amended to read:

Subd. 6. Patient enrollment. (a) After receipt of a patient’s application and application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient’s registered designated caregiver or parent, legal guardian, or spouse, if applicable, a registry verification. The commissioner shall approve or deny a patient’s application for participation in the registry program within 30 days after the commissioner receives the patient’s application and application fees. The commissioner may approve applications up to 60 days after the receipt of a patient’s application and application fees until January 1, 2016. A patient’s enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient is a veteran receiving care from the United States Department of Veterans Affairs, does not have the documentation required under subdivision 3a or if the patient is a veteran receiving care from the United States Department of Veterans Affairs, or does not have the documentation required under subdivision 3a if the patient is a veteran receiving care from the United States Department of Veterans Affairs.

(2) has been designated as a designated caregiver for a patient if the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient’s designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 18 years of age;

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

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

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

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

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

Sec. 21. Minnesota Statutes 2022, section 152.27, subdivision 4, is amended to read:

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

(1) be at least 18 years of age;

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

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

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

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

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

Sec. 22. Minnesota Statutes 2022, section 152.27, subdivision 6, is amended to read:

Subd. 6. Patient enrollment. (a) After receipt of a patient’s application and application fees, and signed disclosure, the commissioner shall enroll the patient in the registry program and issue the patient and patient’s registered designated caregiver or parent, legal guardian, or spouse, if applicable, a registry verification. The commissioner shall approve or deny a patient’s application for participation in the registry program within 30 days after the commissioner receives the patient’s application and application fees. The commissioner may approve applications up to 60 days after the receipt of a patient’s application and application fees until January 1, 2016. A patient’s enrollment in the registry program shall only be denied if the patient:

(1) does not have certification from a health care practitioner that the patient has been diagnosed with a qualifying medical condition or does not have the documentation required under subdivision 3a if the patient is a veteran receiving care from the United States Department of Veterans Affairs.

(2) has been designated as a designated caregiver for a patient if the patient requires assistance in administering medical cannabis or obtaining medical cannabis from a distribution facility and the caregiver has agreed, in writing, to be the patient’s designated caregiver. As a condition of registration as a designated caregiver, the commissioner shall require the person to:

(1) be at least 18 years of age;

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

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

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

(1) Nothing in sections 152.22 to 152.37 shall be construed to prevent a person registered as a designated caregiver from also being enrolled in the registry program as a patient and possessing and using medical cannabis as a patient.
(2) has not signed and returned the disclosure form required under subdivision 3, paragraph (c), to the commissioner; (3) does not provide the information required; (4) has previously been removed from the registry program for violations of section 152.30 or 152.33; or (5) provides false information. (b) The commissioner shall give written notice to a patient of the reason for denying enrollment in the registry program. (c) Denial of enrollment into the registry program is considered a final decision of the commissioner and is subject to judicial review under the Administrative Procedure Act pursuant to chapter 14. (d) A patient's enrollment in the registry program may only be revoked upon the death of the patient or if a patient violates a requirement under section 152.30 or 152.33. (e) The commissioner shall develop a registry verification to provide to the patient, the health care practitioner identified in the patient's application, and to the manufacturer. The registry verification shall include: (1) the patient's name and date of birth; (2) the patient registry number assigned to the patient; and (3) the name and date of birth of the patient's registered designated caregiver, if any, or the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as a caregiver.

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

Sec. 21. Minnesota Statutes 2023 Supplement, section 152.28, subdivision 1, is amended to read:

Subdivision 1. Health care practitioner duties. (a) Prior to a patient's enrollment in the registry program, a health care practitioner shall: (1) determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis; (2) advise patients, registered designated caregivers, and parents, legal guardians, or spouses who are acting as caregivers of the existence of any nonprofit patient support groups or organizations; (3) provide explanatory information from the commissioner to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of

**EFFECTIVE DATE.** This section is effective July 1, 2024.
therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the
proposed treatment; the application and other materials from the commissioner and provide
patients with the Tennessen warning as required by section 13.04, subdivision 2; and

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

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

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

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

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

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

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

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

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

Sec. 22. Minnesota Statutes 2022, section 152.28, subdivision 2, is amended to read:

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

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

Sec. 23. Minnesota Statutes 2022, section 152.29, subdivision 3, is amended to read:

Subd. 3. Manufacturer; distribution. (a) A manufacturer shall require that employees
licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval
for the distribution of medical cannabis to a patient. A manufacturer may transport medical

nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects
of the proposed treatment; the application and other materials from the commissioner; and
provide patients with the Tennessen warning as required by section 13.04, subdivision 2; and

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

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

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

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

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

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

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

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

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

Sec. 24. Minnesota Statutes 2022, section 152.28, subdivision 2, is amended to read:

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

EFFECTIVE DATE. This section is effective July 1, 2024.
cannabis or medical cannabis products that have been cultivated, harvested, manufactured, packaged, and processed by that manufacturer to another registered manufacturer for the other manufacturer to distribute.

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

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

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

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

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

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner office. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is not required when a manufacturer is distributing medical cannabis to a patient according to a patient-specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician only required:

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

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

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

(iv) upon the request of the patient; and  

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

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

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

(4) ensure that any employee of the manufacturer licensed as a pharmacist pursuant to chapter 151 has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages reported by the commissioner office. For purposes of this clause, a consultation may be conducted remotely by secure videoconference, telephone, or other remote means, so long as the employee providing the consultation is able to confirm the identity of the patient and the consultation adheres to patient privacy requirements that apply to health care services delivered through telehealth. A pharmacist consultation under this clause is not required when a manufacturer is distributing medical cannabis to a patient according to a patient-specific dosage plan established with that manufacturer and is not modifying the dosage or product being distributed under that plan and the medical cannabis is distributed by a pharmacy technician only required:

(i) if the patient is purchasing the product not previously purchased;  

(ii) if the patient purchases a product that the patient must administer using a different method than the patient's previous method of administration;

(iii) if the patient purchases a product with a cannabinoid concentration of at least double the patient's prior dosage; and  

(iv) upon request of the patient; and  

(5) properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child-resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:
(i) the patient's name and date of birth;
(ii) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;
(iii) the patient's registry identification number;
(iv) the chemical composition of the medical cannabis; and
(v) the dosage;

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

(d) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a distribution facility or to another registered manufacturer to carry identification showing that the person is an employee of the manufacturer.

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

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

Sec. 24. Minnesota Statutes 2023 Supplement, section 152.30, is amended to read:

152.30 PATIENT DUTIES.

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

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

(1) continue to receive regularly scheduled treatment for their qualifying medical condition from their health care practitioner; and
(2) report changes in their qualifying medical condition to their health care practitioner.

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

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

Sec. 25. Minnesota Statutes 2022, section 181.950, subdivision 10, is amended to read:

Subd. 10. **Positive test result.** "Positive test result" means a finding of the presence of drugs, cannabis, alcohol, or their metabolites in the sample tested in levels at or above the

**EFFECTIVE DATE.** This section is effective July 1, 2024.
threshold detection levels contained in the standards of one of the programs listed in section 181.953, subdivision 3.

Sec. 26. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 4, is amended to read:

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

Sec. 27. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 5, is amended to read:

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

(1) is under the influence of drugs, cannabis, or alcohol;
(2) has violated the employer's written work rules prohibiting the use, possession, impairment, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while the employee is working or while the employee is on the employer's premises or operating the employer's vehicle, machinery, or equipment, provided the work rules are in writing and contained in the employer's written cannabis testing or drug and alcohol testing policy;
(3) has sustained a personal injury, as that term is defined in section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or
(4) has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

Sec. 28. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 8, is amended to read:

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

(b) Unless otherwise required by state or federal law, an employer must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by this section and the results of the test indicate the presence of cannabis.
(c) An employer must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.

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

Sec. 29. Minnesota Statutes 2022, section 181.952, as amended by Laws 2023, chapter 63, article 6, section 38, is amended to read:

181.952 POLICY CONTENTS; PRIOR WRITTEN NOTICE.

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

1. the employees or job applicants subject to testing under the policy;
2. the circumstances under which drug or alcohol and cannabis testing may be requested or required;
3. the right of an employee or job applicant to refuse to undergo drug and alcohol and cannabis testing and the consequences of refusal;
4. any disciplinary or other adverse personnel action that may be taken based on a confirmatory test verifying a positive test result on an initial screening test;
5. the right of an employee or job applicant to explain a positive test result on a confirmatory test or request and pay for a confirmatory retest; and
6. any other appeal procedures available;

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

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

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

Sec. 30. Minnesota Statutes 2023 Supplement, section 181.954, subdivision 1, is amended
to read:

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

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

(b) The formulary shall not include:

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

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

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

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

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

(6) medical cannabis flower as defined in section 342.01, subdivision 44, or medical
cannabinoid products as defined in section 342.01, subdivision 54, or cannabis products
as defined in section 342.01, subdivision 20;

(c) If a single-source drug used by at least two percent of the fee-for-service medical
assistance recipients is removed from the formulary due to the failure of the manufacturer
to sign a rebate agreement with the Department of Health and Human Services, the
commissioner shall notify prescribing practitioners within 30 days of receiving notification
from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was
not signed;
EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 28. Minnesota Statutes 2023 Supplement, section 290.0132, subdivision 29, is amended to read:

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

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

Sec. 29. Minnesota Statutes 2023 Supplement, section 290.0134, subdivision 19, is amended to read:

Subd. 19. **Disallowed section 280E expenses; cannabis licensees.** The amount of expenses of a medical cannabis business license holder, as defined under section 342.01, subdivision 53, related to the business of medical cannabis under sections 342.47 to 342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis under that chapter, cannabis or hemp and not allowed for federal income tax purposes under section 280E of the Internal Revenue Code is a subtraction.

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

Sec. 30. Minnesota Statutes 2023 Supplement, section 295.81, subdivision 1, is amended to read:

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

(b) "Bundled transaction" means the retail sale of two or more products when the products are otherwise distinct and identifiable and the products are sold for one nonitemized price.

(c) "Cannabis flower" has the meaning given in section 342.01, subdivision 16.

(d) "Cannabis product" has the meaning given in section 342.01, subdivision 20.

(e) "Cannabis solution product" means any cartridge, bottle, or other package that contains a taxable cannabis product in a solution that is consumed or meant to be consumed through the use of a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that produces vapor or aerosol. A cannabis solution product includes any electronic delivery system, electronic vaping device, electronic vape pen, electronic oral device, electronic delivery device, or similar product or device; and any batteries, heating elements, or other components, parts, or accessories sold with and meant to be used in the consumption of a solution containing a taxable cannabis product.

(f) "Cannabis mezzobusiness" means a cannabis business licensed under section 342.29.
(g) "Cannabis microbusiness" means a cannabis business licensed under section 342.28.
(h) "Cannabis retailer" means a cannabis business licensed under section 342.32.
(i) "Commissioner" means the commissioner of revenue.
(j) "Gross receipts" means the total amount received in money or by barter or exchange for all taxable cannabis product sales at retail as measured by the sales price. Gross receipts include but are not limited to delivery charges and packaging costs. Gross receipts do not include:
(1) any taxes imposed directly on the customer that are separately stated on the invoice, bill of sale, or similar document given to the purchaser; and
(2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party and that are allowed by the seller and taken by a purchaser on a sale.
(k) "Hemp-derived consumer product" has the meaning given in section 342.01, subdivision 37.
(l) "Lower-potency hemp edible" has the meaning given in section 342.01, subdivision 50.
(m) "Lower-potency hemp edible retailer" means a cannabis business licensed under section 342.43, subdivision 1, clause (2).
(n) "Medical cannabis flower" has the meaning given in section 342.01, subdivision 54.
(o) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision 52.
(p) "Medical cannabis paraphernalia" has the meaning given in section 342.01, subdivision 55.
(q) (n) "Retail sale" has the meaning given in section 297A.61, subdivision 4.
(r) (o) "Taxable cannabis product" means cannabis flower, cannabis product, cannabis solution product, hemp-derived consumer product, lower-potency hemp edible, and any substantially similar item, and does not include items exempt from tax under subdivision 4, paragraph (b).
(s) (p) "Taxable cannabis product retailer" means a retailer that sells any taxable cannabis product, and includes a cannabis retailer, cannabis microbusiness, cannabis mezzobusiness, medical cannabis combination business, and lower-potency hemp edible retailer. Taxable cannabis product retailer includes but is not limited to a:
(1) retailer maintaining a place of business in this state;
(2) marketplace provider maintaining a place of business in this state, as defined in section 297A.66, subdivision 1, paragraph (a);
(3) retailer not maintaining a place of business in this state; and
(4) marketplace provider not maintaining a place of business in this state, as defined in
section 297A.66, subdivision 1; paragraph (b).

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

Sec. 31. Minnesota Statutes 2023 Supplement, section 295.81, subdivision 4, is amended
to read:

Subd. 4. **Exemptions.** (a) The use tax imposed under subdivision 3, paragraph (a), does
not apply to the possession, use, or storage of taxable cannabis products if (1) the taxable
products have an aggregate cost in any calendar month to the customer of $100
or less, and (2) the taxable cannabis products were carried into this state by the customer;
(b) The tax imposed under this section does not apply to sales by a cannabis business
with a medical cannabis retail endorsement or by a medical cannabis combination business
of the following items purchased by or for a patient: cannabis flower, cannabis oil,
products, or cannabis paraphernalia: Items sold under this paragraph must be sold to a person
enrolled in the registry program, including medical cannabis flower, medical cannabis
products, or medical cannabis paraphernalia.
(c) Unless otherwise specified in this section, the exemptions applicable to taxes imposed
under chapter 297A are not applicable to the taxes imposed under this section.
(d) The tax imposed under this section does not apply to:
(1) sales made in Indian country as defined in United States Code, title 18, section 1151,
by a cannabis business licensed by a Minnesota Tribal government, as defined in section
3.9228, subdivision 1; paragraph (f); or
(2) use tax owed on taxable cannabis products purchased on Tribally regulated land as
defined in section 3.9228, subdivision 1, from a cannabis business licensed by a Minnesota
Tribal government as defined in section 3.9228, subdivision 1, paragraph (f).

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

Sec. 32. Minnesota Statutes 2023 Supplement, section 297A.67, subdivision 2, is amended
to read:

Subd. 2. **Food and food ingredients.** Except as otherwise provided in this subdivision,
food and food ingredients are exempt. For purposes of this subdivision, "food" and "food
ingredients" mean substances, whether in liquid, concentrated, solid, frozen, dried, or
dehydrated form, that are sold for ingestion or chewing by humans and are consumed for
their taste or nutritional value: Food and food ingredients exempt under this subdivision do
not include candy, soft drinks, dietary supplements; and prepared foods: Food and food
ingredients do not include alcoholic beverages, tobacco, taxable cannabis products, medical
cannabis flower, and medical cannabis products, and any item exempt from tax under
section 295.81, subdivision 4, paragraph (b). For purposes of this subdivision, "alcoholic beverages" means beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume. For purposes of this subdivision, "tobacco" means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco.

For purposes of this subdivision, "taxable cannabis product" has the meaning given in section 295.81, subdivision 1, paragraph (r), "medical cannabis flower" has the meaning given in section 342.01, subdivision 54, and "medical cannabinoid product" has the meaning given in section 342.01, subdivision 52 (o). For purposes of this subdivision, "dietary supplements" means any product, other than tobacco, intended to supplement the diet that:

(1) contains one or more of the following dietary ingredients:

(i) a vitamin;
(ii) a mineral;
(iii) an herb or other botanical;
(iv) an amino acid;
(v) a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; and
(vi) a concentrate, metabolite, constituent, extract, or combination of any ingredient described in items (i) to (v);

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

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

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

Sec. 33. Minnesota Statutes 2023 Supplement, section 297A.70, subdivision 2, is amended to read:

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

(1) the United States and its agencies and instrumentalities;
(2) school districts, local governments, the University of Minnesota, state universities, community colleges, technical colleges, state academies, the Perpich Minnesota Center for Arts Education, and an instrumentality of a political subdivision that is accredited as an optional/special function school by the North Central Association of Colleges and Schools;
32.15 (3) hospitals and nursing homes owned and operated by political subdivisions of the state of tangible personal property and taxable services used at or by hospitals and nursing homes;
32.16 (4) other states or political subdivisions of other states, if the sale would be exempt from taxation if it occurred in that state; and
32.17 (5) public libraries, public library systems, multicounty, multitype library systems as defined in section 134.001, county law libraries under chapter 134A, state agency libraries, the state library under section 480.09, and the Legislative Reference Library.
32.18 (b) This exemption does not apply to the sales of the following products and services:
32.19 (1) building, construction, or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility;
32.20 (2) construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;
32.21 (3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except for leases entered into by the United States or its agencies or instrumentalties;
32.22 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2), prepared food, candy, soft drinks, alcoholic beverages as defined in section 297A.67, subdivision 2, and taxable cannabis products as defined under section 295.81, subdivision 1, paragraph (r), except for lodging, prepared food, candy, soft drinks, alcoholic beverages, and taxable cannabis products purchased directly by the United States or its agencies or instrumentalties; or
32.23 (5) goods or services purchased by a local government as inputs to a liquor store, taxable cannabis product retailer as defined under section 295.81, subdivision 1, paragraph (p), gas or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf course, marina, campground, cafe, or laundromat.
32.24 (c) As used in this subdivision, "school districts" means public school entities and districts of every kind and nature organized under the laws of the state of Minnesota, and any instrumentality of a school district, as defined in section 471.59;
32.25 (d) For purposes of the exemption granted under this subdivision, "local governments" has the following meaning;
32.26 (1) for the period prior to January 1, 2017, local governments means statutory or home rule charter cities, counties, and townships; and
beginning January 1, 2017, local governments means statutory or home rule charter cities, counties, and townships; special districts as defined under section 6.465; any instrumentality of a statutory or home rule charter city, county, or township as defined in section 471.59; and any joint powers board or organization created under section 471.59.

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

Sec. 34. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 3, is amended to read:

Subd. 3. Adult-use cannabis flower. "Adult-use cannabis flower" means cannabis flower that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

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

Sec. 35. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 4, is amended to read:

Subd. 4. Adult-use cannabis product. "Adult-use cannabis product" means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

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

Sec. 36. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 12, is amended to read:

Subd. 12. Cannabinoid product. "Cannabinoid product" means any of the following:

(1) a cannabis product;

(2) a hemp-derived consumer product;

(3) a lower-potency hemp edible;

(4) a product that consists of or contains cannabis concentrate or hemp concentrate or is infused with cannabinoids, and is provided to:

(i) a patient enrolled in the registry program;

(ii) a registered designated caregiver; or

(iii) a parent, legal guardian, or spouse of an enrolled patient, if provided by a cannabis retailer or medical cannabis retailer to treat or alleviate the symptoms of a qualifying medical condition.
Sec. 31. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 14, is amended to read:

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

1. cannabis microbusiness;
2. cannabis mezzobusiness;
3. cannabis cultivator;
4. cannabis manufacturer;
5. cannabis retailer;
6. cannabis wholesaler;
7. cannabis transporter;
8. cannabis testing facility;
9. cannabis event organizer;
10. cannabis delivery service; and
11. medical cannabis cultivator;
12. medical cannabis processor;
13. medical cannabis retailer; and
14. medical cannabis combination business.

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

Sec. 32. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 17, is amended to read:

Subd. 17. Cannabis industry. "Cannabis industry" means every item, product, person, process, action, business, or other thing related to cannabis plants, cannabis flower, and cannabis products and subject to regulation under this chapter.

Sec. 33. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 18, is amended to read:

Subd. 18. Cannabis products. "Cannabis products" means every item, product, person, process, action, business, or other thing related to cannabis plants, cannabis flower, and cannabis products and subject to regulation under this chapter.

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

Sec. 34. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended to read:

Subd. 19. Cannabis products. "Cannabis products" means every item, product, person, process, action, business, or other thing related to cannabis plants, cannabis flower, and cannabis products and subject to regulation under this chapter.

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

Sec. 35. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 20, is amended to read:

Subd. 20. Cannabis products. "Cannabis products" means every item, product, person, process, action, business, or other thing related to cannabis plants, cannabis flower, and cannabis products and subject to regulation under this chapter.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 40. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended to read:

Subd. 19. Cannabis plant. "Cannabis plant" means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis,

Subd. 19. Cannabis plant. "Cannabis plant" means all parts of the plant of the genus Cannabis that is growing or has not been harvested and has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis, including but not limited to a mother plant; a mature, flowering plant; an immature plant; or a seedling. Cannabis plant does not include a hemp plant.

Subd. 19. Cannabis product. (a) "Cannabis product" means any of the following:

(1) cannabis concentrate;
(2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
(3) any other product that contains cannabis concentrate.

(b) Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

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

Sec. 41. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 20, is amended to read:

Subd. 20. Cannabis product. (a) "Cannabis product" means any of the following:

(1) cannabis concentrate;
(2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
(3) any other product that contains cannabis concentrate.

(b) Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

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

Sec. 42. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a subdivision to read:

Subd. 31a. Endorsement. "Endorsement" means an authorization from the Office of Cannabis Management to conduct a specified operation activity.

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

Sec. 43. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 48, is amended to read:

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

(1) cannabis microbusiness;
(2) cannabis mezzobusiness;
Sec. 36. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 50, is amended to read:

Subd. 50. Lower-potency hemp edible. "Lower-potency hemp edible" means any product that:

1. is intended to be eaten or consumed as a beverage by humans;
2. contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
3. is not a drug;
4. consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
5. does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
6. does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
7. is (a) cannabis cultivator; (b) cannabis manufacturer; (c) cannabis retailer; (d) cannabis wholesaler; (e) cannabis transporter; (f) cannabis testing facility; (g) cannabis event organizer; (h) cannabis delivery service; (i) lower-potency hemp edible manufacturer; (j) lower-potency hemp edible retailer; or (k) medical cannabis cultivator; (l) medical cannabis processor; (m) medical cannabis retailer; or (n) medical cannabis combination business.

EFFECTIVE DATE. This section is effective the day following final enactment.
(4) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and

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

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

(b) A lower-potency hemp edible includes:

(1) a product that:

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

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

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

(2) a product that:

(i) contains hemp concentrate processed or refined without increasing the percentage of targeted cannabinoids or altering the ratio of cannabinoids in the extracts or resins of a hemp plant or hemp plant parts beyond the variability generally recognized for the method used for processing or refining or by an amount needed to reduce the total THC in the hemp concentrate; and

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

Sec. 37. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 52, is amended to read:

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

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

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

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

1. liquid, including but not limited to oil;
2. pill;
3. liquid or oil for use with a vaporized delivery method;
4. water-soluble cannabinoid multiparticulate, including granules, powder, and sprinkles;
5. orally dissolvable product, including lozenges, gums, mints, buccal tablets, and sublingual tablets;
6. edible products in the form of gummies and chews;
7. topical formulation; or
8. any allowable form or delivery method approved by the office.

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

Sec. 38. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 54, is amended to read:

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

Sec. 39. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 63, is amended to read:

Subd. 63. Qualifying medical condition. "Qualifying medical condition" means a diagnosis of any of the following conditions:

1. Alzheimer's disease;
(2) autism spectrum disorder that meets the requirements of the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association;

(3) cancer, if the underlying condition or treatment produces one or more of the following:
   (i) severe or chronic pain;
   (ii) nausea or severe vomiting; or
   (iii) cachexia or severe wasting;

(4) chronic motor or vocal tic disorder;

(5) chronic pain;

(6) glaucoma;

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

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

(9) obstructive sleep apnea;

(10) post-traumatic stress disorder;

(11) Tourette's syndrome;

(12) amyotrophic lateral sclerosis;

(13) seizures, including those characteristic of epilepsy;

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

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

(16) irritable bowel syndrome;

(17) obsessive-compulsive disorder;

(18) sickle cell disease;

(19) terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
   (i) severe or chronic pain;
   (ii) nausea or severe vomiting; or
   (iii) cachexia or severe wasting; or

(20) any other medical condition or its treatment approved by the office, that is:
(ii) if the patient is a veteran receiving care from the United States Department of Veterans Affairs, certified under section 342.52, subdivision 3;

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 40. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 64, is amended to read:

Subd. 64. *Registered designated caregiver.* "Registered designated caregiver" means an individual who:

(1) is at least 18 years old;

(2) is not disqualified for a criminal offense according to rules adopted pursuant to section 342.15, subdivision 2;

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

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

Sec. 41. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 65, is amended to read:

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

(1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from a cannabis retailer or medical cannabis retailer business with a medical cannabis retail endorsement; and

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

Sec. 42. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 66, is amended to read:

Subd. 66. *Registry verification.* "Registry verification" means the verification provided by the Division of Medical Cannabis, office that a patient is enrolled in the registry program.

Sec. 43. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 67, is amended to read:

Subd. 67. *Registry verification.* "Registry verification" means the verification provided by the Division of Medical Cannabis, office that a patient is authorized to perform the following acts:

(1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from a cannabis retailer or medical cannabis retailer business with a medical cannabis retail endorsement; and

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

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

Sec. 44. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 68, is amended to read:

Subd. 68. *Registry verification.* "Registry verification" means the verification provided by the Division of Medical Cannabis, office that a patient is authorized to perform the following acts either as a patient or to assist a patient:

(1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from a cannabis retailer or medical cannabis retailer business with a medical cannabis retail endorsement; and

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

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

Sec. 45. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 69, is amended to read:

Subd. 69. *Registry verification.* "Registry verification" means the verification provided by the Division of Medical Cannabis, office that a patient is authorized to perform the following acts either as a patient or to assist a patient:

(1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from a cannabis retailer or medical cannabis retailer business with a medical cannabis retail endorsement; and

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

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

Sec. 46. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 70, is amended to read:

Subd. 70. *Registry verification.* "Registry verification" means the verification provided by the Division of Medical Cannabis, office that a patient is authorized to perform the following acts either as a patient or to assist a patient:

(1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis paraphernalia from a cannabis retailer or medical cannabis retailer business with a medical cannabis retail endorsement; and

(2) administer medical cannabis flower and medical cannabinoid products.
and that includes the patient's name, patient registry number, and, if applicable, the name
of the patient's registered designated caregiver or parent, legal guardian, or spouse.

Sec. 43. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
subdivision to read:

Subd. 69a. Total THC; “Total THC” means the sum of the percentage by weight of
tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all
tetrahydrocannabinols.

Sec. 44. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 2, is amended
to read:

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

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

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

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

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

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

(6) to issue and renew licenses;

(7) to require fingerprints from individuals determined to be subject to fingerprinting,
including the submission of fingerprints to the Federal Bureau of Investigation where
required by law and to obtain criminal conviction data for individuals seeking a license
enrolled in the registry program and that includes the patient's name, patient registry number,
and, if applicable, the name of the patient's registered designated caregiver or parent, legal
guardian, or spouse.

EFFECTIVE DATE. This section is effective the day following final enactment.
from the office on the individual's behalf or as a cooperative member or director, manager, or general partner of a business entity;

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

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

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

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

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

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

(14) to provide reports as required by law;

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

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

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

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

(19) to order a person or business that cultivates cannabis flower or manufactures or produces cannabis products, medical cannabinoid products, artificially derived cannabinoids, products, artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived cannabis products, lower-potency hemp edibles, hemp-derived

House Language H4757-3

May 04, 2024 03:15 PM

Senate Language UEH4757-2

REVISOR FULL-TEXT SIDE-BY-SIDE
lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical
products to recall any cannabis flower, product, or ingredient containing cannabinoids that
is used in a product if the office determines that the flower, product, or ingredient
represents a risk of causing a serious adverse incident; and

(20) to exercise other powers and authority and perform other duties required by
law.

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

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

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

The following protections shall apply to employees who are transferred from the
Department of Health to the Office of Cannabis Management:

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

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

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

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

EFFECTIVE DATE. This section is effective the day following final enactment.
(5) for an employee in a temporary unclassified position transferred to the Office of Cannabis Management, the total length of time that the employee has served in the appointment shall include all time served in the appointment and the transferring agency and the time served in the appointment at the Office of Cannabis Management. An employee in a temporary unclassified position who was hired by a transferring agency through an open competitive selection process in accordance with a policy enacted by Minnesota Management and Budget shall be considered to have been hired through such process after the transfer.

(c) This subdivision is effective July 1, 2024.
The director may make contracts with and grants to Tribal Nations, public and private agencies, for-profit and nonprofit organizations, and individuals using appropriated money.

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

1. the director of the Office of Cannabis Management or a designee;
2. the commissioner of employment and economic development or a designee;
3. the commissioner of revenue or a designee;
4. the commissioner of health or a designee;
5. the commissioner of human services or a designee;
6. the commissioner of public safety or a designee;
7. the commissioner of human rights or a designee;
8. the commissioner of labor or a designee;
9. the commissioner of agriculture or a designee;
10. the commissioner of the Pollution Control Agency or a designee;
11. the superintendent of the Bureau of Criminal Apprehension or a designee;
12. the colonel of the State Patrol or a designee;
13. the director of the Office of Traffic Safety in the Department of Public Safety or a designee;
14. a representative from the League of Minnesota Cities appointed by the league;
15. a representative from the Association of Minnesota Counties appointed by the association;
16. an expert in minority business development appointed by the governor;
17. an expert in economic development strategies for under-resourced communities appointed by the governor;
18. an expert in farming or representing the interests of farmers appointed by the governor;
19. an expert representing the interests of cannabis workers appointed by the governor;
20. an expert in minority business development appointed by the governor;
21. an expert in economic development strategies for under-resourced communities appointed by the governor;
22. an expert in farming or representing the interests of farmers appointed by the governor;
23. an expert representing the interests of cannabis workers appointed by the governor;
(20) an expert representing the interests of employers appointed by the governor;
(21) an expert in municipal law enforcement with advanced training in impairment detection and evaluation appointed by the governor;
(22) an expert in social welfare or social justice appointed by the governor;
(23) an expert in criminal justice reform to mitigate the disproportionate impact of drug prosecutions on communities of color appointed by the governor;
(24) an expert in prevention, treatment, and recovery related to substance use disorders appointed by the governor;
(25) an expert in minority business ownership appointed by the governor;
(26) an expert in women-owned businesses appointed by the governor;
(27) an expert in cannabis retailing appointed by the governor;
(28) an expert in cannabis product manufacturing appointed by the governor;
(29) an expert in laboratory sciences and toxicology appointed by the governor;
(30) an expert in providing legal services to cannabis businesses appointed by the governor;
(31) an expert in cannabis cultivation appointed by the governor;
(32) an expert in pediatric medicine appointed by the governor;
(33) an expert in adult medicine appointed by the governor;
(34) an expert in clinical pharmacy appointed by the governor;
(35) three patient advocates, one who is a patient enrolled in the medical cannabis program; one who is a parent or caregiver of a patient in the medical cannabis program; and one patient with experience in the mental health system or substance use disorder treatment system appointed by the governor;
(36) two licensed mental health professionals appointed by the governor;
(37) a veteran appointed by the governor;
(38) one member of each of the following federally recognized Tribes, designated by the elected Tribal president or chairperson of the governing bodies of: (i) the Fond du Lac Band; (ii) the Grand Portage Band; (iii) the Mille Lacs Band; (iv) the White Earth Band;
(v) the Bois Forte Band;
(vi) the Leech Lake Band;
(vii) the Red Lake Nation;
(viii) the Upper Sioux Community;
(ix) the Lower Sioux Indian Community;
(x) the Shakopee Mdewakanton Sioux Community; and
(xi) the Prairie Island Indian Community;

(38) a representative from the Local Public Health Association of Minnesota appointed by the association;

(39) one youth from a rural area and one youth from a metropolitan area who are both appointed by the governor. The youths must have been disproportionately affected by cannabis or cannabis use or have an immediate family member who was negatively affected by cannabis use. The youths must be between the ages of 18 and 24 years old.

Sec. 48.Minnesota Statutes 2023 Supplement, section 342.03, subdivision 4, is amended to read:

Subd. 4. Duties. (a) The duties of the advisory council shall include:

(1) reviewing national cannabis policy;
(2) examining the effectiveness of state cannabis policy;
(3) reviewing developments in the cannabis industry and hemp consumer industry;
(4) reviewing developments in the study of cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products;
(5) taking public testimony; and
(6) studying the impact of legalized adult-use cannabis on the rate of cannabis use by minors; and

(7) making recommendations to the Office of Cannabis Management;

(b) At its discretion, the advisory council may examine other related issues consistent with this section.
Sec. 49. Minnesota Statutes 2023 Supplement, section 342.06, is amended to read:

342.06 APPROVAL OF CANNABIS FLOWER, PRODUCTS, AND CANNABINOIDS.

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

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

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

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

1. is or appears to be a lollipop or ice cream;
2. bears the likeness or contains characteristics of a real or fictional person, animal, or fruit;
3. is modeled after a type or brand of products primarily consumed by or marketed to children;
4. is substantially similar to a meat food product, poultry food product as defined in section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision 7;
5. contains a synthetic cannabinoid;
6. is made by applying a cannabinoid, including but not limited to an artificially derived cannabinoid, to a finished food product that does not contain cannabinoids and is sold to consumers, including but not limited to a candy or snack food; or
7. if the product is an edible cannabis product or lower-potency hemp edible, contains an ingredient, other than a cannabinoid, that is not approved by the United States Food and Drug Administration for use in food.

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

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

(1) specify the cannabinoid that is the subject of the petition;
(2) indicate whether the petition seeks to have the cannabinoid designated as nonintoxicating or approved for use in lower-potency hemp edibles;
(3) indicate whether the cannabinoid has been identified in cannabis plants, cannabis extract, hemp plant parts, or hemp extract; and
(4) include verified data, validated studies, or other evidence that is generally relied upon in the scientific community to support the petition.

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

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

 Sec. 50. Minnesota Statutes 2023 Supplement, section 342.07, subdivision 3, is amended to read:

Subd. 3. Edible cannabinoid product handler endorsement. (a) Any person seeking to manufacture, process, sell, handle, or store an edible cannabis product or lower-potency hemp edible, other than an edible cannabis product or lower-potency hemp edible that has been placed in its final packaging, must first obtain an edible cannabinoid product handler endorsement.

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

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

(1) the office must issue an edible cannabinoid product handler endorsement, rather than a license;
(2) eligibility for an edible cannabinoid product handler endorsement is limited to persons who possess a valid license issued by the office;
the office may not charge a fee for issuing or renewing the endorsement;

the office must align the term and renewal period for edible cannabinoid product handler endorsements with the term and renewal period of the license issued by the office; and

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

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

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

Sec. 54. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 1, is amended to read:

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

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

(2) possess or transport two ounces or less of adult-use cannabis flower in a public place;

(3) possess two pounds or less of adult-use cannabis flower in the individual's private residence;

(4) possess or transport eight grams or less of adult-use cannabis concentrate;

(5) possess or transport edible cannabis products or lower-potency hemp edibles infused with a combined total of 800 milligrams or less of tetrahydrocannabinol;

(6) give for no remuneration to an individual who is at least 21 years of age:

(i) two ounces or less of adult-use cannabis flower;

(ii) eight grams or less of adult-use cannabis concentrate; or

(iii) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams or less of tetrahydrocannabinol; and

(7) use adult-use cannabis flower and adult-use cannabis products in the following locations:

(i) a private residence, including the individual's curtilage or yard;
(ii) on private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or

(iii) on the premises of an establishment or event licensed to permit on-site consumption.

(b) Except as provided in paragraph (c), an individual may not:

(1) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products if the individual is under 21 years of age;

(2) use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a motor vehicle as defined in section 169A.03, subdivision 15;

(3) use cannabis flower, cannabis products, or hemp-derived consumer products in a manner that involves the inhalation of smoke, aerosol, or vapor at any location where smoking is prohibited under section 144.414;

(4) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school; as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter school governed by chapter 124E, including all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls;

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

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

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

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

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

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

(d) The possession limits in paragraph (a), clauses (2) to (5), do not apply to a person enrolled in the medical cannabis patient registry program under section 342.52 if the person
possesses cannabis flower or cannabinoid products that include patient-specific labeling
according to sections 342.51, subdivision 2, and 342.63, subdivision 4.
(d) A proprietor of a family or group family day care program must disclose to parents
or guardians of children cared for on the premises of the family or group family day care
program, if the proprietor permits the smoking or use of cannabis flower, cannabis products,
lower-potency hemp edibles, or hemp-derived consumer products on the premises outside
of its hours of operation. Disclosure must include posting on the premises a conspicuous
written notice and orally informing parents or guardians. Cannabis flower or cannabis
products must be inaccessible to children and stored away from food products.
EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 55. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 3, is amended
to read:
Subd. 3. Home extraction of cannabis concentrate by use of volatile solvent
prohibited. No person may use a volatile solvent to separate or extract cannabis concentrate
or hemp concentrate without a cannabis microbusiness, cannabis mezzobusiness, cannabis
manufacturer, medical cannabis processor, combination business, or lower-potency hemp
edible manufacturer license issued under this chapter.
EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 56. Minnesota Statutes 2023 Supplement, section 342.10, is amended to read:
342.10 LICENSES; TYPES.
The office shall issue the following types of license:
(1) cannabis microbusiness;
(2) cannabis mezzobusiness;
(3) cannabis cultivator;
(4) cannabis manufacturer;
(5) cannabis retailer;
(6) cannabis wholesaler;
(7) cannabis transporter;
(8) cannabis testing facility;
(9) cannabis event organizer;
(10) cannabis delivery service;
(11) lower-potency hemp edible manufacturer;
Sec. 57. Minnesota Statutes 2023 Supplement, section 342.11, is amended to read:

342.11 LICENSES; FEES.

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

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

(1) for a cannabis microbusiness:

(i) an application fee of $500;

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

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

(2) for a cannabis mezzobusiness:

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

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

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

(3) for a cannabis cultivator:

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

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

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

(4) for a cannabis manufacturer:

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

(5) for a cannabis processor:

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

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

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

(6) for a cannabis retailer:

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

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

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

(7) for a cannabis combination business:

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

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

(iii) a renewal license fee of $30,000.

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

(1) for a cannabis microbusiness:

(i) an application fee of $500;

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

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

(2) for a cannabis mezzobusiness:

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

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

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

(3) for a cannabis cultivator:

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

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

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

(4) for a cannabis manufacturer:

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

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

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

(5) for a cannabis processor:

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

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

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

(6) for a cannabis retailer:

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

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

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

(7) for a cannabis combination business:

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

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

(iii) a renewal license fee of $30,000.

EFFECTIVE DATE. This section is effective the day following final enactment.
(ii) an initial license fee of $10,000; and

(ii) a renewal license fee of $20,000; and

(iii) a renewal license fee of $5,000; and

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

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

(iii) a renewal license fee of $5,000; and

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

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

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

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

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

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

(i) an application fee of $250; and

(ii) an initial license fee of $500; and

(iii) a renewal license fee of $1,000; and

(i) an application fee of $250; and

(ii) an initial license fee of $500; and

(iii) a renewal license fee of $1,000; and

(i) an application fee of $250; and

(ii) an initial license fee of $1,000; and

(i) an application fee of $750; and

(ii) an initial license fee of $750; and

(i) an application fee of $750; and

(ii) an initial license fee of $750; and

(i) an application fee of $250; and

(ii) an initial license fee of $1,000; and
(iii) a renewal license fee of $1,000;

(i) an application fee of $250 per retail location;
(ii) an initial license fee of $250 per retail location; and
(iii) a renewal license fee of $250 per retail location;

(i) an application fee of $250 per retail location;

(i) an application fee of $250; and
(ii) an initial license fee of $0; and
(iii) a renewal license fee of $0;

(i) an application fee of $250;
(ii) an initial license fee of $0; and
(iii) a renewal license fee of $0;

(i) an application fee of $250;
(ii) an initial license fee of $0; and
(iii) a renewal license fee of $0;

(i) an application fee of $250;
(ii) an initial license fee of $0; and
(iii) a renewal license fee of $0;

(iii) a renewal license fee of $0;

(i) an application fee of $10,000;
(ii) an initial license fee of $20,000; and
(iii) a renewal license fee of $70,000.

Sec. 54. Minnesota Statutes 2023 Supplement, section 342.12, is amended to read:

342.12 LICENSES; TRANSFERS; ADJUSTMENTS.

(a) Licenses issued under this chapter that are available to all applicants pursuant to section 342.18, subdivision 4, paragraph (g), may be freely transferred subject to the prior written approval of the office, which approval may be given or withheld in the office’s sole discretion, provided that a social equity applicant may only transfer the applicant’s license to another social equity applicant.

(a) Licenses. A person holding a license issued under this chapter may be freely transferred: transfer that license to another entity subject to the prior written approval of the office; which approval may be given or withheld in the office’s sole discretion, provided that a social equity applicant may only transfer the applicant’s license to another social equity applicant unless the license is temporary or is held by a social equity applicant. A new license must be obtained when:
(b) Licenses issued as social equity licenses pursuant to either section 342.18, subdivision 4, paragraph (f), or section 342.175, paragraph (b), may only be transferred to another social equity applicant for three years after the date on which the office issues the license. Three years after the date of issuance, a license holder may transfer a license to any entity. Transfer of a license that was issued as a social equity license must be reviewed by the Division of Social Equity and is subject to the prior written approval of the office.

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

(d) A new license must be obtained when:

1. The form of the licensee’s legal business structure converts or changes to a different type of legal business structure; or
2. The licensee dissolves; consolidates; reorganizes; undergoes bankruptcy, insolvency, or receivership proceedings; merges with another legal organization; or assigns all or substantially all of its assets for the benefit of creditors.

(e) Transfers between social equity applicants must be reviewed by the Division of Social Equity.

(f) Licenses must be renewed annually.

(g) License holders may petition the office to adjust the tier of a license issued within a license category provided that the license holder meets all applicable requirements.

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

Sec. 55. [342.125] LICENSE PREAPPROVAL.

Subdivision 1. Preapproval. (a) The office may establish a license preapproval process for applicants who meet the requirements in section 342.17.

(1) the form of the licensee’s legal business structure converts or changes to a different type of legal business structure; or
(2) the licensee dissolves; consolidates; reorganizes; undergoes bankruptcy, insolvency, or receivership proceedings; merges with another legal organization; or assigns all or substantially all of its assets for the benefit of creditors.

(2) Transfers between social equity applicants must be reviewed by the Division of Social Equity.

(g) Licenses must be renewed annually.

(h) License holders may petition the office to adjust the tier of a license issued within a license category provided that the license holder meets all applicable requirements.

(i) The office by rule may permit the relocation of a licensed cannabis business, permit the relocation of an approved operational location, including a grow or retail location; adopt requirements for the submission of a license relocation application; establish standards for the approval of a relocation application; and charge a fee not to exceed $250 for reviewing and processing applications. Relocation of a licensed premises pursuant to this paragraph does not extend or otherwise modify the license term of the license subject to relocation.

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

Subdivision 1. Establishment. Prior to the adoption of initial rules pursuant to Minnesota Statutes, section 342.02, subdivision 5, the Office of Cannabis Management may issue license preapprovals to social equity applicants and local units of government as described in this section. For purposes of this section, “office” means the Office of Cannabis Management.
(b) The office may issue up to the following number of license preapprovals:

1. cannabis microbusiness licenses, 100;
2. cannabis mezzobusiness licenses, 25;
3. cannabis cultivator licenses, 13;
4. cannabis manufacturer licenses, six;
5. cannabis retailer licenses, 50;
6. cannabis wholesaler licenses, 20;
7. cannabis transporter licenses, 20;
8. cannabis testing facility licenses, 50; and
9. cannabis delivery service licenses, ten.

(c) License preapproval remains valid for 18 months from the date that the office adopts initial rules pursuant to section 342.02, subdivision 5, unless the office revokes the preapproval. If a person has not converted a preapproval into a license within 18 months, the preapproval expires.

(d) By August 15, 2024, the office must announce the commencement of an initial application period for license preapproval. By October 1, 2024, the office must issue license preapprovals to eligible applicants who submit an application in the initial application period.

The office must prioritize license categories that authorize the cultivation of cannabis plants. At a minimum, the office must make the following number of licenses available for preapproval in the initial application period:

1. cannabis microbusiness licenses, 100;
2. cannabis mezzobusiness licenses, 25;
3. cannabis cultivator licenses, 26; and
4. cannabis testing facility licenses, 50.

Subd. 2. Eligibility. (a) Only a social equity applicant who meets the requirements in section 342.17 is eligible for license preapproval.

(b) The office must not issue a license preapproval if the applicant would be prohibited from holding the license under section 342.18, subdivision 2.
Subd. 3. Application; contents. (a) An applicant for preapproval must:

(1) complete an application that contains the information described in section 342.14, subdivision 1, on a form approved by the office; and

(2) pay the applicable application fee required under section 342.11, paragraph (b), for the license being sought.

(b) The office shall not require an applicant to possess or identify any property on which the cannabis business will operate.

Subd. 4. Application process. (a) The office must announce the commencement of an application period for license preapproval at least 14 days before the date that the office begins to accept applications. The announcement must include:

(1) the types of licenses that will be available for preapproval during the application period;

(2) the number of each type of license available;

(3) the date on which the application period will begin; and

(4) the date on which the application period will end.

(b) The office must accept applications for license preapproval for 30 calendar days during an application period.

(c) Before proceeding with a review of the application, the office must verify the applicant's status as a social equity applicant.

(d) The office may deny an application for preapproval that:

(1) is incomplete;

(2) contains a materially false statement about the applicant or omits material information about the applicant;

(3) is from an applicant that does not meet the requirements in section 342.17;

(4) fails to meet the minimum qualifications for the license in section 342.18, subdivision 3;

(5) is from an applicant who fails to pay the applicable application fee; or

(6) is not submitted by the deadline established by the office.

(b) The office may deny an application that:

(1) is incomplete;

(2) contains a materially false statement about the applicant;

(3) omits material information about the applicant;

(4) fails to meet the minimum qualifications in Minnesota Statutes, section 342.18, subdivision 3;

(5) is from an applicant who fails to pay the applicable application fee; or

(6) is not submitted by the application deadline.
If the office denies an application for preapproval, the office must notify the applicant of the denial and the basis for the denial.

The office may request additional information from any applicant if the office determines that the information is necessary to review or process the application. If the applicant does not provide the additional requested information within 14 calendar days of the office's request for information, the office may deny the application.

The office may issue a license preapproval in violation of Minnesota Statutes, section 342.18, subdivision 2.

An applicant who meets the requirements in subdivisions 2, 3, and 4 is a qualified applicant and the office may issue a license preapproval to the applicant.

If the number of available license preapprovals is less than the number of qualified social equity applicants, the office must conduct a lottery. The lottery must include all qualified applicants seeking preapproval for the license type and must be impartial, random, and in a format determined by the office.

The lottery must include all qualified applicants seeking preapproval for the license type and must be impartial, random, and in a format determined by the office.

(a) An applicant who meets the requirements in subdivisions 2, 3, and 4 is a qualified applicant and the office may issue a license preapproval to the applicant.

(b) If there are fewer license preapprovals available than the number of qualified applicants for that license type, the office must conduct a lottery to select applicants for preapproval. The lottery must include all qualified applicants seeking preapproval for the license type and must be impartial, random, and in a format determined by the office.

The lottery must include all qualified applicants seeking preapproval for the license type and must be impartial, random, and in a format determined by the office.

The lottery must include all qualified applicants seeking preapproval for the license type and must be impartial, random, and in a format determined by the office.

Subd. 5. Lottery.
(a) The office may request additional information from an applicant if the office determines that the information is necessary to review or process the application. If the applicant does not provide the additional requested information within 14 calendar days, the office may deny the application.

(d) The office may not issue a license preapproval in violation of Minnesota Statutes, section 342.18, subdivision 2.

No more than the following number of license preapprovals per application period:
1. cannabis microbusiness licenses, 100;
2. cannabis mezzobusiness licenses, 15;
3. cannabis cultivator licenses, 11;
4. cannabis manufacturer licenses, six;
5. cannabis retailer licenses, 50;
6. cannabis wholesaler licenses, 20;
7. cannabis transporter licenses, 20;
8. cannabis testing facility licenses, 25;
9. cannabis event organizer licenses, ten; and
10. cannabis delivery service licenses, ten.

(b) Of the available license preapprovals listed in paragraph (a), the following number of license preapprovals will be available for applicants that notify the office they will apply for a medical retail endorsement and serve the medical registry market for at least three years:
1. cannabis microbusiness, 20;
Failure to receive a medical retail endorsement or to serve the medical registry market for at least three years will result in a revocation of license.

(c) The office shall only issue a license preapproval to a local unit of government if, after issuing license preapprovals to social equity applicants, there are remaining license preapprovals available. A license preapproval held by a local unit of government must not count towards the limited number of licenses issued by a local government unit under Minnesota Statutes, section 342.13.

(d) The office must retain applications not selected for a license preapproval and include them in subsequent lotteries for one year unless the applicant requests to be removed from consideration or, if the applicant is a business entity, any cooperative member or director, manager, or general partner of the business entity that has violated this chapter.

Subd. 6. License preapproval; purpose; restrictions. (a) License preapproval issued by the office is evidence that the applicant has submitted all necessary information to the office; the office has determined that the applicant is qualified to hold a license of the type that is preapproved; and the office will issue the person a license after the office adopts initial rules pursuant to section 342.02, subdivision 5, unless the office revokes preapproval pursuant to subdivision 7.

(b) Upon request by a person who has been preapproved for a license, the office must provide confirmation of the preapproval to third parties to assist the person in taking the steps necessary to prepare for business operations, including:

1. establishing legal control of the site of the cannabis business through lease, purchase, or other means;
(2) gaining zoning or planning approval for the site of the cannabis business from a local unit of government; and

(3) raising capital for the person's business operations.

(c) License preapproval does not authorize a person to open a cannabis business or engage in any activity that requires a license issued under this chapter.

(b) The holder of a license preapproval shall not:

(1) purchase, possess, cultivate, manufacture, distribute, dispense, or sell cannabis plants, cannabis flower, cannabis products, medical cannabis flower, or medical cannabinoid products;

(2) manufacture, distribute, sell edible cannabinoid products or lower-potency hemp edibles unless the person has explicit permission to engage in those activities from the office and has a valid license authorizing those actions or is registered pursuant to section 151.72.

(3) make any transfer of an ownership interest that causes a change in the individual or entity that holds the controlling ownership interest;

(4) make any change or transfer of ownership or control that would require a new business registration with the secretary of state; or

(5) make any transfer of ownership interest that causes the holder of the license preapproval to no longer qualify as a social equity applicant as defined in Minnesota Statutes, section 342.17.

Subd. 8. Enforcement and revocation. (a) The office may rescind a social equity applicant's status as a selected lottery applicant if:

(1) there are grounds for revocation under Minnesota Statutes, section 342.21;

(2) the applicant is disqualified under Minnesota Statutes section 342.15; or

(3) the applicant is determined to be in arrears on property, business, or personal taxes.

Subd. 7. Revocation of preapproval. The office may revoke a license preapproval if the individual holding the preapproval or, if preapproval is granted to a business entity, any cooperative member or director, manager, or general partner of the business entity:

(1) fraudulently or deceptively obtained preapproval;

(2) fails to reveal any material fact pertaining to the qualification for preapproval;

(3) violates any provision of this chapter;

(4) is not registered or in good standing with the Office of the Secretary of State; or
Subd. 7. Conversion to a full license.
The office must convert a license preapproval into a full license at no cost to the applicant after the office adopts initial rules pursuant to Minnesota Statutes, section 342.02, subdivision 5, unless the cannabis business does not meet local zoning and land use laws. A license that is converted from a license preapproval according to this subdivision expires 18 months after the date of the conversion to a full license.

(a) The office must grant a license to any person who has received a license preapproval after the office:

(1) adopts initial rules pursuant to section 342.02, subdivision 5; and

(2) receives the applicable license fee pursuant to section 342.11.

(b) The office must not grant a license to a person who has received a license preapproval if:

(1) the ownership of the business has changed since the office granted a license preapproval and the person has not filed an updated ownership disclosure as required by section 342.14, subdivision 1, paragraph (b); or

(2) the cannabis business for which the office granted a license preapproval does not meet local zoning and land use laws.

Subd. 9. Applicants; right to a reconsideration.
(a) If the office denies an application for a license preapproval or removes an application from a lottery, the applicant may request a records review of the submitted application materials within seven calendar days of receiving notification that the office denied or removed the application.

(b) Upon an applicant's request, the office must allow the applicant to examine the applicant's records received by the office.

(c) A person whose license preapproval is later revoked by the office may request reconsideration by the director.

(d) A person whose application is denied, removed from a lottery, or not selected in a lottery may not appeal or request a hearing.

Subd. 10. Retention of applications.
(a) A qualified applicant whose application is not selected for a license preapproval in a lottery may request that the office retain the application for subsequent application periods.

(b) If a qualified applicant requests that the office retain the application, the office must retain the application for one year after the date of the request.

(c) The office may request additional information from any applicant whose application is retained if the office determines that the information is necessary to determine if the applicant meets the requirements for a subsequent application period. If the applicant does not provide the additional requested information within 14 calendar days of the office's request for information, the office may deny the application.

Subd. 11. Retention of applications. The office must retain an application that was not selected in a lottery for one year. The retained application may be entered into subsequent lotteries during that time.
(d) The office may disqualify an application from retention under the grounds specified in subdivision 5; paragraph (e).

(e) If the office announces an application period, any application retained by the office may be granted a license preapproval or be entered in a lottery if the applicant amends an application or provides additional information at the request of the office. The office must not charge an additional application fee before granting license preapproval to an applicant whose application was retained by the office or entering an application retained by the office in a lottery.

342.13 LOCAL CONTROL.

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

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

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

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

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

2. develop standardized forms and procedures for the issuance of a retail registration pursuant to section 342.22; and

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

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

(f) Within 30 days of receiving a copy of an application from the office, a local unit of government shall certify on a form provided by the office whether a proposed cannabis business complies with the state fire code and building code. The office may not issue a license to a cannabis business if it does not meet local zoning and land use laws.

(g) Upon receipt of an application for a license issued under this chapter, the office shall review, and respond to complaints made by a local unit of government about a cannabis business. Complaints may include alleged violations of local ordinances or other alleged violations. The office may only investigate complaints alleging a violation of this chapter.

At a minimum, the expedited complaint process shall require the office to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days. Nothing in this paragraph prohibits a local unit of government from enforcing a local ordinance. If a local unit of government notifies the office that a cannabis business other than a cannabis retailer, cannabis microbusiness, cannabis mezzobusiness or cannabis microbusiness with a retail operations endorsement, cannabis mezzobusiness, lower potency hemp edible retailer, medical cannabis retailer, or medical cannabis combination business operates in an area that is relevant to the office's decision on whether to issue a license, including but not limited to identifying concerns about the proposed location of a cannabis business or sharing public information about an applicant.

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

 (~) If a county has one active registration for every 12,500 residents, a city or town within the county is not obligated to register a cannabis business.
Subdivision 1. Application; contents. (a) The office by rule shall establish forms and procedures for the processing of cannabis licenses issued under this chapter. At a minimum, any application to obtain or renew a cannabis license shall include the following information, if applicable:

1. the name, address, and date of birth of the applicant;
2. the disclosure of ownership and control required under paragraph (b);
3. the disclosure of whether the applicant or, if the applicant is a business, any officer, director, manager, and general partner of the business has ever filed for bankruptcy;
4. the address and legal property description of the business, if applicable, except an applicant is not required to secure a physical premises for the business at the time of application;
5. a general description of the location or locations that the applicant plans to operate, including the planned square feet of planned space for cultivation, wholesaling, and retailing, as applicable;
6. a copy of the security plan;
7. proof of trade name registration;
8. a copy of the applicant's business plan showing the expected size of the business;
9. anticipated growth; the methods of record keeping; the knowledge and experience of the applicant and any officer, director, manager, and general partner of the business; the environmental plan; and other relevant financial and operational components;
10. quality assurance;
11. standard operating procedures for:
12. environmental plan; and other relevant financial and operational components;

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

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

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

(12) a statement that the applicant agrees to respond to the office's supplemental requests for information;

(b) An applicant must file and update as necessary a disclosure of ownership and control. The office by rule shall establish the contents and form of the disclosure. Except as provided in paragraph (f), the disclosure shall, at a minimum, include the following:

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

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

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

(4) copies of any partnership agreement, operating agreement, or shareholder agreement;
(5) copies of any promissory notes, security instruments, or other similar agreements;

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

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

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

An application may include:

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

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

or

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

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

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

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

(f) Once all required information contained in subdivision 1 is submitted, the office must review the materials, and where applicable under section 342.18, enter the applicants into a lottery. An applicant not selected in the lottery will result in the application being rejected.

An applicant seeking an endorsement for a specified operation activity must submit required information to the office in the manner prescribed by the office.
(f) An application is deemed complete once the office receives all required information in subdivision 1 and the applicant provides the office with the address and legal property description of the business, and the name of the local unit of government where the applicant intends to locate its business.

(g) The office may deny an application that:

(1) is incomplete;

(2) contains materially false statements about the applicant or omits material information about the applicant; or

(3) is not submitted by the deadline established by the office.

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

Within 30 days of receiving a copy of an application and a certification form from the office, a local unit of government must return the completed form to the office. In the event a local unit of government fails to return the form within 30 days, the office may issue a license.

(i) In the event that complying with the 30-day requirement would require townships to hold a meeting outside of the township’s regularly scheduled meetings, a township may wait to consider an application and certification form until the next scheduled meeting. A township must return the completed form to the office within 30 days of the regularly scheduled meeting.

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

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

58.1 Subd. 2a. Reconsideration. An applicant not granted a license, or where applicable, not entered into a lottery, may seek reconsideration from the office. A decision by the office on the request is final.

58.4 Subd. 2b. Retention. The Office of Cannabis Management must retain all application materials for 12 months after it issues a decision on the application and must consider the application in any subsequent round commenced by the office in the 12-month retention period, unless the applicant requests to be removed from consideration. The office must not require applicants considered under this section to pay an application fee. An applicant may supplement the application during the subsequent round. This subdivision does not apply to applicants seeking a license under section 342.39.
Subd. 3. License revocation. The office may revoke a cannabis business license if the
licensee has not made good faith efforts to obtain an endorsement within 18 months of the
date that the license was issued.

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

Sec. 61. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 1, is amended
to read:

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

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

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

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

Sec. 62. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 2, is amended
to read:

Subd. 2. Criminal offenses; disqualifications. (a) The office may by rule determine
whether any felony convictions shall, including but not limited to convictions for noncannabis
controlled substance crimes in the first or second degree, human trafficking, labor trafficking,
fraud, or financial crimes, disqualify an individual from holding or receiving a
cannabis business license issued under this chapter or working for a cannabis business; and
the length of any such disqualification. In adopting rules pursuant to this subdivision, the
office shall not disqualify a person as an individual for a violation of section 152.025.

(b) The office must not issue a cannabis business license to any person or business who
was convicted of illegally selling cannabis after May 1, 2023.

c) The office must not issue a cannabis business license to any person or business who
violated this chapter after May 1, 2023. The office may set aside the violation if the office
finds that the violation occurred as a result of a mistake made in good faith and the violation
did not involve gross negligence, an illegal sale of cannabis, or cause harm to the public.
The office must not issue a license to any person or business who the office has assessed a
fine to under section 342.09, subdivision 6.

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

Sec. 63. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a
subdivision to read:

Sec. 58. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a
subdivision to read:

Subd. 5. Civil and regulatory offenses; disqualifications. The office may determine
whether any civil or regulatory violations, as determined by another state agency, local unit
of government, or any other jurisdiction, disqualify an individual from holding or receiving
a cannabis business license issued under this chapter or disqualify an individual from working
for a cannabis business and the length of the disqualification. For purposes of making a
determination under this subdivision, and notwithstanding the data's classification under
chapter 13, the office may access civil investigatory data about an applicant maintained by
any other government entity.

Subdivision 1. Definitions. For purposes of this section, a "license holder" includes a
cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer,
cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis
event organizer, cannabis delivery service, lower-potency hemp edible manufacturer,
lower-potency hemp edible retailer, or medical cannabis combination business.

Subdivision 1. Criminal history check. A license holder may employ or contract with
as many unlicensed individuals as may be necessary, provided that the license holder is at
times accountable for the good conduct of every individual employed by or contracted
with the license holder. Before hiring an individual as a cannabis worker, the license holder
must submit to the Bureau of Criminal Apprehension the individual's full set of fingerprints
and written consent for the bureau to conduct a state and national criminal history check.
The bureau may exchange an individual's fingerprints with the Federal Bureau of
Investigation. The Bureau of Criminal Apprehension must determine whether the individual

EFFECTIVE DATE. This section is effective the day following final enactment.
Subd. 2. Disqualification. (a) A license holder must not employ an individual as a cannabis worker if the individual has been convicted of any of the following crimes that would constitute a felony:

1. human trafficking;
2. noncannabis controlled substance crimes in the first or second degree;
3. labor trafficking;
4. fraud;
5. embezzlement;
6. extortion;
7. money laundering; or
8. insider trading;

if committed in this state or any other jurisdiction for which a full pardon or similar relief has not been granted.

(b) A license holder must not employ an individual as a cannabis worker if the individual made any false statement in an application for employment.

Subd. 2. Disqualification. (a) A license holder must not employ an individual as a cannabis worker if the individual has been convicted of any of the following crimes that would constitute a felony:

1. human trafficking;
2. noncannabis controlled substance crimes in the first or second degree;
3. labor trafficking;
4. fraud;
5. embezzlement;
6. extortion;
7. money laundering; or
8. insider trading;

if committed in this state or any other jurisdiction for which a full pardon or similar relief has not been granted.

(b) A license holder must not employ an individual as a cannabis worker if the individual made any false statement in an application for employment.

EFFECTIVE DATE. This section is effective the day following final enactment.
(6) not be a licensed peace officer, as defined in section 626.84, subdivision 1, paragraph (e);

(7) never have had a license previously issued under this chapter revoked; and never have had a cannabis license, a registration, an agreement, or another authorization to operate a cannabis business issued under the laws of another state revoked;

(8) have filed any previously required tax returns for a cannabis business;

(9) have paid and remitted any business taxes, gross receipts taxes, interest, or penalties due relating to the operation of a cannabis business;

(10) have fully and truthfully complied with all information requests of the office relating to license application and renewal;

(11) not be disqualified under section 342.15;

(12) not employ an individual who is disqualified from working for a cannabis business under this chapter; and

(13) meet the ownership and operational requirements for the type of license and, if applicable, endorsement sought or held; and

(14) not have had any confirmed labor violation with the Department of Labor, National Labor Relations Board, or the Occupational Safety and Health Administration within the last five years.

(b) A health care practitioner who certifies qualifying medical conditions for patients is prohibited from:

(1) holding a direct or indirect economic interest in a cannabis business;

(2) serving as a cooperative member, director, manager, general partner, or employee of a cannabis business; or

(3) advertising with a cannabis business in any way.

(c) If the license holder or applicant is a business entity, every officer, director, manager, and general partner of the business entity must meet each of the requirements of this section.

(d) The ownership disqualifications and requirements under this section do not apply to a hemp business license holder or applicant.

Sec. 66. Minnesota Statutes 2023 Supplement, section 342.17, is amended to read:

342.17 SOCIAL EQUITY APPLICANTS.

(a) An applicant qualifies as a social equity applicant if the applicant:

(1) was convicted of an offense involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

(b) A health care practitioner who certifies qualifying medical conditions for patients is prohibited from:

(1) holding a direct or indirect economic interest in a cannabis business;

(2) serving as a cooperative member, director, manager, general partner, or employee of a cannabis business; or

(3) advertising with a cannabis business in any way.

(c) If the license holder or applicant is a business entity, every officer, director, manager, and general partner of the business entity must meet each of the requirements of this section.

(d) The ownership disqualifications and requirements under this section do not apply to a hemp business license holder or applicant.
(2) had a parent, guardian, child, spouse, or dependent who was convicted of an offense involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

(3) was a dependent of an individual who was convicted of an offense involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

(4) is a woman who operates a women-owned business as defined in section 116J.8737, subdivision 1, paragraph (n);

(5) is a military veteran, including status as a service-disabled veteran, current or former member of the national guard, or any military veteran or current or former member of the national guard who lost honorable status due to an offense involving the possession or sale of cannabis or marijuana;

(6) any military veteran or current or former member of the national guard who lost honorable status due to an offense involving the possession or sale of cannabis or marijuana;

(7) has been a resident for the last five years of one or more subareas, such as census tracts or neighborhoods, that experienced a disproportionately large amount of cannabis enforcement as determined by the study conducted by the office pursuant to section 342.04, paragraph (b), and reported in the preliminary report, final report, or both;

(8) is an emerging farmer as defined in section 17.055, subdivision 1, or

(9) has participated in the business operation of a farm for at least three years and currently provides the majority of the day-to-day physical labor and management of a farm that had gross farm sales of at least $5,000 but not more than $100,000 in the previous year;

(i) the poverty rate was 20 percent or more; or

(ii) the median family income did not exceed 80 percent of statewide median family income or, if in a metropolitan area, did not exceed the greater of 80 percent of the statewide median family income or 80 percent of the median family income for that metropolitan area.

(b) The qualifications described in paragraph (a) apply to each individual applicant or, in the case of a business entity, every cooperative member or director, manager, and general partner apply to at least 65 percent of the controlling ownership of the business entity.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 61. [342.175] SOCIAL EQUITY LICENSE CLASSIFICATION.

(a) The office must classify licenses listed in section 342.10, clauses (1) to (10) and (13) as:

(1) available to social equity applicants who meet the requirements of section 342.17;

and

(2) available to all applicants.

(b) The office must classify any type of license under section 342.10 as a social equity license if the license is held by a social equity applicant.

Subd. 2. Social equity applicants; license preapprovals. After accepting and reviewing an application for a license from a social equity applicant, the office may issue a license preapproval according to section 342.125 to the social equity applicant.

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

Sec. 67. [342.175] SOCIAL EQUITY LICENSE CLASSIFICATION.

Subdivision 1. Social equity license classification. (a) The office must make a social equity classification available to a social equity applicant under section 342.17.

(b) The office must classify any type of license under section 342.10 as a social equity license if the license is held by a social equity applicant.

Subd. 2. Social equity applicants; license preapprovals. After accepting and reviewing an application for a license from a social equity applicant, the office may issue a license preapproval according to section 342.125 to the social equity applicant.

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

Subd. 3. Application score; license priority review. (a) The office shall award points for review each completed application for a license to operate a cannabis business in the following categories:

(1) status as a social equity applicant or as an applicant who is substantially similar to a social equity applicant as described in paragraph (c);

(2) status as a veteran or retired national guard applicant who does not meet the definition of social equity applicant;

(3) security and record keeping;

(4) employee training plan;

(5) status as a social equity applicant or as an applicant who is substantially similar to a social equity applicant as described in paragraph (c);

(6) status as a veteran or retired national guard applicant who does not meet the definition of social equity applicant;

(7) security and record keeping;

(8) employee training plan;
(a) Through as many licensing periods as the office deems necessary, the office shall issue up to the maximum number of licenses in each license category listed in paragraphs (b) and (f) to applicants that meet the minimum qualifications in subdivision 3. After 24 months from the beginning of the license application process, the office may adjust the maximum number of licenses of any type listed in this subdivision based on market demand, consistent with the objectives in section 342.02, subdivision 1, and the annual report required under section 342.04, paragraph (1).

(b) The office may award additional points to an application if the license holder would expand service to an underrepresented market, including but not limited to participation in the medical cannabis program. In determining the number of points to award to a cooperative or business applying as a social equity applicant, the office shall consider the number or ownership percentage of cooperative equity applicant, the office shall consider the number or ownership percentage of cooperative members, officers, directors, managers, and general partners who qualify as social equity applicants.

(c) The office may make additional points available to an application if the license holder would demonstrate the impact that cannabis prohibition has had on that applicant, including but not limited to the arrest or imprisonment of the applicant or a member of the applicant’s immediate family, and the office may award points to such applicants in the same manner as points are awarded to social equity applicants.

(d) (b) The office shall establish policies and guidelines, which the office must be made available to the public, regarding the number of points available minimum qualifications in each category and the basis for awarding those points. Status as a social equity applicant must account for at least 20 percent of the total available points. In determining the number of points to award to a cooperative or business applying as a social equity applicant, the office shall consider the number or ownership percentage of cooperative members, officers, directors, managers, and general partners who qualify as social equity applicants criteria that the office uses to determine whether an applicant meets the minimum qualifications in each category.

(e) Consistent with the goals identified in subdivision 1, the office shall issue licenses in each license category, giving priority to applicants who receive the highest score under paragraphs (a) and (f). If there are insufficient licenses available for entities that receive identical scores, the office shall utilize a lottery to randomly select license recipients from among those entities.

(f) The office shall establish application materials permitting individual applicants to demonstrate the impact that cannabis prohibition has had on that applicant, including but not limited to the arrest or imprisonment of the applicant or a member of the applicant’s immediate family, and the office may award points to such applicants in the same manner as points are awarded to social equity applicants.

(g) The office shall establish application materials permitting individual applicants to make more than the maximum number of licenses in each category listed in paragraphs (f) and (g) to applicants that meet the minimum qualifications in subdivision 3. After 24 months from the beginning of the license application process, the office may adjust the maximum number of licenses of any type listed in this subdivision based on market demand, consistent with the objectives in section 342.02, subdivision 1, and the annual report required under section 342.04, paragraph (1).
(b) If any applicant that meets the minimum qualifications in subdivision 3 is a city or county seeking to establish, own, or operate a municipal cannabis store authorized under section 342.32, subdivision 5, the office must issue a license to that applicant before issuing any other licenses under this section or holding a lottery to randomly select license recipients.

(2) If there are insufficient licenses available for all applicants that meet the minimum qualifications in subdivision 3, the office shall hold a lottery to randomly select license recipients from among the applicants.

(c) The office may issue as many licenses as the office deems necessary of a license type that is not listed in this subdivision. The office is not required to issue a license for a license type that is not listed in this subdivision.

(e) The office shall hold a lottery to randomly select license recipients from among the applicants.

(f) If the office holds a lottery as provided in paragraph (b), an applicant that meets the minimum qualifications in subdivision 3 and is not selected in the lottery may request that the office retain an application for subsequent application periods. If a qualified applicant requests that the office retain an application, the office must retain the application for one year.

(g) The office is not required to issue licenses to meet the maximum number of licenses that may be issued under paragraphs (f) and (g).
year after the date of the request. The office may request additional information from any
applicant whose application is retained if the office determines that the information is
necessary to determine if the applicant meets the requirements for a subsequent application
period. If the applicant does not provide the additional requested information within 14
calendar days of the office's request for information, the office may deny the application.
If the office announces an application period, any application retained by the office may be
granted a license or be entered in a lottery if the applicant amends an application or provides
additional information at the request of the office. The office must not charge an additional
application fee before granting a license to an applicant whose application was retained by
the office or entering an application retained by the office in a lottery. The office may
disqualify an application from retention if:
   (1) the applicant has violated an ownership or operational requirement in this chapter
or rules adopted pursuant to this chapter that would justify revocation or nonrenewal of a
license;
   (2) the applicant is disqualified from holding a license pursuant to section 342.15; or
   (3) the applicant is determined to be in arrears on property, business, or personal taxes.

Subd. 5. Conversion to hemp business license. (a) After the office adopts initial rules
pursuant to section 342.02, subdivision 5, the office may permit a person selling edible
cannabinoid products who has registered pursuant to section 151.72, subdivision 5b, to
convert the registration to a comparable hemp business license if:
   (1) the registration was active before the office adopted initial rules;
   (2) the person submits documentation to the office sufficient to meet the minimum
requirements in section 342.14;
   (b) Of the available licenses listed in paragraph (a), the following number of licenses
will be available for applicants that notify the office they will apply for a medical retail
endorsement and intend to serve the medical registry market for at least three years:
   (1) cannabis mezzobusiness, six; and
   (2) cannabis retailer, 20.

EFFECTIVE DATE. This section is effective the day following final enactment.
67.10 (3) the registrant pays the application and licensing fee as required by section 342.11; and
67.11 (d) the registrant is in good standing with the state.
67.12 (b) A registrant with an active hemp-derived cannabinoid business registration pursuant to section 151.72 may continue operations under an active registration for no more than 30 days after the office begins accepting applications for a lower-potency hemp edible business license.

67.13 (b) A person selling edible cannabinoid products who has registered pursuant to section 151.72, subdivision 5b, and remains in good standing with the state may continue operations under an active registration for the longer of:
67.14 (1) 30 days after the date that the office begins accepting applications for hemp business licenses; or
67.15 (2) if the person submits an application for a hemp business license, until the office makes a determination regarding the registrant's application.

67.16 (c) Upon the submission of an application for a lower-potency hemp edible business license to the office, a registrant's hemp-derived cannabinoid business registration shall remain active until the office makes a determination regarding the registrant's application, as long as the registrant remains in good standing with the state.

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

67.18 Sec. 72. [342.185] TRUE PARTY OF INTEREST.

67.19 Subdivision 1. Definitions.
67.20 (a) As used in this section, the following terms have the meanings given:
67.21 (b) "Control" means the power to independently order or direct the management, managers, or policies of a licensed business.
67.22 (c) "Financial institution" means any bank, mutual savings bank, consumer loan company, credit union, savings and loan association, trust company, or other lending institution under the jurisdiction of the Department of Commerce.
67.23 (d) "Financier" means any person or entity that:
67.24 (1) is not a financial institution or government entity;
67.25 (2) provides money as a gift, grant, or loan to an applicant for a cannabis business license, a cannabis business, or both; and
67.26 (3) expects to be paid back, with or without reasonable interest;
67.27 (4) "Gross profit" means sales minus the cost of goods sold;
67.28 (5) "Revenue" means the income generated from the sale of goods and services associated with the main operations of a business before any costs or expenses are deducted;
67.29 (6) "True party of interest" means:
68.8 (1) for a sole proprietorship, the sole proprietor;
68.9 (2) for a general partnership, all partners;
68.10 (3) for a limited partnership, limited liability partnership, or limited liability limited partnership, all general partners and limited partners;
68.11 (4) for a limited liability company, all limited liability company members and managers;
68.12 (5) for a privately held corporation, all corporate officers and directors or persons with equivalent titles and all stockholders;
68.13 (6) for multilevel ownership structures, all individuals that make up the ownership structure;
68.14 (7) for any entity or person with a right to receive revenue, gross profit or net profit or exercise control over a licensed business; any entity or person with the right to receive some or all of the revenue, gross profit, or net profit from a licensed business during any full or partial calendar or fiscal year; and any entity or person who exercises control over a licensed business; and
68.15 (8) for a nonprofit corporation, all individuals and entities with membership rights in accordance with the provisions of the articles of incorporation or bylaws.

68.22 True party of interest does not include:
68.23 (1) a person or entity receiving payment for rent on a fixed basis under a lease or rental agreement. Notwithstanding, if there is a common ownership interest between the applicant or licensee and the entity that owns the real property, the office may investigate all funds associated with the landlord to determine if a financier relationship exists. The office may also investigate a landlord in situations in which a rental payment has been waived or deferred;
68.24 (2) a person who receives a bonus or commission based on the person's sales, so long as the commission does not exceed ten percent of the person's sales in any given bonus or commission period. Commission-based compensation agreements must be in writing;
68.25 (3) a person or entity contracting with a licensee to receive a commission for the sale of a business or real property;
68.26 (4) a consultant receiving a flat or hourly rate compensation under a written contractual agreement;
68.27 (5) a person with an option to purchase the applied for or licensed business, so long as no money has been paid to the licensee under an option contract or agreement for the purchase or sale of a licensed business or a business that is applying for a license.
(6) any business or individual with a contract or agreement for services with a licensed business, such as a branding or staffing company, as long as the licensee retains the right to and controls the business; or

(7) a financial institution.

Subd. 2. Application number limitations. Notwithstanding other sections within this chapter, an individual may not be a true party of interest for more than one application. The limitation does not apply to a person who holds ten percent or less ownership of the business entity.

Subd. 3. License number limitations. Notwithstanding other sections within this chapter, an individual may not be a true party of interest for more than one license unless otherwise allowed by this chapter. The limitation does not apply to a person who holds ten percent or less controlling ownership of the business entity.

Subd. 4. Limitation on married couples. A married couple may not be a true party of interest in more than one cannabis microbusiness, one cannabis mezzobusiness, one cannabis retailer business, one cannabis cultivator business, or one cannabis manufacturer business. The limitations in section 342.18, subdivision 2, apply to a married couple as if the licenses were held by a single entity.

Subd. 5. Notification. Except as otherwise provided in this subdivision, a cannabis business has a continuing duty to disclose the source of all money that will be invested in the business, including but not limited to all money obtained from financiers, before investing the money in the licensed business. The notice requirement under this section does not apply to:

(1) revenues of a licensed cannabis business that are reinvested in the business;

(2) proceeds of a revolving loan if the loan has been approved by the office within the three previous years, unless the source of the money has changed or the approved loan amount has increased; and

(3) if the source of the money is an identified true party of interest on the license, a previously approved financier associated with the license, or a previously approved revolving loan, the office must allow the money to be used upon receipt of an application to use the money.

Subd. 6. Disclosure agreements and intellectual property. A cannabis business must not enter into an intellectual property agreement with another cannabis business if a single entity could not hold licenses for both types of cannabis business.

Subd. 7. Financiers. A financier may not receive an ownership interest, control of a business, a share of revenue, gross profits or net profits, a profit sharing interest, or a percentage of the profits in exchange for a loan or gift of money, unless the financier, if
directly involved in the loaning of money, receives office approval and has qualified on the license as a true party of interest.

Subd. 8. Disclosure requirements. All applications pursuant to this chapter must include disclosures of ownership and control. The application must end with all individuals. The burden of providing the office with the disclosures of all required individuals rests with the applicant.

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

Sec. 73. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 1, is amended to read:

Subdivision 1. Authority to inspect. (a) In order to carry out the purposes of this chapter, the office, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized to:

(1) enter any cannabis business or hemp business the place of business of any cannabis business, hemp business, or business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter without delay and at reasonable times;

(2) inspect and investigate during regular working hours and at other reasonable times, within reasonable limits and in a reasonable manner, any cannabis business or hemp business the place of business of any cannabis business, hemp business, or business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter and all relevant conditions, equipment, records, and materials therein; and

(3) question privately any employer, owner, operator, agent, or employee of a cannabis business or hemp business any cannabis business, hemp business, or business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter.

(b) An employer, owner, operator, agent, or employee must not refuse the office entry or otherwise deter or prohibit the office from taking action under paragraph (a).

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

Sec. 74. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 3, is amended to read:

Subd. 3. Aiding of inspection. Subject to rules issued by the office, a representative of a cannabis business or hemp business shall business participating in the cannabis industry or hemp consumer industry must be given an opportunity to accompany the office during the physical inspection of any cannabis business or hemp the business for the purpose of aiding such inspection.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 75. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 4, is amended to read:

Subd. 4. Complaints and reports; priority of inspection. (a) The office may conduct inspections of any licensed cannabis business or hemp business, cannabis business, or a business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter at any time to ensure compliance with the ownership and operation requirements of this chapter.

(b) Any person may report a suspected violation of a safety or health standard. If upon receipt of such notification the office determines that there are reasonable grounds to believe that such violation or danger exists, the office shall make a special inspection as soon as practicable to determine if such danger or violation exists.

c) The office shall prioritize inspections of cannabis businesses and hemp businesses where there are reasonable grounds to believe that a violation by a person or business poses imminent danger to the public or customers. Inspections must take place within one business day of the receipt of a credible report.

d) The office shall promptly inspect cannabis businesses and hemp businesses the place of business of any cannabis business, hemp business, or a business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter that are subject of complaint by a local unit of government.

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

Sec. 76. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 5, is amended to read:

Subd. 5. Violations; administrative orders and penalties. (a) The office may issue an administrative order to any licensed cannabis business or hemp business, cannabis business, hemp business, or a business engaged in the cultivation, manufacture, or retail sale of cannabis without a license under this chapter that the office determines has committed a violation of this chapter or rules adopted pursuant to this chapter. The administrative order may require the business to correct the violation or to cease and desist from committing the violation. The order must state the deficiencies that constitute the violation and the time by which the violation must be corrected. If the business believes that the information in the administrative order is in error, the business may ask the office to consider the parts of the order that are alleged to be in error. The request must be in writing, delivered to the office by certified mail within seven days after receipt of the order, and provide documentation to support the allegation of error. The office must respond to a request for reconsideration within 15 days after receiving the request. A request for reconsideration does not stay the correction order unless the office issues a supplemental order granting additional time.

(b) For each violation of this chapter or rules adopted pursuant to this chapter, the office may issue to each cannabis business or hemp individual or business a monetary penalty of
up to $10,000, an amount that deprives the individual or business of any economic advantage

An administrative penalty may be recovered in a civil action in the name of the state

brought in the district court of the county where the violation is alleged to have occurred

or the district court where the office is housed.

In addition to penalties listed in this subdivision, a person or business who violates

the provisions of this chapter is subject to any applicable criminal penalty.

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

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Subd. 6. Inspection of unlicensed businesses and facilities. (a) The office may inspect

any commercial premises that is not licensed under this chapter where cultivation,

manufacturing, processing, or sale of cannabis plants, cannabis flower, cannabis concentrate,

artificially derived cannabinoids, hemp-derived consumer products, or edible cannabinoid

products is taking place.

(b) A representative of the office performing an inspection under this subdivision must

present appropriate credentials to the owner, operator, or agent in charge and clearly state

the purpose of the inspection.

(c) After providing the notice required under paragraph (b), a representative of the office

may enter the commercial premises and perform any of the following to determine if any

person is engaging in activities that are regulated by this chapter and not authorized without

the possession of a license and to determine the appropriate penalty under section 342.09,

subdivision 6:

(1) inspect and investigate the commercial premises;

(2) inspect and copy records; and

(3) question privately any employer, owner, operator, agent, or employee of the

commercial operation.

(d) Entry of a commercial premises must take place during regular working hours or at

other reasonable times.

(e) If the office finds any cannabis plant, cannabis flower, cannabis product, artificially

derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product on

the inspected commercial premises, the office may either immediately seize the item or

affix to the item a tag, withdrawal from distribution order, or other appropriate marking

providing notice that the cannabis plant, cannabis flower, cannabis product, artificially

derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product is, or

is suspected of being, possessed or distributed in violation of this chapter, and has been
detained or embargoed, and warning all persons not to remove or dispose of the item by
sale or otherwise until permission for removal or disposal is given by the office or the court.
Cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp
edible, or hemp-derived consumer product by sale or otherwise without the office's or a
court's permission and each transaction may be treated as a sale for the purposes of imposing
a penalty pursuant to section 342.09, subdivision 6.
(f) If the office has seized, detained, or embargoed any item pursuant to paragraph (e),
the office must:
(1) petition the district court in the county in which the item was found for an order
authorizing destruction of the product; and
(2) notify the county attorney in the county where the item was found of the office's
actions.
(g) If the court finds that the seized, detained, or embargoed cannabis plant, cannabis
flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
hemp-derived consumer product was possessed or distributed in violation of this chapter
or rules adopted under this chapter, the office may destroy the cannabis plant, cannabis
flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
hemp-derived consumer product at the expense of the person who possessed or distributed
the item in violation of this chapter and all court costs, fees, storage, and other proper
expenses must be assessed against the person or the person's agent.
(h) The provisions of subdivision 2, paragraph (f) apply to any analysis or examination
performed under this subdivision.
(i) The authorization under paragraph (e) does not apply to any cannabis flower, cannabis
product, lower-potency hemp edible, or hemp-derived consumer product lawfully purchased
for personal use.
Sec. 67. Minnesota Statutes 2023 Supplement, section 342.22, is amended to read:
Subdivision 1. Registration required. Before receiving a retail operations endorsement
and making retail sales to customers or patients, a cannabis microbusiness with a retail
operations endorsement, cannabis mezzobusiness with a retail operations endorsement,
cannabis retailer, medical cannabis retailer, medical cannabis combination business, or
lower-potency hemp edible retailer must register with the city, town, or county in which
the retail establishment is located. A county may issue a registration in cases where a city
or town has provided consent for the county to issue the registration for the jurisdiction.
Subd. 2. Registration fee. (a) A local unit of government may impose an initial retail
registration fee of $500 or up to half the amount of the applicable initial license fee under
section 342.11, whichever is less. The local unit of government may also impose a renewal
fee.
66.2 retail registration fee of $1,000 or up to half the amount of the applicable renewal license fee under section 342.11, whichever is less. The initial registration fee shall include the fee for initial registration and the first annual renewal. Any renewal fee imposed by the local unit of government shall be charged at the time of the second renewal and each subsequent annual renewal thereafter.

66.7 (b) The local unit of government may not charge an application fee.

66.9 (c) A cannabis business with a cannabis retailer license and a medical cannabis retailer license for the same location may only be charged a single registration fee.

66.10 (d) Registration fees are nonrefundable.

66.11 Subd. 3. Issuance of registration. (a) A local unit of government shall issue a retail registration to a cannabis microbusiness with a retail operations endorsement, cannabis mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis retailer, combination business operating a retail location, or lower-potency hemp edible retailer that:

66.16 (1) has a valid license or license preapproval issued by the office;

66.17 (2) has paid the registration fee or renewal fee pursuant to subdivision 2;

66.18 (3) is found to be in compliance with the requirements of this chapter at any preliminary compliance check that the local unit of government performs; and

66.19 (4) if applicable, is current on all property taxes and assessments at the location where the retail establishment is located.

66.21 (b) Before issuing a retail registration, the local unit of government may conduct a preliminary compliance check to ensure that the cannabis business or hemp business is in compliance with any applicable operation requirements and the limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp derived consumer products that may be sold local ordinance established pursuant to section 342.13, and

66.22 (c) A local unit of government shall renew the retail registration of a cannabis business or hemp business when the office renews the license of the cannabis business or hemp business.

66.30 (d) A retail registration issued under this section may not be transferred.

66.31 Subd. 4. Compliance checks. (a) A local unit of government shall conduct compliance checks of every cannabis business and hemp business with a retail registration issued by the local unit of government. The checks During a compliance check, a local unit of government shall assess a business's compliance with age verification requirements, the operation requirements, and compliance with any applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp derived consumer products that may be sold local ordinance established pursuant to section 342.13, and

66.32 and compliance with any applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp derived consumer products that may be sold local ordinance established pursuant to section 342.13, and

73.13 retail registration fee of $1,000 or up to half the amount of the applicable renewal license fee under section 342.11, whichever is less. The initial registration fee shall include the fee for initial registration and the first annual renewal. Any renewal fee imposed by the local unit of government shall be charged at the time of the second renewal and each subsequent annual renewal thereafter.

73.18 (b) The local unit of government may not charge an application fee.

73.20 (c) A cannabis business with a cannabis retailer license and a medical cannabis retailer license for the same location may only be charged a single registration fee.

73.21 (d) Registration fees are nonrefundable.

73.22 Subd. 3. Issuance of registration. (a) A local unit of government shall issue a retail registration to a cannabis microbusiness with a retail operations endorsement, cannabis mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis retailer, or lower-potency hemp edible retailer that:

73.26 (1) has a valid license issued an application that has been approved by the office;

73.27 (2) has paid the registration fee or renewal fee pursuant to subdivision 2;

73.28 (3) is found to be in compliance with the requirements of this chapter at any preliminary compliance check that the local unit of government performs; and

73.30 (4) if applicable, is current on all property taxes and assessments at the location where the retail establishment is located.

73.41 (b) Before issuing a retail registration, the local unit of government may conduct a preliminary compliance check to ensure that the cannabis business or hemp business is in compliance with any applicable operation requirements and the limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp derived consumer products that may be sold local ordinance established pursuant to section 342.13, and

73.42 (c) A local unit of government shall renew the retail registration of a cannabis business or hemp business when the office renews the license of the cannabis business or hemp business.

73.49 (d) A retail registration issued under this section may not be transferred.

73.51 Subd. 4. Compliance checks. (a) A local unit of government shall conduct compliance checks of every cannabis business and hemp business with a retail registration issued by the local unit of government. The checks During a compliance check, a local unit of government shall assess a business's compliance with age verification requirements, the operation requirements, and compliance with any applicable operation requirements, and the applicable limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and
hemp-derived consumer products being sold local ordinance established pursuant to section 342.13.

(b) A local unit of government must conduct unannounced age verification compliance checks of every cannabis business and hemp business at least once each calendar year. Age verification compliance checks must involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

c) Checks to ensure compliance with the applicable operation requirements and the limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products that may be sold must be performed at least once each calendar year and may be performed by a law enforcement officer or an employee of the local unit of government.

Subd. 5. Registration suspension and cancellation; notice to office; penalties. (a) If a local unit of government determines that a cannabis business or hemp business with a retail registration issued by the local unit of government is not operating in compliance with the requirements of this chapter a local ordinance authorized under section 342.13 or that the operation of the business poses an immediate threat to the health or safety of the public, the local unit of government may suspend the retail registration of the cannabis business or hemp business. The local unit of government must immediately notify the office of the suspension and shall include a description of the grounds for the suspension.

(b) The office shall review the retail registration suspension and may order reinstatement of the retail registration or take any action described in section 342.19 or 342.21.

c) The retail registration suspension must be for up to 30 days unless the office suspends the license and operating privilege of the cannabis business or hemp business for a longer period or revokes the license.

d) The local unit of government may reinstate the retail registration if the local unit of government determines that any violation has been cured. The local unit of government must reinstate the retail registration if the office orders reinstatement.

(e) No cannabis microbusiness with a retail operations endorsement, cannabis microbusiness with a retail operations endorsement, cannabis retailer, medical cannabis combination business, or lower-potency hemp edible retailer may make any sale to a customer or patient without a valid retail registration with a local unit of government and a valid endorsement from the office. A local unit of government may impose a civil penalty of up to $2,000 for each violation of this paragraph.

EFFECTIVE DATE: This section is effective the day following final enactment.
Sec. 78. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended to read:

Subdivision 1. Individuals under 21 years of age. (a) A cannabis business may not employ an individual under 21 years of age and may not contract with an individual under 21 years of age if the individual's scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

(b) A cannabis business may not permit an individual under 21 years of age to enter the business premises other than entry by a patient person enrolled in the registry program.

c) A cannabis business may not sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to an individual under 21 years of age unless the individual is a patient, registered designated caregiver, or a parent, legal guardian, or spouse of a patient who is authorized to use, possess, or transport medical cannabis flower or medical cannabinoid products enrolled in the registry program and the cannabis business holds a medical cannabis retail endorsement.

(d) For quality control, employees of a licensed cannabis business may sample cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products. Employees may not interact directly with customers for at least three hours after sampling a product. Employees may not consume more than three samples in a single 24-hour period. All samples must be recorded in the statewide monitoring system.

Sec. 68. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended to read:

Subd. 2. Use of cannabis flower and products within a licensed cannabis business. (a) A cannabis business may not permit an individual who is not an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within its licensed premises unless the business is licensed to permit on-site consumption.

(b) Except as otherwise provided in this subdivision, a cannabis business may not permit an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within its licensed premises or while the employee is otherwise engaged in activities within the course and scope of employment.

c) A cannabis business may permit an employee to use medical cannabis flower and medical cannabinoid products if that individual is a patient enrolled in the registry program.

(d) For quality control, employees of a licensed cannabis business may sample cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products. Employees may not interact directly with customers for at least three hours after sampling a product. Employees may not consume more than three samples in a single 24-hour period.

All samples must be recorded in the statewide monitoring system.

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

Sec. 69. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 2, is amended to read:

Subd. 2. Use of cannabis flower and products within a licensed cannabis business. (a) A cannabis business may not permit an individual who is not an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within its licensed premises unless the business is licensed to permit on-site consumption.

(b) Except as otherwise provided in this subdivision, a cannabis business may not permit an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within its licensed premises or while the employee is otherwise engaged in activities within the course and scope of employment.

c) A cannabis business may permit an employee to use medical cannabis flower and medical cannabinoid products if that individual is a patient enrolled in the registry program and consuming cannabis as prescribed.

(d) For quality control, employees of a licensed cannabis business may sample cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products. Employees may not interact directly with customers for at least three hours after sampling a product. Employees may not consume more than three samples in a single 24-hour period. All samples must be recorded in the statewide monitoring system.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 80. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
subsection to read:

Subd. 2. (a) A cannabis microbusiness that cultivates cannabis at an
outdoor location may cultivate up to 5,000 square feet of plant canopy. The office may adjust
plant canopy limits upward or downward to meet market demand consistent with the
goals identified in section 342.02, subdivision 1. In each licensing period, the office
may adjust plant canopy limits for licenses that will be issued in that period upward or
downward to meet market demand consistent with the goals identified in section 342.02,
subdivision 1; except that the office must not impose a limit of less than 5,000 square feet
of plant canopy.

(b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
up to one-half acre of mature, flowering plants unless the office increases that limit. The
office may increase the limit to no more than one acre if the office determines that expansion
is necessary to meet market demand consistent with the goals identified in section 342.02,
subdivision 1. In each licensing period, the office may adjust the limit for licenses that will be issued in that period upward or downward to meet market demand consistent with the goals identified in section 342.02, subdivision 1; except that the office must not impose a limit of less than one-half acre of mature, flowering plants.

(c) The office shall establish a limit on the manufacturing of cannabis products,
lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness
that manufactures such products may perform. The limit must be equivalent to the amount
of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square
feet in a year, but may be increased if the office expands the allowable area of cultivation
under paragraph (a).

(d) A cannabis microbusiness with the appropriate endorsement may operate one retail
location.

This section is effective the day following final enactment.

Sec. 81. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 2, is amended
in section 342.02, subdivision 1, except that the office must not impose a limit of less than 5,000 square feet.

Subd. 2. Size limitations. (a) A cannabis microbusiness that cultivates cannabis at an
indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust
plant canopy limits upward to meet market demand consistent with the goals identified in section 342.02, subdivision 1. In each licensing period, the office
may adjust plant canopy limits for licenses that will be issued in that period upward or
downward to meet market demand consistent with the goals identified in section 342.02,
subdivision 1; except that the office must not impose a limit of less than 5,000 square feet
of plant canopy.

(b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
up to one-half acre of mature, flowering plants unless the office increases that limit. The
office may increase the limit to no more than one acre if the office determines that expansion
is necessary to meet market demand consistent with the goals identified in section 342.02,
subdivision 1. In each licensing period, the office may adjust the limit for licenses that will be issued in that period upward or downward to meet market demand consistent with the goals identified in section 342.02, subdivision 1; except that the office must not impose a limit of less than one-half acre of mature, flowering plants.

(c) The office shall establish a limit on the manufacturing of cannabis products,
lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness
that manufactures such products may perform. The limit must be equivalent to the amount
of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square
feet in a year, but may be increased if the office expands the allowable area of cultivation
under paragraph (a).

(d) A cannabis microbusiness with the appropriate endorsement may operate one retail
location.

This section is effective the day following final enactment.
Sec. 72. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
subdivision to read:

Subd. 11. Transportation between facilities. A cannabis microbusiness may transport
immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially
derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,
and hemp-derived consumer products between facilities operated by the cannabis
microbusiness if the cannabis microbusiness:

(1) provides the office with the information described in section 342.35, subdivision 2;
and

(2) complies with the requirements of section 342.36.

Sec. 82. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 1, is amended
to read:

Subdivision 1. Authorized actions. A cannabis mezzobusiness license, consistent with
the specific license endorsement or endorsements, entitles the license holder to perform any
or all of the following within the limits established by this section:

(1) grow cannabis plants from seed or immature plant to mature plant and harvest
cannabis flower from a mature plant for use as adult-use cannabis flower or for use in
adult-use cannabis products;

(2) grow cannabis plants from seed or immature plant to mature plant and harvest
cannabis flower from a mature plant for use as medical cannabis flower or for use in medical
medicinal products;

(3) make cannabis concentrate;

(4) make hemp concentrate, including hemp concentrate with a delta-9
tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

(5) manufacture artificially derived cannabinoids;

(6) manufacture adult-use cannabis products, lower-potency hemp edibles, and
hemp-derived consumer products for public consumption;

(7) manufacture and process medical cannabinoid products;

(8) purchase immature cannabis plants and seedlings and cannabis flower from a
cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a
cannabis wholesaler;

(9) purchase cannabis concentrate, hemp concentrate, and synthetically derived
cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis

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Sec. 73. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended to read:

Subd. 4. Multiple licenses; limits. (a) A person, cooperative, or business holding a cannabis mezzobusiness license may also hold a cannabis event organizer license and a medical cannabis retailer license.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis mezzobusiness license may own or operate any other cannabis business or hemp business or hold more than one cannabis mezzobusiness license.

(c) For purposes of this subdivision, a restriction on the number or type of license that a business may hold applies to every cooperative member or every director, manager, and general partner of a cannabis business.

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

Sec. 74. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended by adding a subdivision to read:

Subd. 10. Transportation between facilities. A cannabis mezzobusiness may transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products between facilities operated by the cannabis mezzobusiness if the cannabis mezzobusiness:

(1) provides the office with the information described in section 342.35, subdivision 2; and

(2) meets all the requirements of Minnesota Statutes, section 342.29, subdivision 4, paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 75. Minnesota Statutes 2023 Supplement, section 342.30, subdivision 4, is amended to read:

Subd. 4. Multiple licenses; limits. (a) A person, cooperative, or business holding a cannabis cultivator license may also hold a cannabis manufacturing license, medical cannabis cultivator license, medical cannabis producer license, license to grow industrial hemp, and cannabis event organizer license.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis cultivator license may own or operate any other cannabis business or hemp business. This prohibition does not prevent the transportation of cannabis flower from a cannabis cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business and located on the same premises.

(c) The office by rule may limit the number of cannabis cultivator licenses a person, cooperative, or business may hold.

(d) For purposes of this subdivision, a restriction on the number or type of license a business may hold applies to every cooperative member or every director, manager, and general partner of a cannabis business.

Sec. 76. Minnesota Statutes 2023 Supplement, section 342.31, subdivision 4, is amended to read:

Subd. 4. Multiple licenses; limits. (a) A person, cooperative, or business holding a cannabis cultivator license, a medical cannabis producer license, and a cannabis event organizer license.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis manufacturer license may own or operate any other cannabis business or hemp business. This prohibition does not prevent transportation of cannabis flower from a cannabis cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business and located on the same premises.

(c) The office by rule may limit the number of cannabis cultivator licenses that a person or business may hold.

(d) For purposes of this subdivision, a restriction on the number or type of license that a business may hold applies to every cooperative member or every director, manager, and general partner of a cannabis business.

EFFECTIVE DATE: This section is effective the day following final enactment.
Sec. 86. Minnesota Statutes 2023 Supplement, section 342.32, subdivision 4, is amended to read:

Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a cannabis retailer license may also hold a cannabis delivery service license, a medical cannabis retailer license, and a cannabis event organizer license.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis retailer license may own or operate any other cannabis business or hemp business.

(c) No person, cooperative, or business may hold a license to own or operate more than one cannabis retail business in one city and three retail businesses in one county.

(d) The office by rule may limit the number of cannabis retailer licenses a person, cooperative, or business may hold.

(e) For purposes of this subdivision, a restriction on the number or type of license a business may hold applies to every cooperative member or every director, manager, and general partner of a cannabis business.

Sec. 87. Minnesota Statutes 2023 Supplement, section 342.35, subdivision 1, is amended to read:

Subd. 1. **Authorized actions.** A cannabis transporter license entitles the license holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis retailers, and industrial hemp growers to cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis retailers, and medical cannabis combination businesses and perform other actions approved by the office.

Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers.

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

Sec. 88. Minnesota Statutes 2023 Supplement, section 342.37, subdivision 1, is amended to read:

Subd. 1. **Authorized actions.** A cannabis transporter license entitles the license holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis retailers, and industrial hemp growers to cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers, and medical cannabis combination businesses and perform other actions approved by the office.

Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis wholesalers, lower-potency hemp edible manufacturers.
cultivators, medical cannabis processors, medical cannabis combination businesses, and
industrial hemp growers.

Sec. 80. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended
to read:

Subd. 7. Cannabis event sales. (a) Cannabis microbusinesses with a retail endorsement,
cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis
combination businesses operating a retail location, and lower-potency hemp edible retailers,
including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use

cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived
consumer products to customers at a cannabis event.

(b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,
lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must
take place in a retail area as designated in the premises diagram.

(c) Authorized retailers may only conduct sales within their specifically assigned area.

(d) Authorized retailers must verify the age of all customers pursuant to section 342.27,
subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis
flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
products to an individual under 21 years of age.

(e) Authorized retailers may display one sample of each type of cannabis plant, adult-use
cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived
consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis
products must be stored in a sample jar or display case and be accompanied by a label or
notice containing the information required to be affixed to the packaging or container
containing adult-use cannabis flower and adult-use cannabis products sold to customers. A
sample may not consist of more than eight grams of adult-use cannabis flower or adult-use
cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams
of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use
cannabis flower or adult-use cannabis product before purchase.

(f) The notice requirements under section 342.27, subdivision 6, apply to authorized
retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,
and hemp-derived consumer products for safe at a cannabis event.

(g) Authorized retailers may not:

(1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp
edibles, or hemp-derived consumer products to a person who is visibly intoxicated;

Sec. 89. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended
to read:

Subd. 7. Cannabis event sales. (a) Cannabis microbusinesses with a retail endorsement,
cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis
combination businesses operating a retail location, and lower-potency hemp edible retailers,
including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use

cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived
consumer products to customers at a cannabis event.

(b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,
lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must
take place in a retail area as designated in the premises diagram.

(c) Authorized retailers may only conduct sales within their specifically assigned area.

(d) Authorized retailers must verify the age of all customers pursuant to section 342.27,
subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis
flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
products to an individual under 21 years of age.

(e) Authorized retailers may display one sample of each type of cannabis plant, adult-use
cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived
consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis
products must be stored in a sample jar or display case and be accompanied by a label or
notice containing the information required to be affixed to the packaging or container
containing adult-use cannabis flower and adult-use cannabis products sold to customers. A
sample may not consist of more than eight grams of adult-use cannabis flower or adult-use
cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams
of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use
cannabis flower or adult-use cannabis product before purchase.

(f) The notice requirements under section 342.27, subdivision 6, apply to authorized
retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,
and hemp-derived consumer products for safe at a cannabis event.

(g) Authorized retailers may not:

(1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp
edibles, or hemp-derived consumer products to a person who is visibly intoxicated;
(2) knowingly sell more cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products than a customer is legally permitted to possess;

(3) sell medical cannabis flower or medical cannabinoid products;

(4) give away cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products; or

(5) allow for the dispensing of cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products for sale at a cannabis event.

(h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived consumer product, all cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis event must be stored in a secure, locked container that is not accessible to the public. Such items being stored at a cannabis event shall not be left unattended.

(i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis event must comply with this chapter and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of those items.

(j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring system.

Subdivision 1.

Authorized actions.

(h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in vending machines. Such items being stored at a cannabis event shall not be left unattended.

(i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis event must be stored in a secure, locked container that is not accessible to the public. Such items being stored at a cannabis event shall not be left unattended.

(j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold, damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring system.

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

Sec. 90. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 1, is amended to read:

Subdivision 1. Authorized actions. A cannabis delivery service license entitles the license holder to purchase cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from licensed cannabis microbusinesses with a retail endorsement; cannabis mezzobusinesses with a retail endorsement; cannabis retailers; medical cannabis retailers; and medical cannabis combination businesses; transport and deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to customers; and perform other actions approved by the office.

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

Sec. 91. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 3, is amended to read:

Subd. 3. Multiple licenses; limits. (a) A person, cooperative, or business holding a cannabis delivery service license may also hold a cannabis retailer license, a cannabis
wholesaler license, a cannabis transporter license, and a medical cannabis retailer license, subject to the ownership limitations that apply to those licenses.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a cannabis delivery service license may own or operate any other cannabis business or hemp business.

(c) The office by rule may limit the number of cannabis delivery service licenses that a person or business may hold.

(d) For purposes of this subdivision, a restriction on the number or type of license that a business may hold applies to every cooperative member or every director, manager, and general partner of a cannabis business.

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

Subdivision 1. Application; contents. (a) Except as otherwise provided in this subdivision, the provisions of this chapter relating to license applications, license selection criteria, general ownership disqualifications and requirements, and general operational requirements do not apply to hemp businesses.

(b) The office, by rule, shall establish forms and procedures for the processing of hemp licenses issued under this chapter. At a minimum, any application to obtain or renew a hemp license shall include the following information, if applicable:

(1) the name, address, and date of birth of the applicant;
(2) the address and legal property description of the business;
(3) proof of trade name registration;
(4) certification that the applicant will comply with the requirements of this chapter relating to the ownership and operation of a hemp business;
(5) identification of one or more controlling persons or managerial employees as agents who shall be responsible for dealing with the office on all matters; and
(6) a statement that the applicant agrees to respond to the office's supplemental requests for information.

(c) An applicant for a lower-potency hemp edible manufacturer license must submit an attestation signed by a bona fide labor organization stating that the applicant has entered into a labor peace agreement.

(d) An application on behalf of a corporation or association shall be signed by at least two officers or managing agents of that entity.
Sec. 93. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 6, is amended to read:

Subd. 6. Compliant products. (a) A lower-potency hemp edible retailer shall ensure that all lower-potency hemp edibles offered for sale comply with the limits on the amount and types of cannabinoids that a lower-potency hemp edible can contain, including but not limited to the requirement that lower-potency hemp edibles:

1. consist of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, no more than 25 milligrams of cannabidiol, no more than 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
2. do not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; and
3. do not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol.

(b) If a lower-potency hemp edible is packaged in a manner that includes more than a single serving, the lower-potency hemp edible must indicate each serving by scoring, wrapping, or other indicators that appear on the lower-potency hemp edible designating the individual serving size. If it is not possible to indicate a single serving by scoring or use of another indicator that appears on the product, the lower-potency hemp edible may not be packaged in a manner that includes more than a single serving in each container, except that a calibrated dropper, measuring spoon, or similar device for measuring a single serving may be used for any tincture, or other edible cannabinoid products that are intended to be combined with food products, including beverages, prior to consumption. If the lower-potency hemp edible is meant to be consumed as a beverage, the beverage container may not contain more than two servings per container.

(c) A single package containing multiple servings of a lower-potency hemp edible must contain no more than 50 milligrams of delta-9 tetrahydrocannabinol, 250 milligrams of cannabidiol, 250 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts.

Sec. 82. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 8, is amended to read:

Subd. 8. On-site consumption. (a) A lower-potency hemp edible retailer may permit on-site consumption of lower-potency hemp edibles on a portion of its premises if it has an on-site consumption endorsement.

(b) The office shall issue an on-site consumption endorsement to any lower-potency hemp edible retailer that also holds an on-sale license issued under chapter 340A.
(c) A lower-potency hemp edible retailer must ensure that lower-potency hemp edibles sold for on-site consumption comply with this chapter and rules adopted pursuant to this chapter regarding testing.

(d) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency hemp edibles that are intended to be consumed as a beverage, must be served in the required packaging, but may be removed from the products' packaging by customers and consumed on site.

(e) Lower-potency hemp edibles that are intended to be consumed as a beverage may be served outside of their packaging provided that if the information that is required to be contained on the label of a lower-potency hemp edible is posted or otherwise displayed by the lower-potency hemp edible retailer. Hemp workers who serve beverages under this paragraph are not required to obtain an edible cannabinoid product handler endorsement under section 342.07, subdivision 3.

(f) Food and beverages not otherwise prohibited by this subdivision may be prepared and sold on site provided that if the lower-potency hemp edible complies with all relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

(g) A lower-potency hemp edible retailer may offer recorded or live entertainment provided that if the lower-potency hemp edible retailer complies with all relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

(h) In addition to the prohibitions under subdivision 7, a lower-potency hemp edible retailer with an on-site consumption endorsement may not:

1. sell, give, furnish, or in any way procure for another lower-potency hemp edibles to a customer who the lower-potency hemp edible retailer knows or reasonably should know is intoxicated or has consumed alcohol within the previous five hours for the use of an obviously intoxicated person;

2. sell lower-potency hemp edibles that are designed or reasonably expected to be mixed with an alcoholic beverage; or

3. permit lower-potency hemp edibles that have been removed from the products' packaging to be removed from the premises of the lower-potency hemp edible retailer.

Sec. 83. [342.465] LOWER-POUTENCY HEMP EDIBLES; PROHIBITED CONDUCT.

No person may sell, give, furnish, or in any way procure for another lower-potency hemp edibles for the use of an obviously intoxicated person.

Sec. 94. [342.465] LOWER-POUTENCY HEMP EDIBLES; PROHIBITED CONDUCT.

No person may sell, give, furnish, or in any way procure for another person lower-potency hemp edibles for the use of an obviously impaired person.

EFFECTIVE DATE: This section is effective the day following final enactment.
Sec. 95. Minnesota Statutes 2023 Supplement, section 342.51, is amended to read:

342.51 MEDICAL CANNABIS RETAILERS ENDORSEMENT.

Subdivision 1. Endorsement; authorized actions. (a) The office may issue a medical cannabis endorsement to a cannabis business authorizing the business to:

(1) cultivate medical cannabis;

(2) process medical cannabinoid products; or

(3) sell or distribute medical cannabis flower and medical cannabinoid products to any person authorized to receive medical cannabis flower or medical cannabinoid products.

(b) The office must issue a medical cannabis cultivation endorsement to a cannabis license holder if the license holder:

(1) is authorized to cultivate cannabis;

(2) submits a medical cannabis endorsement application to the office; and

(3) otherwise meets all applicable requirements established by the office.

(c) A medical cannabis cultivation endorsement entitles the license holder to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from a mature plant, package and label cannabis flower as medical cannabis flower, sell medical cannabis flower to cannabis businesses with a medical cannabis endorsement, and perform other actions approved by the office.

(d) The office must issue a medical cannabis processor endorsement to a cannabis license holder if the license holder:

(1) is authorized to manufacture cannabis products;

(2) submits a medical cannabis endorsement application to the office; and

(3) otherwise meets all applicable requirements established by the office.

(e) A medical cannabis processor endorsement entitles the license holder to:

(1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from cannabis businesses with a medical cannabis cultivator endorsement or a medical cannabis processor endorsement;

(2) purchase hemp plant parts from industrial hemp growers;

(3) make cannabis concentrate from medical cannabis flower;

(4) make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight.
(5) manufacture medical cannabinoid products;

(6) package and label medical cannabinoid products for sale to cannabis businesses with a medical cannabis processor endorsement or a medical cannabis retailer endorsement; and

(7) perform other actions approved by the office;

(b) Subd. 2. Distribution requirements. (a) Prior to distribution of cannabis plants, cannabis flower, cannabis products, artificially derived cannabinoids, and hemp-derived consumer products; and

(1) submits a medical cannabis retail endorsement application to the office; or

(2) has at least one employee who earned a medical cannabis consultant certificate issued by the office and has completed the required training or has at least one employee who is:

(1) a licensed pharmacist under chapter 151; and

(2) otherwise meets all applicable requirements established by the office.

(c) subdivision 1, paragraph (b), clause (1),

(1) must verify that all medical cannabis flower and medical cannabinoid products have passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for the testing of medical cannabis flower and medical cannabinoid products before the medical cannabis retailer business with a medical cannabis retail endorsement may distribute the medical cannabis flower or medical cannabinoid product to any person authorized to receive medical cannabis flower or medical cannabinoid products enrolled in the registry program.

Subd. 2. Distribution requirements. (a) Prior to distribution of medical cannabis flower or medical cannabinoid products, a medical cannabis retailer license to a person enrolled in the registry program, an employee with a valid medical cannabis consultant certificate issued by the office or a licensed pharmacist under chapter 151 must:

Subdivision 1. Authorized actions. (a) The office must issue a medical cannabis retail endorsement to a cannabis business, if the business has at least one employee who earned a medical cannabis consultant certificate issued by the office and has completed the required training or has at least one employee who is:

(1) a licensed pharmacist under chapter 151; and

(2) otherwise meets all applicable requirements established by the office.

(b) A medical cannabis retailer license retail endorsement entitles the license holder to purchase medical cannabis flower and medical cannabinoid products from medical cannabis cultivators and medical cannabis processors and sell or distribute medical cannabis flower and medical cannabinoid products to any person authorized to receive medical cannabis flower or medical cannabinoid products; sell or distribute the following products to any person enrolled in the medical cannabis patient registry under section 342.52:

(1) cannabis plants, cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products that are a product category approved by the office and that comply with this chapter and rules adopted pursuant to this chapter regarding the testing, packaging, and labeling of cannabis plants, cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products; and

(2) associated paraphernalia.

(c) (g) A medical cannabis retailer license retail endorsement holder must verify that all medical cannabis flower and medical cannabinoid products under paragraph (b), clause (1), have passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for the testing of medical cannabis flower and medical cannabinoid products under paragraph (b), clause (1), before the medical cannabis retailer business may distribute the medical cannabis flower or medical cannabinoid product to any person authorized to receive medical cannabis flower or medical cannabinoid products enrolled in the medical cannabis patient registry program under section 342.52.

Subd. 2. Distribution requirements. (a) Prior to distribution of medical cannabis flower or medical cannabinoid products, a medical cannabis retailer license products listed in subdivision 1, paragraph (b), to a person enrolled in the patient registry program, an employee...
(1) review and confirm the patient's enrollment in the registry verification program;

(2) verify that the person requesting the distribution of medical cannabis flower or medical cannabinoid products is the patient, the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse using the procedures specified in section 152.11, subdivision 3a, established by the office;

(3) provide consultation to the patient to determine the proper type of medical cannabis flower or medical cannabinoid product, dosage, and paraphernalia for the patient if required under subdivision 3;

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

(5) provide the patient with any other information required by the office.

(b) A cannabis business with a medical cannabis retail endorsement may not deliver medical cannabis flower or medical cannabinoid products to a person enrolled in the registry program unless the cannabis business has a medical cannabis retail endorsement also holds a cannabis delivery service license. The delivery of medical cannabis flower and medical cannabinoid products are subject to the provisions of section 342.42.

Subd. 3. Final approval for distribution of medical cannabis flower and medical cannabinoid products. (a) A cannabis worker who is employed by a cannabis business with a medical cannabis retail and retail endorsement who is licensed as a pharmacist pursuant to chapter 151 shall be or certified as a medical cannabis consultant by the office is the only person who may give final approval for the distribution of medical cannabis flower and medical cannabinoid products. Prior to the distribution of medical cannabis flower or medical cannabinoid products, a pharmacist or certified medical cannabis consultant consulted with the patient to determine the proper type of medical cannabis flower, medical cannabinoid product, or medical cannabis paraphernalia, and the proper dosage for the patient after reviewing the range of chemical compositions of medical cannabis flower or medical cannabinoid products, intended for distribution:

(1) if the patient is purchasing the medical cannabis flower or medical cannabinoid product for the first time;
80.1 (2) if the patient purchases medical cannabis flower or a medical cannabinoid product
80.2 that the patient must administer using a different method than the patient's previous method
80.3 of administration;
80.4 (3) if the patient purchases medical cannabis flower or a medical cannabinoid product
80.5 with a cannabinoid concentration of at least double the patient's prior dosage; or
80.6 (4) upon the request of the patient.
80.7 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure
80.8 videoconference, telephone, or other remote means, as long as:
80.9 (1) the pharmacist or consultant engaging in the consultation is able to confirm the
80.10 identity of the patient; and
80.11 (2) the consultation adheres to patient privacy requirements that apply to health care
80.12 services delivered through telemedicine.
80.13 (b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the
80.14 distribution of medical cannabis flower or medical cannabinoid products when a medical
80.15 cannabis retailer is distributing medical cannabis flower or medical cannabinoid products
80.16 to a patient according to a patient-specific dosage plan established with that medical cannabis
80.17 retailer and is not modifying the dosage or product being distributed under that plan. Medical
80.18 cannabis flower or medical cannabinoid products distributed under this paragraph must be
80.19 distributed by a pharmacy technician employed by the medical cannabis retailer.
80.20 Subd. 4. 90-day supply. A medical cannabis retailer shall not distribute more than a
80.21 90-day supply of medical cannabis flower or medical cannabinoid products to a patient,
80.22 registered designated caregiver, or parent, legal guardian, or spouse of a patient according
80.23 to the dosages established for the individual patient.
80.24 Subd. 5. Distribution to recipient in a motor vehicle. A cannabis business with a
80.25 cannabis retail endorsement may distribute medical cannabis flower and
80.26 medical cannabinoid products to a patient, registered designated caregiver, or parent, legal
80.27 guardian, or spouse of a patient person enrolled in the registry program who is at a dispensary
80.28 location but remains in a motor vehicle, provided that:
80.29 (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid
80.30 products in a designated zone that is as close as feasible to the front door of the facility;
80.31 (2) the cannabis business with a medical cannabis retail endorsement ensures
80.32 that the receipt of payment and distribution of medical cannabis flower and medical
80.33 cannabinoid products are visually recorded by a closed-circuit television surveillance camera
80.34 and provides any other necessary security safeguards;
80.35
80.4 (2) if the patient purchases a product that the patient must administer using a different
80.5 method than the patient's previous method of administration;
80.6 (3) if the patient purchases a product with a cannabinoid concentration of at least double
80.7 the patient's prior dosage; or
80.8 (4) upon the request of the patient.
80.9 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure
80.10 videoconference, telephone, or other remote means, as long as:
80.11 (1) the pharmacist or consultant engaging in the consultation is able to confirm the
80.12 identity of the patient; and
80.13 (2) the consultation adheres to patient privacy requirements that apply to health care
80.14 services delivered through telemedicine.
80.15 (b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the
80.16 distribution of medical cannabis flower or medical cannabinoid products when a medical
80.17 cannabis retailer is distributing medical cannabis flower or medical cannabinoid products
80.18 to a patient according to a patient-specific dosage plan established with that medical cannabis
80.19 retailer and is not modifying the dosage or product being distributed under that plan. Medical
80.20 cannabis flower or medical cannabinoid products distributed under this paragraph must be
80.21 distributed by a pharmacy technician employed by the medical cannabis retailer.
80.22 Subd. 4. 90-day supply. A medical cannabis retailer shall not distribute more than a
80.23 90-day supply of medical cannabis flower or medical cannabinoid products to a patient,
80.24 registered designated caregiver, or parent, legal guardian, or spouse of a patient according
80.25 to the dosages established for the individual patient.
A medical cannabis combination business license entitles the license holder to perform any or all of the following within the limits established by this section:

(a) grow cannabis plants from seed or immature plant to mature plant and harvest;
(b) make cannabis concentrate;
(c) make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
(d) manufacture artificially derived cannabinoids;
(e) manufacture medical cannabinoid products;
manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;

(7) purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, or another medical cannabis combination business;

(8) purchase hemp plant parts and propagules from an industrial hemp grower licensed under chapter 18K;

(9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, or another medical cannabis combination business;

(10) purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K;

(11) package and label medical cannabis flower and medical cannabinoid products for sale to medical cannabis businesses with a medical cannabis processor endorsement or another medical cannabis processor; cannabis businesses with a medical cannabis retailer endorsement, other medical cannabis combination businesses, and patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;

(12) package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;

(13) sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;

(14) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers; and

(15) perform other actions approved by the office.
The office shall authorize a medical cannabis combination business to cultivate cannabis for sale in the adult-use market in an area of plant canopy that is equal to one-half of the area the business used to cultivate cannabis sold in the medical market in the preceding year. The office may increase the area of plant canopy in which a medical cannabis combination business is authorized to cultivate cannabis for sale in the adult-use market between authorization periods if the business demonstrates a significant increase in the sale of medical cannabis and medical cannabis products.

Subd. 3. Manufacturing; size limitations. The office may establish limits on cannabis manufacturing that are consistent with the area of plant canopy a business is authorized to cultivate.

Subd. 4. Retail locations. A medical cannabis combination business may operate up to one retail location in each congressional district. A medical cannabis combination business must offer medical cannabis flower, medical cannabinoid products, or both at every retail location. Each retail location of a medical cannabis combination business must continuously make cannabis flower or cannabinoid products available to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient.

Subd. 5. Failure to participate; suspension or revocation of license. The office may suspend or revoke a medical cannabis combination business license if the office determines that the business is no longer actively participating in the medical cannabis market. The office may, by rule, establish minimum requirements related to cannabis cultivation, manufacturing of medical cannabinoid products, retail sales of medical cannabis flower and medical cannabinoid products, and other relevant criteria to demonstrate active participation in the medical cannabis market.

Subd. 6. Operations. A medical cannabis combination business must comply with the relevant requirements of sections 342.25, 342.26, 342.27, and 342.51, subdivisions 2 to 5.

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

Sec. 86. Minnesota Statutes 2023 Supplement, section 342.515, is amended by adding a subdivision to read:

Subd. 7. Transportation between facilities. A medical cannabis combination business may transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products between facilities operated by the medical cannabis combination business if the medical cannabis combination business:

(1) provides the office with the information described in section 342.35, subdivision 2; and

(2) is in compliance with the relevant requirements of sections 342.51, subdivisions 2 to 5;
Sec. 87. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 1, is amended to read:

(a) A patient seeking to enroll in the medical cannabis patient registry program must administer the medical cannabis patient registry program.

(b) As part of the application under this subdivision, a patient must submit a copy of a statement that certifies that the patient has been diagnosed with a qualifying medical condition.

The patient must provide at least the following information in the application:

(1) the patient's name, mailing address, and date of birth;
(2) the name, mailing address, and telephone number of the patient's health care practitioner;
(3) the name, mailing address, and date of birth of the patient's registered designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as the patient's caregiver;
(4) a disclosure signed by the patient that includes:
   (i) a statement that, notwithstanding any law to the contrary, the office of Medical Cannabis Management, the Division of Medical Cannabis, or an employee of the office of Medical Cannabis Management or Division of Medical Cannabis may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by an act or omission while acting within the employee's scope of office or employment under this section; and
   (ii) the patient's acknowledgment that enrollment in the registry program is conditional on the patient's agreement to meet all other requirements of this section; and
(5) all other information required by the Division of Medical Cannabis office.

(b) As part of the application under this subdivision, a patient must submit a copy of a certification from the patient's health care practitioner that is dated within 90 days prior to the submission of the application and that certifies that the patient has been diagnosed with a qualifying medical condition.

(c) A patient's health care practitioner may submit a statement to the Division of Medical Cannabis office declaring that the patient is no longer diagnosed with a qualifying medical condition and a copy of the certification from the patient's health care practitioner that is dated within 90 days prior to the submission of the application and that certifies that the patient has been diagnosed with a qualifying medical condition.

The patient must provide at least the following information in the application:

(1) the patient's name, mailing address, and date of birth;
(2) the name, mailing address, and telephone number of the patient's health care practitioner;
(3) the name, mailing address, and date of birth of the patient's registered designated caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian, or spouse will be acting as the patient's caregiver;
(4) a disclosure signed by the patient that includes:
   (i) a statement that, notwithstanding any law to the contrary, the office of Medical Cannabis Management, the Division of Medical Cannabis, or an employee of the office of Medical Cannabis Management or Division of Medical Cannabis may not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by an act or omission while acting within the employee's scope of office or employment under this section; and
   (ii) the patient's acknowledgment that enrollment in the registry program is conditional on the patient's agreement to meet all other requirements of this section; and
(5) all other information required by the Division of Medical Cannabis office.

(b) As part of the application under this subdivision, a patient must submit a copy of a certification from the patient's health care practitioner that is dated within 90 days prior to the submission of the application and that certifies that the patient has been diagnosed with a qualifying medical condition.

(c) A patient's health care practitioner may submit a statement to the Division of Medical Cannabis office declaring that the patient is no longer diagnosed with a qualifying medical condition.

EFFECTIVE DATE. This section is effective July 1, 2025.
condition. Within 30 days after receipt of a statement from a patient's health care practitioner, the Division of Medical Cannabis office must provide written notice to a patient stating that the patient's enrollment in the registry program will be revoked in 30 days unless the patient submits a certification from a health care practitioner that the patient is currently diagnosed with a qualifying medical condition or, if the patient is a veteran, the patient submits a certification from a health care practitioner that the patient is currently diagnosed with a qualifying medical condition in a form and manner consistent with the information required for an application made pursuant to subdivision 3. If the Division of Medical Cannabis office revokes a patient's enrollment in the registry program pursuant to this paragraph, the division must provide notice to the patient and to the patient's health care practitioner.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 89. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 3, is amended to read:

Subd. 3. Application procedure for veterans. (a) The Division of Medical Cannabis office shall establish an alternative certification procedure for veterans who receive care from the United States Department of Veterans Affairs to confirm that the veteran has been diagnosed with a qualifying medical condition. A veteran and is seeking to enroll in the registry program must submit to the Division of Medical Cannabis office a copy of the patient's veteran health identification card issued by the United States Department of Veterans Affairs and an application established by the Division of Medical Cannabis that includes the information identified in subdivision 2, paragraph (a), and the additional information required by the Division of Medical Cannabis to certify that the patient has been diagnosed with a qualifying medical condition. The office must provide written notice to a patient stating that the Division of Medical Cannabis has been diagnosed with a qualifying medical condition that may benefit from the therapeutic use of medical cannabis.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 90. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended to read:

Subd. 4. Enrollment; denial of enrollment; revocation. (a) Within 30 days after the receipt of an application and certification or other documentation of a diagnosis with a qualifying medical condition, the Division of Medical Cannabis office must approve or deny a patient's enrollment in the registry program. If the Division of Medical Cannabis office approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner.

(b) The office may deny a patient's enrollment in the registry program if the patient is denied only if the patient:

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 100. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended to read:

Subd. 4. Enrollment; denial of enrollment; revocation. (a) Within 30 days after the receipt of an application and certification or other documentation of a diagnosis with a qualifying medical condition, the Division of Medical Cannabis office must approve or deny a patient's enrollment in the registry program. If the Division of Medical Cannabis office approves a patient's enrollment in the registry program, the office must provide notice to the patient and to the patient's health care practitioner.

(b) The office may deny a patient's enrollment in the registry program if the patient:
85.19 (1) does not submit a certification from a health care practitioner or, if the patient is a veteran, the documentation required under subdivision 3 that the patient has been diagnosed with a qualifying medical condition;
85.20 (2) has not signed the disclosure required in subdivision 2;
85.21 (3) does not provide the information required by the Division of Medical Cannabis office;
85.22 (4) provided false information on the application; or
85.23 (5) at the time of application, is also enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis.

85.24 Subd. 5. (c) If the Division of Medical Cannabis office denies a patient's enrollment in the registry program, the Division of Medical Cannabis office must provide written notice to a patient of all reasons for denying enrollment. Denial of enrollment in the registry program is considered a final decision of the office and is subject to judicial review under chapter 14.

85.25 (d) The office may revoke a patient's enrollment in the registry program only:
85.26 (1) pursuant to subdivision 2, paragraph (c);
85.27 (2) upon the death of the patient;
85.28 (3) if the patient's certifying health care practitioner has filed a declaration under subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the patient does not submit another certification within 30 days;
85.29 (4) if the patient does not comply with subdivision 6; or
85.30 (5) at the time of application, is also enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis.

85.31 (e) If the Division of Medical Cannabis office denies a patient's enrollment in the registry program, the Division of Medical Cannabis office must provide written notice to a patient of all reasons for denying enrollment. Denial of enrollment in the registry program is considered a final decision of the office and is subject to judicial review under chapter 14.

85.32 (f) The office may revoke a patient's enrollment in the registry program only:
85.33 (1) pursuant to subdivision 2, paragraph (c);
85.34 (2) upon the death of the patient;
85.35 (3) if the patient's certifying health care practitioner has filed a declaration under subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the patient does not submit another certification within 30 days;
85.36 (4) if the patient does not comply with subdivision 6; or
85.37 (5) at the time of application, is also enrolled in a federally approved clinical trial for the treatment of a qualifying medical condition with medical cannabis.

85.38 Subd. 11. (a) If the office has revoked a patient's enrollment in the registry program, the Division of Medical Cannabis office must provide written notice to a patient of all reasons for revocation.

85.39 EFFECTIVE DATE. This section is effective July 1, 2025.

85.40 Sec. 91. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 5, is amended to read:

85.41 Subd. 5. Registry verification. When a patient is enrolled in the registry program, the Division of Medical Cannabis office must assign the patient a patient registry number and must issue the patient and the patient's designated caregiver, parent, legal guardian, or spouse, if applicable, a registry verification. The Division of Medical Cannabis office
must also make the registry verification available to medical cannabis retailer businesses
with a medical cannabis retail endorsement. The registry verification must include:

(1) the patient's name and date of birth;
(2) the patient registry number assigned to the patient; and
(3) the name and date of birth of the patient’s registered designated caregiver, if any, or
the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or
spouse will act as a caregiver.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 92. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 9, is amended
to read:

Subd. 9. Registered designated caregiver. (a) The Division of Medical Cannabis office
must register a designated caregiver for a patient if the patient requires assistance in
administering medical cannabis flower or medical cannabinoid products or in obtaining
medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia
from a cannabis business with a medical cannabis retailer endorsement or cultivating
cannabis plants as permitted by section 342.09, subdivision 2.

(b) In order to serve as a designated caregiver, a person must:

(1) be at least 18 years of age;
(2) agree to only possess the patient’s medical cannabis flower and medical cannabinoid
products for purposes of assisting the patient; and
(3) agree that if the application is approved, the person will not serve as a registered
designated caregiver for more than six registered patients at one time. Patients who reside
in the same residence count as one patient.

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

(d) Nothing in this section shall be construed to prevent a registered designated
caregiver from being enrolled in the registry program as a patient and possessing and
administering medical cannabis flower or medical cannabinoid products as a patient.

(d) Notwithstanding any law to the contrary, a registered designated caregiver approved
to assist a patient enrolled in the registry program with obtaining medical cannabis flower
may cultivate cannabis plants on behalf of one patient. A registered designated caregiver
may grow up to eight cannabis plants for the patient household that the registered designated
caregiver is approved to assist with obtaining medical cannabis flower. If a patient enrolled
in the same residence counts as one patient.
in the registry program directs the patient's registered designated caregiver to cultivate
87.29 cannabis plants on behalf of the patient, the patient must assign the patient's right to cultivate
87.30 cannabis plants to the registered designated caregiver and the patient is prohibited from
87.31 cultivating cannabis plants for personal use. Nothing in this paragraph limits the right of a
87.32 registered designated caregiver cultivating cannabis plants on behalf of a patient enrolled
87.33 in the registry program to also cultivate cannabis plants for personal use pursuant to section
87.34 342.09, subdivision 2.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 94. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended to read:

Subd. 11. Notice of change of name or address. Patients and registered designated
caregivers must notify the Division of Medical Cannabis office of any address or name
change within 30 days of the change having occurred. A patient or registered designated
caregiver is subject to a $100 fine for failure to notify the office of the change.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

Sec. 93. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended to read:

...and divisions with jurisdiction over health finance and policy by January 15 of the year in
88.31 which the change becomes effective. In this notification, the office must specify the proposed
88.32 addition or modification, the reasons for the addition or modification, any written comments
88.33 received by the office from the public about the addition or modification, and any guidance
88.34 received from the Cannabis Advisory Council. An addition or modification by the office
88.35 under this subdivision becomes effective on August 1 of that year unless the legislature by
88.36 law provides otherwise.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

88.32 342.53 DUTIES OF OFFICE OF CANNABIS MANAGEMENT; APPROVAL OF
88.33 CANNABINOID PRODUCTS FOR REGISTRY PROGRAM.

The office may add an allowable form of medical cannabinoid product, and may add or
88.34 modify a qualifying medical condition upon its own initiative, upon a petition from a member
88.35 of the public or from the Cannabis Advisory Council or as directed by law. The office must
88.36 evaluate all petitions and must make the addition or modification if the office determines
88.37 that the addition or modification is warranted by the best available evidence and research.
88.38 If the office wishes to add an allowable form or add or modify a qualifying medical condition
88.39 the office must notify the chairs and ranking minority members of the legislative committees
88.40 and divisions with jurisdiction over health finance and policy by January 15 of the year in
88.41 which the change becomes effective. In this notification, the office must specify the proposed
88.42 addition or modification, the reasons for the addition or modification, any written comments
88.43 received by the office from the public about the addition or modification, and any guidance
88.44 received from the Cannabis Advisory Council. An addition or modification by the office
88.45 under this subdivision becomes effective on August 1 of that year unless the legislature by
88.46 law provides otherwise.

**EFFECTIVE DATE.** This section is effective July 1, 2025.

88.14 342.53 DUTIES OF OFFICE OF CANNABIS MANAGEMENT; REGISTRY
88.15 PROGRAM ADDING OR MODIFYING QUALIFYING MEDICAL CONDITIONS.

The office may add an allowable form of medical cannabinoid product, and may add or
88.16 modify a qualifying medical condition upon its own initiative, upon a petition from a member
88.17 of the public or from the Cannabis Advisory Council or as directed by law. The office must
88.18 evaluate all petitions and must make the addition or modification if the office determines
88.19 that the addition or modification is warranted by the best available evidence and research.
88.20 If the office wishes to add an allowable form or add or modify a qualifying medical condition
88.21 the office must notify the chairs and ranking minority members of the legislative committees
88.22 and divisions with jurisdiction over health finance and policy by January 15 of the year in
88.23 which the change becomes effective. In this notification, the office must specify the proposed
88.24 addition or modification, the reasons for the addition or modification, any written comments
88.25 received by the office from the public about the addition or modification, and any guidance
88.26 received from the Cannabis Advisory Council. An addition or modification by the office
88.27 under this subdivision becomes effective on August 1 of that year unless the legislature by
88.28 law provides otherwise.

**EFFECTIVE DATE.** This section is effective July 1, 2025.
Sec. 95. Minnesota Statutes 2023 Supplement, section 342.54, is amended to read:

Subd. 1. Duties related to health care practitioners. The Division of Medical Cannabis office must:

(1) provide notice of the registry program to health care practitioners in the state;

(2) allow health care practitioners to participate in the registry program if they request to participate and meet the program's requirements;

(3) provide explanatory information and assistance to health care practitioners to understand the nature of the therapeutic use of medical cannabis flower and medical cannabinoid products within program requirements;

(4) make available to participating health care practitioners a certification form in which a health care practitioner certifies that a patient has a qualifying medical condition; and

(5) supervise the participation of health care practitioners in the registry program to prevent patients from undertaking any task under the influence of medical cannabis flower or medical cannabinoid products as an alternative to enrollment in the registry program;

(6) maintain safety criteria with which patients must comply as a condition of participation in the registry program to prevent patients from undertaking any task under the influence of medical cannabis flower or medical cannabinoid products that would constitute negligence or professional malpractice;

(7) review and publicly report on existing medical and scientific literature regarding the range of recommended dosages for each qualifying medical condition, the range of chemical compositions of medical cannabis flower and medical cannabinoid products that will likely be medically beneficial for each qualifying medical condition, and any risks of noncannabis drug interactions. This information must be updated by December 1 of every year.
years. The office may consult with an independent laboratory under contract with the office
or other experts in reporting and updating this information; and
(5) annually consult with cannabis businesses about medical cannabis that the businesses
cultivate, manufacture, and offer for sale and post on the Division of Medical Cannabis
office website a list of the medical cannabis flower and medical cannabinoid products offered
for sale by each cannabis business with a cannabis retailer endorsement.

Subd. 3. Research. (a) The Division of Medical Cannabis office must conduct or contract
with a third party to conduct research and studies using data from health records submitted
to the registry program under section 342.55, subdivision 2, and data submitted to the registry
program under section 342.52, subdivisions 2 and 3. If the division office contracts with a
third party for research and studies, the third party must provide the division office with
access to all research and study results. The division office must submit reports on
intermediate or final research results to the legislature and major scientific journals. All
data used by the division office or a third party under this subdivision must be used or
reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed
publication of research or in the creation of summary data, as defined in section 13.02,
subdivision 19.
(b) The Division of Medical Cannabis office may submit medical research based on the
data collected under sections 342.55, subdivision 2, and data collected through the statewide
monitoring system to any federal agency with regulatory or enforcement authority over
medical cannabis flower and medical cannabinoid products to demonstrate the effectiveness
of medical cannabis flower or medical cannabinoid products for treating or alleviating the
symptoms of a qualifying medical condition.

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

Sec. 96. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 1, is amended
to read:
Subdivision 1. Health care practitioner duties before patient enrollment. Before a
patient's enrollment in the registry program, a health care practitioner must:
(1) determine, in the health care practitioner's medical judgment, whether a patient has
a qualifying medical condition and, if so determined, provide the patient with a certification
of that diagnosis;
(2) advise patients, registered designated caregivers, and parents, legal guardians, and
spouses acting as caregivers of any nonprofit patient support groups or organizations;
(3) provide to patients explanatory information from the Division of Medical Cannabis
office, including information about the experimental nature of the therapeutic use of medical
cannabis flower and medical cannabinoid products; the possible risks, benefits, and side
effects of the proposed treatment; and the application and other materials from the office;
(5) annually consult with cannabis businesses about medical cannabis that the businesses
cultivate, manufacture, and offer for sale and post on the Division of Medical Cannabis
office website a list of the medical cannabis flower and medical cannabinoid products offered
for sale by each cannabis retailer.

Subd. 3. Research. (a) The Division of Medical Cannabis office must conduct or contract
with a third party to conduct research and studies using data from health records submitted
to the registry program under section 342.55, subdivision 2, and data submitted to the registry
program under section 342.52, subdivisions 2 and 3. If the division office contracts with a
third party for research and studies, the third party must provide the division office with
access to all research and study results. The division office must submit reports on
intermediate or final research results to the legislature and major scientific journals. All
data used by the division office or a third party under this subdivision must be used or
reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed
publication of research or in the creation of summary data, as defined in section 13.02,
subdivision 19.
(b) The Division of Medical Cannabis office may submit medical research based on the
data collected under sections 342.55, subdivision 2, and data collected through the statewide
monitoring system to any federal agency with regulatory or enforcement authority over
medical cannabis flower and medical cannabinoid products to demonstrate the effectiveness
of medical cannabis flower or medical cannabinoid products for treating or alleviating the
symptoms of a qualifying medical condition.

EFFECTIVE DATE. This section is effective July 1, 2024.
(4) provide to patients a Tennessen warning as required under section 13.04, subdivision 2; and

(5) agree to continue treatment of the patient's qualifying medical condition and to report findings to the Division of Medical Cannabis office.

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

Sec. 97. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 2, is amended to read:

Subd. 1. Duties upon patient's enrollment in registry program. Upon receiving notification from the Division of Medical Cannabis office of the patient's enrollment in the registry program, a health care practitioner must:

(1) participate in the patient registry reporting system under the guidance and supervision of the Division of Medical Cannabis office;

(2) report to the Division of Medical Cannabis office patient health records throughout the patient's ongoing treatment in a manner determined by the office and in accordance with subdivision 4;

(3) determine on a yearly basis every three years if the patient continues to have a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis. The patient assessment conducted under this clause may be conducted via telehealth, as defined in section 62A.673, subdivision 2; and

(4) otherwise comply with requirements established by the office of Management and the Division of Medical Cannabis.

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

Sec. 98. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 1, is amended to read:

Subdivision 1. Limitations on consumption; locations of consumption. (a) Nothing in sections 342.47, 342.51 to 342.60 permits any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking a task under the influence of medical cannabis flower or medical cannabinoid products that would constitute negligence or professional malpractice;

(2) possessing or consuming medical cannabis flower or medical cannabinoid products:

(i) on a school bus or van;

(ii) in a correctional facility;

(iii) in a state-operated treatment program, including the Minnesota sex offender program;

or

(3) determine on a yearly basis every three years if the patient continues to have a qualifying medical condition and, if so, issue the patient a new certification of that diagnosis. The patient assessment conducted under this clause may be conducted via telehealth, as defined in section 62A.673, subdivision 2; and

(4) otherwise comply with requirements established by the office of Management and the Division of Medical Cannabis.

**EFFECTIVE DATE.** This section is effective July 1, 2024.
(iv) on the grounds of a child care facility or family or group family day care program;

(3) vaporizing or smoking medical cannabis:

(i) on any form of public transportation;

(ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would be inhaled by a minor;

(iii) in any public place, including any indoor or outdoor area used by or open to the general public or a place of employment, as defined in section 144.413, subdivision 1b; and

(iv) operating, navigating, or being in actual physical control of a motor vehicle, aircraft, train, or motorboat or working on transportation property, equipment, or facilities while under the influence of medical cannabis flower or a medical cannabinoid product.

(b) Except for the use of medical cannabis flower or medical cannabinoid products, the vaporizing or smoking of cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products is prohibited in a multifamily housing building, including balconies and patios appurtenant thereto. A violation of this paragraph is punishable through a civil administrative fine in an amount of $250.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 99. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 2, is amended to read:

Subd. 2. Health care facilities. (a) Health care facilities licensed under chapter 144A; hospice providers licensed under chapter 144A; boarding care homes or supervised living facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144; and other health care facilities licensed by the commissioner of health or the commissioner of human services may adopt reasonable restrictions on the use of medical cannabis flower or medical cannabinoid products by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility must not store or maintain a patient's supply of medical cannabis flower or medical cannabinoid products on behalf of the patient; that the patient store the patient's supply of medical cannabis flower or medicinal cannabinoid products in a locked container accessible only to the patient, the patient's designated caregiver, or the patient's parent, legal guardian, or spouse; that the facility is not responsible for providing medical cannabis for patients; and that medical cannabis flower or medical cannabinoid products are used only in a location specified by the facility or provider. Nothing in this subdivision requires facilities and providers listed in this subdivision to adopt such restrictions.

(b) No facility or provider listed in this subdivision may unreasonably limit a patient's access to or use of medical cannabis flower or medical cannabinoid products to the extent

Subd. 2. Health care facilities. (a) Health care facilities licensed under chapter 144A; hospice providers licensed under chapter 144A; boarding care homes or supervised living facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144; and other health care facilities licensed by the commissioner of health or the commissioner of human services may adopt reasonable restrictions on the use of medical cannabis flower or medical cannabinoid products by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility must not store or maintain a patient's supply of medical cannabis flower or medical cannabinoid products by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility must not store or maintain a patient's supply of medical cannabis flower or medical cannabinoid products by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility must not store or maintain a patient's supply of medical cannabis flower or medical cannabinoid products on behalf of the patient; that a patient store the patient's supply of medical cannabis flower or medicinal cannabinoid products in a locked container accessible only to the patient, the patient's designated caregiver, or the patient's parent, legal guardian, or spouse; that the facility is not responsible for providing medical cannabis for patients; and that medical cannabis flower or medical cannabinoid products are used only in a location specified by the facility or provider. Nothing in this subdivision requires facilities and providers listed in this subdivision to adopt such restrictions.

(b) No facility or provider listed in this subdivision may unreasonably limit a patient's access to or use of medical cannabis flower or medical cannabinoid products to the extent
that such use is authorized under sections 342.42 to 342.59. No facility or provider
listed in this subdivision may prohibit a patient access to or use of medical cannabis flower
or medical cannabinoid products due solely to the fact that cannabis is a Schedule I drug
controlled substance pursuant to the federal Uniform Controlled Substances Act. If a federal
regulatory agency, the United States Department of Justice, or the federal Centers for
Medicare and Medicaid Services takes one of the following actions, a facility or provider
may suspend compliance with this paragraph until the regulatory agency, the United States
Department of Justice, or the federal Centers for Medicare and Medicaid Services notifies
the facility or provider that it may resume permitting the use of medical cannabis flower or
medical cannabinoid products within the facility or in the provider's service setting:

1. (1) a federal regulatory agency or the United States Department of Justice initiates
enforcement action against a facility or provider related to the facility's compliance with
the medical cannabis program; or

2. (2) a federal regulatory agency, the United States Department of Justice, or the federal
Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
to the facility or provider that expressly prohibits the use of medical cannabis in health care
facilities or otherwise prohibits compliance with the medical cannabis program.

(c) An employee or agent of a facility or provider listed in this subdivision or a person
licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
of medical cannabis flower or medical cannabinoid products while carrying out employment
duties, including providing or supervising care to a patient enrolled in the registry program,
or distribution of medical cannabis flower or medical cannabinoid products to a patient
enrolled in the registry program who resides at or is actively receiving treatment or care at
the facility or from the provider with which the employee or agent is affiliated.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 100. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 1, is amended
to read:

Subdivision 1. Presumption. There is a presumption that a patient or other person
enrolled in the registry program is engaged in the authorized use or possession of medical
cannabis flower and medical cannabinoid products. This presumption may be rebutted by
evidence that the patient's use of medical cannabis flower or medical cannabinoid products
use or possession of medical cannabis flower or medical cannabinoid products by a patient
or other person enrolled in the registry program was not for the purpose of assisting with,
treating, or alleviating the patient's qualifying medical condition or symptoms associated
with the patient's qualifying medical condition.

EFFECTIVE DATE. This section is effective July 1, 2025.
Sec. 111. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 2, is amended to read:

Subd. 2. Criminal and civil protections. (a) Subject to section 342.56, the following are not violations of this chapter or chapter 152:

(1) use or possession of medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting patient to whom medical cannabis flower or medical cannabinoid products are distributed under section 342.51, subdivision 5;

(2) possession of medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or spouse of a patient enrolled in the registry program; or

(3) possession of medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia by any person while carrying out duties required under sections 342.42 to 342.60.

(b) The Office of Cannabis Management, members of the Cannabis Advisory Council, Office of Cannabis Management employees, agents or contractors of the Office of Cannabis Management, and health care practitioners participating in the registry program are not subject to any civil penalties or disciplinary action by the Board of Medical Practice, the Board of Nursing, or any business, occupational, or professional licensing board or entity solely for participating in the registry program either in a professional capacity or as a patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or disciplinary action by the Board of Pharmacy when acting in accordance with sections 342.42 to 342.60 either in a professional capacity or as a patient. Nothing in this section prohibits a professional licensing board from taking action in response to a violation of law.

(c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the governor, or an employee of a state agency must not be held civilly or criminally liable for any injury, loss of property, personal injury, or death caused by any act or omission while acting within the scope of office or employment under sections 342.42 to 342.60.

(d) Federal, state, and local law enforcement authorities are prohibited from accessing the registry except when acting pursuant to a valid search warrant. Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.

(e) Notwithstanding any law to the contrary, the office and employees of the office must not release data or information about a patient enrolled in the registry program, except as provided in sections 342.42 to 342.60. Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.
(f) No information contained in a report or document, contained in the registry, or obtained from a patient under sections 342.42 to 342.60 may be admitted as evidence in a criminal proceeding, unless:

(1) the information is independently obtained; or

(2) admission of the information is sought in a criminal proceeding involving a criminal violation of sections 342.42 to 342.60.

(g) Possession of a registry verification or an application for enrollment in the registry program:

(1) does not constitute probable cause or reasonable suspicion;

(2) must not be used to support a search of the person or property of the person with a registry verification or application to enroll in the registry program; and

(3) must not subject the person or the property of the person to inspection by any government agency.

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

Sec. 112. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 3, is amended to read:

Subd. 3. Medical care.

For purposes of medical care, including organ transplants, a patient's use of medical cannabis flower or medical cannabinoid products according to sections 342.42 to 342.60 is considered the equivalent of the authorized use of a medication used at the discretion of a health care practitioner and does not disqualify a patient from needed medical care.

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

Sec. 113. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 4, is amended to read:

Subd. 4. Medical care.

For purposes of medical care, including organ transplants, a patient's use of medical cannabis flower or medical cannabinoid products according to sections 342.42 to 342.60 is considered the equivalent of the authorized use of a medication used at the discretion of a health care practitioner and does not disqualify a patient from needed medical care.

EFFECTIVE DATE. This section is effective the day following final enactment.
EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 114. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 5, is amended to read:

Subd. 5. Employment. (a) Unless a failure to do so would violate federal or state law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based on:

1. the person's status as a patient or person enrolled in the registry program; or
2. a patient's positive drug test for cannabis components or metabolites, unless the patient used, possessed, sold, transported, or was impaired by medical cannabis flower or a medical cannabinoid product on work premises, during working hours, or while operating an employer's machinery, vehicle, or equipment.

(b) An employee who is a patient and whose employer requires the employee to undergo drug testing according to section 181.953 may present the employee's registry verification as part of the employee's explanation under section 181.953, subdivision 6.

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

Sec. 115. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 6, is amended to read:

Subd. 6. Custody; visitation; parenting time. A person must not be denied custody of a minor child or visitation rights or parenting time with a minor child based solely on the person's status as a patient or person enrolled in the registry program. There must be no presumption of neglect or child endangerment for conduct allowed under sections 342.47 to 342.60, unless the person's behavior creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

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

Sec. 116. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 7, is amended to read:

Subd. 7. Action for damages. In addition to any other remedy provided by law, a patient or person enrolled in the registry program may bring an action for damages against any person who violates subdivision 3, 4, or 5. A person who violates subdivision 3, 4, or 5 is liable to a patient or person enrolled in the registry program injured by the violation for the greater of the person's actual damages or a civil penalty of $100 and reasonable attorney fees.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 117. Minnesota Statutes 2023 Supplement, section 342.58, is amended to read:

342.58 VIOLATION BY HEALTH CARE PRACTITIONER; CRIMINAL PENALTY.

A health care practitioner who knowingly refers patients to a medical cannabis business or to a designated caregiver, who advertises as a retailer or producer of medical cannabis flower or medical cannabinoid products, or who issues certifications while holding a financial interest in a cannabis retailer or medical cannabis business is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days or to payment of not more than $1,000, or both.

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

Sec. 118. Minnesota Statutes 2023 Supplement, section 342.60, is amended to read:

342.60 APPLIED RESEARCH.

The Division of Medical Cannabis office may conduct, or award grants to health care providers or research organizations to conduct, applied research on the safety and efficacy of using medical cannabis flower or medical cannabinoid products to treat a specific health condition. A health care provider or research organization receiving a grant under this section must provide the office with access to all data collected in applied research funded under this section. The office may use data from applied research conducted or funded under this section as evidence to approve additional qualifying medical conditions or additional allowable forms of medical cannabis.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 104. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 1, is amended to read:

Subdivision 1. Testing required. (a) Cannabis businesses and hemp businesses shall not sell or offer for sale cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products to another cannabis business or hemp business, unless:

(1) a representative sample of the batch of cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products has been tested according to this section and rules adopted under this chapter;

(2) the testing was completed by a cannabis testing facility licensed under this chapter or meeting the requirements of paragraph (b); and
(3) the tested sample of cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products was found to meet testing standards established by the office.

(b) Testing of lower-potency hemp edibles and hemp-derived consumer products that do not contain intoxicating cannabinoids may be performed by any laboratory that has been accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization with specific accreditation for cannabis testing.
Sec. 120. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 5, is amended to read:

Subd. 5. Test results. (a) If a sample meets the applicable testing standards, a cannabis testing facility shall issue a certification to a cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency hemp edible manufacturer, medical cannabis cultivator, medical cannabis processor, or medical cannabis combination business and the cannabis business or hemp business may then sell or transfer the batch of cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products from which the sample was taken to another cannabis business or hemp business, or offer the cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products for sale to customers or patients. If a sample does not meet the applicable testing standards or if the testing facility is unable to test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from which the sample was taken shall be subject to procedures established by the office for such batches, including destruction, remediation, or retesting.

(b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency hemp edible manufacturer, medical cannabis cultivator, medical cannabis processor, or medical cannabis combination business must maintain the test results for cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products grown, manufactured, or imported by that cannabis business or hemp business for at least five years after the date of testing.

(c) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency hemp edible manufacturer, medical cannabis cultivator, medical cannabis processor, or medical cannabis combination business shall make test results maintained by that cannabis business or hemp business available for review by any member of the public, upon request.

Test results made available to the public must be in plain language.

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

Sec. 121. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a subdivision to read:

Subd. 1a. Appeal to individuals under 21 years of age. For the purposes of this section and section 342.64, "appeal to individuals under 21 years of age" means any of the following:

(1) the use of images, including but not limited to any of the following:

(i) images depicting cartoons, toys, or robots;

(ii) images depicting any real or fictional humans; and
(iii) images depicting any fictional animals or creatures;

(2) the use of images depicting fruits or vegetables, except when used to accurately
describe ingredients or flavors contained in a product;

(3) the use of any images bearing a likeness to images, characters, or phrases that are
popularly used to advertise to children;

(4) the use of any image imitating candy packaging or labeling, or imitating other
packaging or labeling of cereals, sweets, chips, or other food products typically marketed
to children;

(5) the use of terms "candy" or "candies" or variants in spelling of the term "candy,"
such as "kandy" or "kandee";

(6) the use of brand names or close imitations of brand names of candies, cereals, sweets,
chips, or other food products typically marketed to children; and

(7) the use of any other image or packaging that could be easily confused with
commercially available foods that do not contain cannabis and are typically marketed to
children.

Sec. 122. Minnesota Statutes 2023 Supplement, section 342.62, subdivision 3, is amended
to read:

Subd. 3. Packaging prohibitions. (a) Cannabis flower, cannabis products, lower-potency
hemp edibles, or hemp-derived consumer products sold to customers or patients must not
be packaged in a manner that:

(1) bears a reasonable resemblance to any commercially available product that does not
contain cannabinoids, whether the manufacturer of the product holds a registered trademark
or has registered the trade dress; or

(2) is designed to appeal to individuals under 21 years of age.

(b) Packaging for cannabis flower, cannabis products, lower-potency hemp edibles, and
hemp-derived consumer products must not contain or be coated with any perfluoroalkyl
substance.

(c) Edible cannabis products and lower-potency hemp edibles must not be packaged in
a material that is not approved by the United States Food and Drug Administration for use
in packaging food.
Sec. 123. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a subdivision to read:

Subd. 4. Prohibition of sale of certain empty packaging. No person shall sell, offer for sale, or facilitate the sale of empty packaging that, if used, would be a violation of any provision of this section. Enforcement of this subdivision is subject to section 8.31.

Sec. 107. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a subdivision to read:

Subd. 4. Prohibition of sale of certain empty packaging. No person shall sell, offer for sale, or facilitate the sale of empty packaging that, if used, would be a violation of any provision of this section. Enforcement of this subdivision is subject to section 8.31.

Sec. 124. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 2, is amended to read:

Subd. 2. Content of label; cannabis. All cannabis flower and hemp-derived consumer products that consist of hemp plant parts sold to customers or patients must have affixed on the packaging or container of the cannabis flower or hemp-derived consumer product a label that contains at least the following information:

1. the name and license number of the cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, medical cannabis cultivator, or industrial hemp grower where the cannabis flower or hemp plant part was cultivated;
2. the net weight or volume of cannabis flower or hemp plant parts in the package or container;
3. the batch number;
4. the cannabinoid profile;
5. a universal symbol established by the office indicating that the package or container contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product;
6. verification that the cannabis flower or hemp plant part was tested according to section 342.61 and that the cannabis flower or hemp plant part complies with the applicable standards;
7. information on the usage of the cannabis flower or hemp-derived consumer product;
8. the following statement: "Keep this product out of reach of children."; and
9. any other statements or information required by the office.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 109. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 3, is amended to read:

Subd. 3.

(2) the name and license number of the cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, medical cannabis cultivator, combination business, or industrial hemp grower that cultivated the cannabis flower or hemp plant parts used in the cannabis product, lower-potency hemp edible manufacturer, or medical cannabis, or industrial hemp grower that manufactured the cannabis concentrate, hemp, hemp concentrate, or artificially derived cannabinoid and, if different, the name and license number of the cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, lower-potency hemp edible manufacturer, or medical cannabis, or industrial hemp grower that manufactured the product;

(3) the net weight or volume of the cannabis product, lower-potency hemp edible, or hemp-derived consumer product in the package or container;

(4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer product;

(5) the batch number;

(6) the serving size;

(7) the cannabinoid profile per serving and in total;

(8) a list of ingredients;

(9) a universal symbol established by the office indicating that the package or container contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product;

(10) a warning symbol developed by the office in consultation with the commissioner of health and the Minnesota Poison Control System that:

(i) is at least three-quarters of an inch tall and six-tenths of an inch wide;

(ii) is in a highly visible color;

(11) the contents of the package or container are intended to be used for personal consumption or are intended for use by a patient of a medical cannabis processor who is entitled to possess the contents of the package or container;

(12) the contents of the package or container are intended to be used for personal consumption.

Subd. 3.

(3) the net weight or volume of the cannabis product, lower-potency hemp edible, or hemp-derived consumer product in the package or container;

(4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer product;

(5) the batch number;

(6) the serving size;

(7) the cannabinoid profile per serving and in total;

(8) a list of ingredients;

(9) a universal symbol established by the office indicating that the package or container contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product;

(10) a warning symbol developed by the office in consultation with the commissioner of health and the Minnesota Poison Control System that:

(i) is at least three-quarters of an inch tall and six-tenths of an inch wide;

(ii) is in a highly visible color;
112.2 (iii) includes a visual element that is commonly understood to mean a person should stop;  
112.3 (iv) indicates that the product is not for children; and  
112.4 (v) includes the phone number of the Minnesota Poison Control System;  
112.5 (11) verification that the cannabis product, lower-potency hemp edible, hemp-derived consumer product, or medical cannabinoid product complies with the applicable standards;  
112.6 (12) the maximum dose, quantity, or consumption that may be considered medically safe within a 24-hour period;  
112.7 (13) the following statement: "Keep this product out of reach of children."; and  
112.8 (14) any other statements or information required by the office.  
112.9 EFFECTIVE DATE. This section is effective the day following final enactment.  

Subd. 4. Additional content of label; medical cannabis flower and medical cannabinoid products. In addition to the applicable requirements for labeling under subdivision 2 or 3, all medical cannabis flower sold to patients and medical cannabinoid products sold to patients must include at least the following information on the label affixed to the packaging or container of the medical cannabis flower or medical cannabinoid product:  
112.10 (1) the patient's name and date of birth;  
112.11 (2) the name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent, legal guardian, or spouse, if applicable; and  
112.12 (3) the patient's registry identification number.  
112.13 EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 127. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 6, is amended to read:

Subd. 6. Additional information. (a) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, medical cannabis retailer, or medical cannabis combination business must provide customers and patients with the following information:

(1) factual information about impairment effects and the expected timing of impairment effects, side effects, adverse effects, and health risks of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(2) a statement that customers and patients must not operate a motor vehicle or heavy machinery while under the influence of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(3) resources customers and patients may consult to answer questions about cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products, and any side effects and adverse effects;

(4) contact information for the poison control center and a safety hotline or website for patients when the customer purchases cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product.​

Subd. 6. (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, or medical cannabis retailer, or medical cannabis combination business may include the information described in paragraph (a) on the label affixed to the packaging or container of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products by:

(1) posting the information in the premises of the cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, medical cannabis retailer, or medical cannabis combination business;

(2) providing the information on a separate document or pamphlet provided to customers or patients when the customer purchases cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product.

Subd. 6. Additional information. (a) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, medical cannabis retailer, or medical cannabis combination business must provide customers and patients with the following information:

(1) factual information about impairment effects and the expected timing of impairment effects, side effects, adverse effects, and health risks of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(2) a statement that customers and patients must not operate a motor vehicle or heavy machinery while under the influence of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products;

(3) resources customers and patients may consult to answer questions about cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products, and any side effects and adverse effects;

(4) contact information for the poison control center and a safety hotline or website for patients when the customer purchases cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product.

This section is effective the day following final enactment.
Sec. 111. Minnesota Statutes 2023 Supplement, section 342.64, subdivision 1, is amended to read:

Subdivision 1. Limitations applicable to all advertisements. Cannabis businesses, hemp businesses, and other persons shall not publish or cause to be published an advertisement for a cannabis business, a hemp business, cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product in a manner that:

1. contains false or misleading statements;
2. contains unverified claims about the health or therapeutic benefits or effects of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product;
3. promotes the overconsumption of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product;
4. depicts a person under 21 years of age consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product; or
5. includes an image designed or likely to appeal to individuals under 21 years of age, including cartoons, toys, animals, candy, dessert, or children, or any other likeness to images, characters, or phrases that is designed to be appealing to individuals under 21 years of age or encourage consumption by individuals under 21 years of age; and
6. contains an image of alcohol or a person or persons consuming alcohol; and
7. does not contain a warning as specified by the office regarding impairment and health risks.

Sec. 129. Minnesota Statutes 2023 Supplement, section 342.70, subdivision 3, is amended to read:

Subd. 3. Grants to organizations. (a) The Division of Social Equity must award grants to eligible organizations through a competitive grant process.

(b) To receive grant money, an eligible organization must submit a written application to the office, using a form developed by the office, explaining the community investment the organization wants to make in an eligible community.

(c) An eligible organization's grant application must also include:
1. an analysis of the community's need for the proposed investment;
2. a description of the positive impact that the proposed investment is expected to generate for that community;
3. any evidence of the organization's ability to successfully achieve that positive impact;
any evidence of the organization's past success in making similar community investments;

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

(6) the sources and amounts of any nonstate funds or in-kind contributions that will supplement grant money; and

(7) a description of the organization's engagement with youth-centered, community-based organizations working with youth who are 14 to 24 years of age; and

(8) any additional information requested by the office.

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

(1) applications from organizations that demonstrate a history of successful community investments, particularly in geographic areas that are now eligible communities. The office shall also give weight to;

(2) applications that support youth civic engagement, leadership, and youth-led health education opportunities, with preference for communities that have been most impacted by cannabis-related usage, criminalization, or incarceration; and

(3) applications where there is demonstrated community support for the proposed investment.

(e) The office shall fund investments in eligible communities throughout the state.

Subd. 4.
Loan financing grants.
(a) The CanGrow revolving loan account is established in the special revenue fund. Money in the account, including interest, is appropriated to the commissioner office to make loan financing grants under the CanGrow program.

(b) The office must award grants to nonprofit corporations through a competitive grant process.

(c) To receive grant money, a nonprofit corporation must submit a written application to the office using a form developed by the office.

(d) In awarding grants under this subdivision, the office shall give weight to whether the nonprofit corporation:

(1) has a board of directors that includes individuals experienced in agricultural business development;

(2) has the technical skills to analyze projects;

(3) is familiar with other available public and private funding sources and economic development programs;
(4) can initiate and implement economic development projects;

(5) can establish and administer a revolving loan account; and

(6) has established relationships with communities where long-term residents are eligible
to be social equity applicants.

The office shall make grants that will help farmers enter the legal cannabis industry
throughout the state:

(a) A nonprofit corporation that receives grants under the program must:

(1) establish an office-certified revolving loan account for the purpose of making eligible
loans; and

(2) enter into an agreement with the office that the office shall fund loans that the
nonprofit corporation makes to farmers entering the legal cannabis industry. The office shall
review existing agreements with nonprofit corporations every five years and may renew or
terminate an agreement based on that review. In making this review, the office shall consider,
among other criteria, the criteria in paragraph (d).

Sec. 113. Minnesota Statutes 2023 Supplement, section 342.80, is amended to read:

342.80 LAWFUL ACTIVITIES.

(a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
and selling of cannabis flower, cannabis products, artificially derived cannabinoids,
lower-potency hemp edibles, and hemp-derived consumer products by a licensed cannabis
business or hemp business in conformity with the rights granted by a cannabis business
license or hemp business license is lawful and may not be the grounds for the seizure or
forfeiture of property, arrest or prosecution, or search or inspections except as provided by
this chapter.

(b) A person acting as an agent of a cannabis microbusiness, cannabis mezzobusiness,
cannabis retailer, medical cannabis combination business, or lower-potency hemp edible
retailer who sells or otherwise transfers cannabis flower, cannabis products, lower-potency
hemp edibles, or hemp-derived consumer products to a person under 21 years of age is not
subject to arrest, prosecution, or forfeiture of property if the person complied with section
342.27, subdivision 4, and any rules promulgated pursuant to this chapter.

Sec. 114. Laws 2023, chapter 63, article 1, section 2, the effective date, is amended to
read:

EFFECTIVE DATE. This section is effective July 1, 2023, except for subdivision 3,
which is effective March 1, 2025.

EFFECTIVE DATE. This section is effective July 1, 2023, except for subdivision 3,
which is effective March 1, 2025.

EFFECTIVE DATE. This section is effective July 1, 2024.
Sec. 131. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025.

Sec. 115. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025.**

Sec. 116. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 the day following final enactment.

Sec. 132. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 July 1, 2024.

Sec. 133. Laws 2023, chapter 63, article 1, section 53, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 July 1, 2024.

Sec. 134. Laws 2023, chapter 63, article 1, section 54, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 July 1, 2024.

Sec. 135. Laws 2023, chapter 63, article 1, section 55, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 July 1, 2024.

Sec. 136. Laws 2023, chapter 63, article 1, section 56, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective March 1, 2025 July 1, 2024.
EFFECTIVE DATE. This section is effective March 1, 2025.

EFFECTIVE DATE. This section is effective December 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

EFFECTIVE DATE. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

EFFECTIVE DATE. This section is effective March 1, 2025. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

EFFECTIVE DATE. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

EFFECTIVE DATE. This section is effective March 1, 2025. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

EFFECTIVE DATE. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

EFFECTIVE DATE. This section is effective March 1, 2025. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

EFFECTIVE DATE. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

EFFECTIVE DATE. This section is effective March 1, 2025. Paragraph (a) is effective March 1, 2025. Paragraph (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.
The state must meet and negotiate with the exclusive representatives of the transferred employees about any proposed changes affecting or relating to the transferred employees terms and conditions of employment to the extent such changes are not addressed in the applicable collective bargaining agreement; and

(5) for an employee in a temporary unclassified position transferred to the Office of Cannabis Management, the total length of time that the employee has served in the appointment shall include all time served in the appointment at the transferring agency and the time served in the appointment at the Office of Cannabis Management. An employee in a temporary unclassified position who was hired by a transferring agency through an open competitive selection process in accordance with a policy enacted by Minnesota Management and Budget shall be considered to have been hired through such process after the transfer.

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

Sec. 128. TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.

The Department of Health shall transfer all data, including not public data as defined in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive complaints involving alleged violations of Minnesota Statutes 2023 Supplement, section 151.72, as well as registration data collected under Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5b, to the Office of Cannabis Management. The Department of Health and the Office of Cannabis Management shall ensure that the transfer takes place in a manner and on a schedule that prioritizes public health.

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

Sec. 129. TRANSFER OF MEDICAL PROGRAM.

(a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the Office of Cannabis Management may access data maintained by the commissioner of health.

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

Sec. 147. TRANSFER OF MEDICAL PROGRAM.

(a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the Office of Cannabis Management may access data maintained by the commissioner of health.

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

Sec. 145. EARLY CULTIVATION.

(a) The Office of Cannabis Management must authorize a social equity applicant with a license preapproval for a cannabis microbusiness license, cannabis mezzobusiness license, or cannabis cultivator license, who has provided a certificate from the applicable local unit of government that states the social equity applicant is in compliance with local zoning ordinances and state fire and building codes, to grow cannabis plants within the approved amount of space from seed or immature plant.

(b) The office shall require a person cultivating cannabis plants under this section to comply with any relevant portions of Minnesota Rules, parts 4770.0100 to 4770.4030.

(c) The office shall establish temporary guidelines through agency policy. Temporary guidelines expire when the office adopts initial rules pursuant to Minnesota Statutes, section 441A.60.

Sec. 146. TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.

The Department of Health shall transfer all data, including not public data as defined in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive complaints involving alleged violations of Minnesota Statutes 2023 Supplement, section 151.72, as well as registration data collected under Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5b, to the Office of Cannabis Management. The Department of Health and the Office of Cannabis Management shall ensure that the transfer takes place in a manner and on a schedule that prioritizes public health.

EFFECTIVE DATE. This section is effective July 1, 2024.
related to the responsibilities transferred under Minnesota Statutes, section 342.02, subdivision 3. Data sharing authorized by this subdivision includes not public data as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data submitted to or by a medical cannabis manufacturer classified as private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data shared under this section retain the data's classification from the agency holding the data. The office must establish written procedures to ensure that only individuals authorized by law may enter, update, or access data classified as nonpublic or private data on individuals. An authorized individual's ability to enter, update, or access not public data must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which not public data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail have the same classification as the underlying data tracked by the audit trail.

(b) All rules adopted by the commissioner of health pursuant to Minnesota Statutes, sections 152.22 to 152.37, including but not limited to Minnesota Rules, chapter 4770, remain effective and shall be enforced until amended or repealed consistent with Minnesota Statutes, section 15.039, subdivision 3. Data sharing authorized by this subdivision includes not public data as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data submitted to or by a medical cannabis manufacturer classified as private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data shared under this section retain the data's classification from the agency holding the data. The office must establish written procedures to ensure that only individuals authorized by law may enter, update, or access data classified as nonpublic or private data on individuals. An authorized individual's ability to enter, update, or access not public data must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which not public data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail have the same classification as the underlying data tracked by the audit trail.

(c) The director of the Office of Cannabis Management may use the good cause exempt rulingmaking process under Minnesota Statutes, section 14.338, subdivision 1, clauses (3) and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030, that are necessary to effectuate the transfer of authority granted under Minnesota Statutes, section 342.02, subdivision 3. The commissioner may make technical changes and any changes necessary to conform with the transfer of authority. Any change to the rules that is not authorized under this paragraph must be adopted according to Minnesota Statutes, sections 14.001 to 14.366.

(d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02, subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed by law on the Department of Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management is subject to Minnesota Statutes, section 15.039.

Sec. 130. REPEALER.

(b) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.

related to the responsibilities transferred under Minnesota Statutes, section 342.02, subdivision 3. Data sharing authorized by this subdivision includes nonpublic data as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data submitted to or by a medical cannabis manufacturer classified as private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data data shared under this section retain the data's classification from the agency holding the data. The office must establish written procedures to ensure that only individuals authorized by law may enter, update, or access data classified as nonpublic or private data on individuals. An authorized individual's ability to enter, update, or access not public data must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which not public data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail have the same classification as the underlying data tracked by the audit trail.

(c) The director of the Office of Cannabis Management may use the good cause exempt rulingmaking process under Minnesota Statutes, section 14.338, subdivision 1, clauses (3) and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030, that are necessary to effectuate the transfer of authority granted under Minnesota Statutes, section 342.02, subdivision 3. The commissioner may make technical changes and any changes necessary to conform with the transfer of authority. Any change to the rules that is not authorized under this paragraph must be adopted according to Minnesota Statutes, sections 14.001 to 14.366.

(d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02, subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed by law on the Department of Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management is subject to Minnesota Statutes, section 15.039.

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

Sec. 148. REPEALER.

(b) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.
(b) Minnesota Statutes 2023 Supplement, sections 342.01, subdivision 28; 342.18, subdivision 1; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

(g) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; 342.50; and 342.52, subdivision 8, are repealed.

(d) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

EFFECTIVE DATE. Paragraphs (a) (b) and (d) are effective the day following final enactment. Paragraph (c) is effective July 1, 2025.

Sec. 131. EFFECTIVE DATE.

Except as otherwise provided, this act is effective the day following final enactment.

EFFECTIVE DATE. Paragraphs (a) and (b) are effective the day following final enactment. Paragraphs (c) and (d) are effective July 1, 2024.