

1.1 A bill for an act

1.2 relating to cannabis; transferring enforcement of edible cannabinoid products to

1.3 the Office of Cannabis Management; clarifying workplace testing for cannabis;

1.4 making technical changes related to the taxation of cannabis and related products;

1.5 replacing medical cannabis licenses with endorsements; establishing a petition

1.6 process to designate cannabinoids as nonintoxicating or approved for use in

1.7 lower-potency hemp edibles; authorizing lower-potency hemp edibles to contain

1.8 certain artificially derived cannabinoids created in making delta-9

1.9 tetrahydrocannabinol; allowing testing of certain hemp products to be performed

1.10 by labs meeting accreditation standards regardless of licensing status; authorizing

1.11 patients enrolled in the registry program to obtain cannabis flower from registered

1.12 designated caregivers; authorizing registered designated caregivers to cultivate

1.13 cannabis plants on behalf of patients enrolled in the registry program; authorizing

1.14 the Office of Cannabis Management to recall certain cannabis and related products;

1.15 transferring the duties of the medical cannabis program to the Office of Cannabis

1.16 Management on July 1, 2025; authorizing the appointment of deputy directors;

1.17 clarifying the process for transfer of certain licenses; providing for license

1.18 preapproval; removing the requirement that local governments perform certain

1.19 inspections; removing the requirement that license applications be scored based

1.20 on identified criteria and requiring that license applications be assessed based on

1.21 certain minimum criteria; requiring employees of cannabis businesses to meet

1.22 certain background check requirements; establishing social equity licenses; limiting

1.23 the number of certain licenses that can be made available in an application period;

1.24 providing for the conversion of a registration to sell certain hemp-derived products

1.25 into a hemp business license; providing for a cannabis research license

1.26 classification; authorizing the Office of Cannabis Management to adjust limits on

1.27 cultivation area; permitting certain businesses to transport cannabis and related

1.28 products between facilities operated by the business; replacing the prohibition on

1.29 certain sales of lower-potency hemp products with a prohibition on selling to an

1.30 obviously intoxicated person; providing for enforcement of unlicensed businesses

1.31 engaging in activities that require a license; making technical and conforming

1.32 changes; amending Minnesota Statutes 2022, sections 18K.03, by adding a

1.33 subdivision; 152.22, subdivisions 11, 14, by adding a subdivision; 152.25,

1.34 subdivision 2; 152.27, subdivisions 1, 2, 3, 4, 6, by adding a subdivision; 152.28,

1.35 subdivision 2; 152.29, subdivision 3; Minnesota Statutes 2023 Supplement, sections

1.36 3.9224; 120B.215, subdivisions 1, 2, by adding a subdivision; 151.72, subdivisions

1.37 1, 2, 4, 5a, 5b, 6, 7; 152.28, subdivision 1; 152.30; 256B.0625, subdivision 13d;

1.38 290.0132, subdivision 29; 290.0134, subdivision 19; 295.81, subdivisions 1, 4;

2.1 297A.67, subdivision 2; 297A.70, subdivision 2; 342.01, subdivisions 3, 4, 12,
2.2 14, 16, 17, 19, 20, 48, 57, 64, 65, 66, by adding subdivisions; 342.02, subdivisions
2.3 2, 5, 6; 342.03, subdivision 1; 342.07, subdivision 3; 342.09, subdivisions 1, 3;
2.4 342.10; 342.11; 342.12; 342.13; 342.14; 342.15, subdivisions 1, 2, by adding a
2.5 subdivision; 342.16; 342.17; 342.18, subdivisions 2, 3, by adding subdivisions;
2.6 342.19, subdivisions 1, 3, 4, 5; 342.22; 342.24, subdivisions 1, 2; 342.28,
2.7 subdivision 2, by adding a subdivision; 342.29, subdivisions 1, 4; 342.30,
2.8 subdivision 4; 342.31, subdivision 4; 342.32, subdivision 4; 342.35, subdivision
2.9 1; 342.37, subdivision 1; 342.40, subdivision 7; 342.41, subdivisions 1, 3; 342.44,
2.10 subdivision 1; 342.46, subdivision 6; 342.51; 342.515; 342.52, subdivisions 1, 2,
2.11 3, 4, 5, 9, 11; 342.53; 342.54; 342.55, subdivisions 1, 2; 342.56, subdivisions 1,
2.12 2; 342.57, subdivisions 1, 2, 3, 4, 5, 6, 7; 342.58; 342.60; 342.61, subdivisions 4,
2.13 5; 342.62, subdivision 3, by adding subdivisions; 342.63, subdivisions 2, 3, 4, 6;
2.14 342.64, subdivision 1; 342.70, subdivision 3; Laws 2023, chapter 63, article 1,
2.15 sections 2; 51; 52; 53; 54; 55; 56; 57; 58; 59; 61; article 6, sections 10; 73;
2.16 proposing coding for new law in Minnesota Statutes, chapter 342; repealing
2.17 Minnesota Statutes 2022, sections 152.22, subdivision 3; 152.36; Minnesota Statutes
2.18 2023 Supplement, sections 342.01, subdivisions 28, 52, 53, 54, 55; 342.27,
2.19 subdivision 13; 342.29, subdivision 9; 342.47; 342.48; 342.49; 342.50; 342.52,
2.20 subdivision 8; Laws 2023, chapter 63, article 7, sections 4; 6.

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

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

2.23 **3.9224 MEDICAL CANNABIS; COMPACTS TO BE NEGOTIATED.**

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

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

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

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

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

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

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

3.2 (1) cannabis concentrate;

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

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

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

3.9 (1) Bois Forte Band;

3.10 (2) Fond Du Lac Band;

3.11 (3) Grand Portage Band;

3.12 (4) Leech Lake Band;

3.13 (5) Mille Lacs Band;

3.14 (6) White Earth Band;

3.15 (7) Red Lake Nation;

3.16 (8) Lower Sioux Indian Community;

3.17 (9) Prairie Island Indian Community;

3.18 (10) Shakopee Mdewakanton Sioux Community; and

3.19 (11) Upper Sioux Indian Community.

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

3.24 (j) "Tribally regulated land" means:

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

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

3.28 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal
3.29 government that is subject to the civil regulatory jurisdiction of the Tribal government. For

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

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

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

4.8 **Subd. 2. Acknowledgment and purpose; negotiations authorized.** (a) The state of
4.9 Minnesota acknowledges the sovereign right of Minnesota Tribal governments to regulate
4.10 the medical cannabis industry and address other matters of cannabis regulation related to
4.11 the internal affairs of Minnesota Tribal governments or otherwise within their jurisdiction,
4.12 without regard to whether such Tribal government has entered a compact authorized by this
4.13 section. The purpose of this section is to provide for the negotiation of compacts to
4.14 proactively address jurisdictional issues related to the regulation of the medical cannabis
4.15 industry. The legislature finds that these agreements will facilitate and promote a cooperative
4.16 and mutually beneficial relationship between the state and the Tribes regarding the
4.17 legalization of cannabis. Such cooperative agreements will enhance public health and safety,
4.18 ensure a lawful and well-regulated medical cannabis market, encourage economic
4.19 development, and provide fiscal benefits to both Indian Tribes and the state.

4.20 (b) The governor or the governor's designee shall negotiate in good faith, and has the
4.21 authority to execute and bind the state to, a compact with any Minnesota Tribal government
4.22 wishing to enter into such a compact regulating ~~medical~~ cannabis flower and medical
4.23 cannabis products.

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

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

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

5.1 (2) require that any revenue generated by a medical cannabis business licensed by a
5.2 Minnesota Tribal government be subject to any state cannabis gross receipt taxes or state
5.3 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
5.5 manner with the state or any subdivisions thereof;

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

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

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

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

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

5.26 (1) the cultivation of ~~medical~~ cannabis flower, and the extraction, processing, or
5.27 manufacture of medical cannabis and artificially derived cannabinoid products, extracts, or
5.28 concentrates;

5.29 (2) the possession, purchase, and receipt of ~~medical~~ cannabis seed, cannabis flower, and
5.30 medical cannabis products that are properly packaged and labeled as authorized under a
5.31 compact entered into pursuant to this section, and the sale, delivery, transport, or distribution
5.32 of such products to a licensed cannabis business; and

6.1 (3) the delivery, distribution, and sale of ~~medical~~ cannabis seed, cannabis flower, and
6.2 medical cannabis products as authorized under a compact entered into pursuant to this
6.3 section and that takes place on, or originates from, the premises of a Tribal medical cannabis
6.4 business on Tribally regulated land, to any person eligible to participate in a medical cannabis
6.5 program.

6.6 (b) The following acts, when performed by a patron of a Tribal medical cannabis business
6.7 do not constitute a criminal or civil offense under state law: the purchase, possession, or
6.8 receipt of ~~medical~~ cannabis seed, cannabis flower, and medical cannabis products as
6.9 authorized under a compact entered into pursuant to this section.

6.10 (c) Without limiting any immunity or exemption that may apply under federal law,
6.11 actions by a Tribal medical cannabis business, a Tribal member, employee, or agent of a
6.12 Minnesota Tribal government or Tribal medical cannabis business on Tribally regulated
6.13 land pursuant to Tribal laws governing cannabis, or a compact entered into under this section,
6.14 do not constitute a criminal or civil offense under state law.

6.15 (d) The following acts, when performed by a state-licensed medical cannabis business,
6.16 or an employee of such business, and which would be permitted under the terms of the
6.17 applicable medical cannabis business license if undertaken with another state-licensed
6.18 medical cannabis business, are permitted under the state license conditions when undertaken
6.19 with a Tribal medical cannabis business and do not constitute a criminal or civil offense
6.20 under state law: the possession, purchase, wholesale and retail sale, delivery, transport,
6.21 distribution, and receipt of ~~medical~~ cannabis; seed, cannabis flower, and medical cannabis
6.22 products that are properly packaged and labeled as authorized under a compact entered into
6.23 pursuant to this section.

6.24 (e) Without limiting any immunity or exemption that may apply under federal law, the
6.25 following acts, when performed by a Minnesota Tribal government, a Tribal medical cannabis
6.26 business licensed by such Tribal government, or an employee of such Tribal government
6.27 or Tribal medical cannabis business, regardless of whether the Minnesota Tribal government
6.28 issuing such license has compacted with the state under this section, do not constitute a
6.29 criminal or civil offense under state law: purchase, sale, receipt, or delivery (including
6.30 delivery that involves transit through the state, outside a reservation), of ~~medical~~ cannabis
6.31 flower; cannabis seed; and medical cannabis products from or to another Minnesota Tribal
6.32 government or cannabis business licensed by such government.

6.33 (f) Notwithstanding any other provision of law, a state-licensed cannabis testing facility
6.34 may provide cannabis testing services to a Tribal medical cannabis business, and the

7.1 possession or transport of cannabis flower or cannabis products for such purpose by a Tribal
7.2 cannabis business shall not constitute a criminal or civil offense under state law.

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

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

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

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

7.11 (b) An industrial hemp processor licensed under this chapter may sell hemp concentrate
7.12 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
7.14 to read:

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

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

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

7.30 (3) signs of substance use disorders;

7.31 (4) treatment options; and

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

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

8.4 Subd. 2. **School programs.** (a) Starting in the ~~2026-2027~~ 2025-2026 school year, a
8.5 school district or charter school must implement a comprehensive education program on
8.6 cannabis use and substance use, including but not limited to the use of fentanyl or mixtures
8.7 containing fentanyl, for students in middle school and high school. The program must
8.8 include instruction on the topics listed in subdivision 1 and must:

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

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

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

8.17 Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.215, is amended by adding a
8.18 subdivision to read:

8.19 Subd. 2a. **School program discretion.** A school district or charter school may adopt
8.20 programs to discourage and prevent underage substance abuse.

8.21 Sec. 6. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 1, is amended
8.22 to read:

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

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

8.30 (b) "Batch" means a specific quantity of a specific product containing cannabinoids
8.31 derived from hemp, including an edible cannabinoid product, that is manufactured at the

9.1 same time and using the same methods, equipment, and ingredients that is uniform and
9.2 intended to meet specifications for identity, strength, purity, and composition, and that is
9.3 manufactured, packaged, and labeled according to a single batch production record executed
9.4 and documented.

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

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

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

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

9.15 ~~(g)~~ (f) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision
9.16 3.

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

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

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

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

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

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

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

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

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

10.5 (m) "Tincture" means a solution of hemp extract, derived either directly from a hemp
10.6 plant or from a manufactured hemp extract, dissolved in glycerin, food-grade oils, or other
10.7 food-grade solvents and is intended to be consumed through oral administration or intended
10.8 to be consumed in combination with food products, including beverages.

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

10.10 Sec. 7. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 2, is amended
10.11 to read:

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

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

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

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

10.21 Sec. 8. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 4, is amended
10.22 to read:

10.23 Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this
10.24 section must submit representative samples of each batch of the product to an independent,
10.25 accredited laboratory in order to certify that the product complies with the standards ~~adopted~~
10.26 ~~by the board on or before July 1, 2023, or the standards~~ adopted by the ~~commissioner~~ office.
10.27 Testing must be consistent with generally accepted industry standards for herbal and botanical
10.28 substances, and, at a minimum, the testing must confirm that the product:

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

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

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

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

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

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

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

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

11.23 Sec. 9. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5a, is amended
11.24 to read:

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

11.28 (b) An edible cannabinoid product must not:

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

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

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

12.3 (4) be substantively similar to a meat food product; poultry food product as defined in
12.4 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
12.5 7;

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

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

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

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

12.18 (d) If an edible cannabinoid product, other than a product that is intended to be consumed
12.19 as a beverage, is intended for more than a single use or contains multiple servings, each
12.20 serving must be indicated by scoring, wrapping, or other indicators designating the individual
12.21 serving size that appear on the edible cannabinoid product. If it is not possible to indicate
12.22 a single serving by scoring or use of another indicator that appears on the product, the edible
12.23 cannabinoid product may not be packaged in a manner that includes more than a single
12.24 serving in each container, except that a calibrated dropper, measuring spoon, or similar
12.25 device for measuring a single serving, when sold with the product, may be used for any
12.26 tincture, or other edible cannabinoid products that are intended to be combined with food
12.27 products, to include beverages, prior to consumption.

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

12.30 (1) the serving size;

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

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

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

13.2 (f) An edible cannabinoid product must not contain more than five milligrams of any
13.3 tetrahydrocannabinol in a single serving. An edible cannabinoid product, other than a product
13.4 that is intended to be consumed as a beverage, may not contain more than a total of 50
13.5 milligrams of any tetrahydrocannabinol per package. An edible cannabinoid product that
13.6 is intended to be consumed as a beverage may not contain more than two servings per
13.7 container.

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

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

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

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

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

13.26 (a) Every person selling an edible cannabinoid product to a consumer must be registered
13.27 with the office. All existing registrations with the Department of Health, Office of Medical
13.28 Cannabis, as of June 30, 2024, will automatically transfer to the office on July 1, 2024. All
13.29 other persons required to register must register in a form and manner established by the
13.30 office. The sale of edible cannabinoid products by a person who is not registered with the
13.31 office is prohibited.

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

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

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

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

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

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

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

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

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

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

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

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

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

15.1 (c) The ~~commissioner~~ office may assume that any product regulated under this section
15.2 that is present in the state, other than a product lawfully possessed for personal use, has
15.3 been manufactured, imported, distributed, or stored with the intent to be offered for sale in
15.4 this state if a product of the same type and brand was sold in the state on or after July 1,
15.5 2023, or if the product is in the possession of a person who has sold any product in violation
15.6 of this section.

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

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

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

15.15 Sec. 12. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 7, is amended
15.16 to read:

15.17 Subd. 7. **Violations; criminal penalties.** (a) ~~Notwithstanding section 144.99, subdivision~~
15.18 ~~11,~~ A person who does any of the following regarding a product regulated under this section
15.19 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than
15.20 364 days or to payment of a fine of not more than \$3,000, or both:

15.21 (1) knowingly alters or otherwise falsifies testing results;

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

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

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

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

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

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

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

16.6 Sec. 13. Minnesota Statutes 2022, section 152.22, subdivision 11, is amended to read:

16.7 Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means
16.8 a person who:

16.9 (1) is at least 18 years old;

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

16.11 ~~(3)~~ (2) has been approved by the ~~commissioner~~ office to assist a patient who requires
16.12 assistance in administering medical cannabis or obtaining medical cannabis from a
16.13 distribution facility; and

16.14 ~~(4)~~ (3) is authorized by the ~~commissioner~~ office to assist the patient with the use of
16.15 medical cannabis.

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

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

16.18 Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means a
16.19 diagnosis of any of the following conditions:

16.20 (1) Alzheimer's disease;

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

16.24 ~~(4)~~ (3) cancer, if the underlying condition or treatment produces one or more of the
16.25 following:

16.26 (i) severe or chronic pain;

16.27 (ii) nausea or severe vomiting; or

16.28 (iii) cachexia or severe wasting;

16.29 (4) chronic motor or vocal tic disorder;

- 17.1 (5) chronic pain;
- 17.2 ~~(2)~~ (6) glaucoma;
- 17.3 ~~(3)~~ (7) human immunodeficiency virus or acquired immune deficiency syndrome;
- 17.4 (8) intractable pain as defined in section 152.125, subdivision 1, paragraph (c);
- 17.5 (9) obstructive sleep apnea;
- 17.6 (10) post-traumatic stress disorder;
- 17.7 ~~(4)~~ (11) Tourette's syndrome;
- 17.8 ~~(5)~~ (12) amyotrophic lateral sclerosis;
- 17.9 ~~(6)~~ (13) seizures, including those characteristic of epilepsy;
- 17.10 ~~(7)~~ (14) severe and persistent muscle spasms, including those characteristic of multiple
17.11 sclerosis;
- 17.12 ~~(8)~~ (15) inflammatory bowel disease, including Crohn's disease;
- 17.13 (16) irritable bowel syndrome;
- 17.14 (17) obsessive-compulsive disorder;
- 17.15 (18) sickle cell disease;
- 17.16 ~~(9)~~ (19) terminal illness, with a probable life expectancy of under one year, if the illness
17.17 or its treatment produces one or more of the following:
- 17.18 (i) severe or chronic pain;
- 17.19 (ii) nausea or severe vomiting; or
- 17.20 (iii) cachexia or severe wasting; or
- 17.21 ~~(10)~~ (20) any other medical condition or its treatment approved by the commissioner
17.22 office.

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

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

17.26 **Subd. 19. Veteran.** "Veteran" means an individual who satisfies the requirements in
17.27 section 197.447 and is receiving care from the United States Department of Veterans Affairs.

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

18.1 Sec. 16. Minnesota Statutes 2022, section 152.25, subdivision 2, is amended to read:

18.2 Subd. 2. **Range of compounds and dosages; report.** The ~~commissioner~~ office shall
18.3 review and publicly report the existing medical and scientific literature regarding the range
18.4 of recommended dosages for each qualifying condition and the range of chemical
18.5 compositions of any plant of the genus cannabis that will likely be medically beneficial for
18.6 each of the qualifying medical conditions. The ~~commissioner~~ office shall make this
18.7 information available to patients with qualifying medical conditions beginning December
18.8 1, 2014, and update the information ~~annually~~ every three years. The ~~commissioner~~ office
18.9 may consult with the independent laboratory under contract with the manufacturer or other
18.10 experts in reporting the range of recommended dosages for each qualifying medical condition,
18.11 the range of chemical compositions that will likely be medically beneficial, and any risks
18.12 of noncannabis drug interactions. The ~~commissioner~~ office shall consult with each
18.13 manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list
18.14 of medical cannabis offered by a manufacturer shall be published on the ~~Department of~~
18.15 Health Office of Cannabis Management website.

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

18.17 Sec. 17. Minnesota Statutes 2022, section 152.27, subdivision 1, is amended to read:

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

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

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

18.26 Sec. 18. Minnesota Statutes 2022, section 152.27, subdivision 2, is amended to read:

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

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

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

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

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

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

19.16 (6) develop safety criteria for patients with a qualifying medical condition as a
19.17 requirement of the patient's participation in the program, to prevent the patient from
19.18 undertaking any task under the influence of medical cannabis that would constitute negligence
19.19 or professional malpractice on the part of the patient; and

19.20 (7) conduct research and studies based on data from health records submitted to the
19.21 registry program and submit reports on intermediate or final research results to the legislature
19.22 and major scientific journals. ~~The commissioner office~~ may contract with a third party to
19.23 complete the requirements of this clause. Any reports submitted must comply with section
19.24 152.28, subdivision 2.

19.25 (b) ~~The commissioner office may add a delivery method under section 152.22, subdivision~~
19.26 ~~6, or add, remove, or modify a qualifying medical condition under section 152.22, subdivision~~
19.27 ~~14, upon a petition from a member of the public or the task force on medical cannabis~~
19.28 ~~therapeutic research Cannabis Advisory Council under section 342.03, or as directed by~~
19.29 ~~law. The commissioner office shall evaluate all petitions to add a qualifying medical condition~~
19.30 ~~or to remove or modify an existing qualifying medical condition submitted by the task force~~
19.31 ~~on medical cannabis therapeutic research Cannabis Advisory Council under section 342.03,~~
19.32 or as directed by law and may make the addition, ~~removal,~~ or modification if the
19.33 ~~commissioner office~~ determines the addition, ~~removal,~~ or modification is warranted based
19.34 on the best available evidence and research. If the ~~commissioner office~~ wishes to ~~add a~~

20.1 ~~delivery method under section 152.22, subdivision 6, or add or remove~~ modify a qualifying
20.2 medical condition under section 152.22, subdivision 14, the ~~commissioner~~ office must notify
20.3 the chairs and ranking minority members of the legislative policy committees having
20.4 jurisdiction over commerce, health, and public safety of the addition or ~~removal~~ modification
20.5 and the reasons for its addition or ~~removal~~ modification, including any written comments
20.6 received by the ~~commissioner~~ office from the public and any guidance received from the
20.7 ~~task force on medical cannabis research~~ Cannabis Advisory Council under section 342.03,
20.8 by January 15 of the year in which the ~~commissioner~~ office wishes to make the change. The
20.9 change shall be effective on August 1 of that year, unless the legislature by law provides
20.10 otherwise.

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

20.12 Sec. 19. Minnesota Statutes 2022, section 152.27, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

21.7 (2) the patient's acknowledgment that enrollment in the patient registry program is
21.8 conditional on the patient's agreement to meet all of the requirements of sections 152.22 to
21.9 152.37.

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

21.11 Sec. 20. Minnesota Statutes 2022, section 152.27, is amended by adding a subdivision to
21.12 read:

21.13 **Subd. 3a. Application procedure for veterans.** (a) The office shall establish an
21.14 alternative certification procedure for veterans to confirm that the veteran has been diagnosed
21.15 with a qualifying medical condition.

21.16 (b) A patient who is also a veteran and is seeking to enroll in the registry program must
21.17 submit a copy of the patient's veteran health identification card issued by the United States
21.18 Department of Veterans Affairs and an application established by the office to certify that
21.19 the patient has been diagnosed with a qualifying medical condition.

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

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

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

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

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

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

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

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

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

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

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

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

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

22.29 (3) does not provide the information required;

22.30 (4) has previously been removed from the registry program for violations of section
22.31 152.30 or 152.33; or

22.32 (5) provides false information.

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

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

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

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

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

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

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

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

23.17 Sec. 23. Minnesota Statutes 2023 Supplement, section 152.28, subdivision 1, is amended
23.18 to read:

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

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

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

23.27 (3) provide explanatory information from the ~~commissioner~~ office to patients with
23.28 qualifying medical conditions, including disclosure to all patients about the experimental
23.29 nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects
23.30 of the proposed treatment; the application and other materials from the ~~commissioner~~ office;
23.31 and provide patients with the Tennessee warning as required by section 13.04, subdivision
23.32 2; and

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

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

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

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

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

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

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

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

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

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

24.20 Subd. 2. **Data.** Data collected on patients by a health care practitioner and reported to
24.21 the patient registry, including data on patients who are veterans who receive care from the
24.22 United States Department of Veterans Affairs, are health records under section 144.291,
24.23 and are private data on individuals under section 13.02, but may be used or reported in an
24.24 aggregated, nonidentifiable form as part of a scientific, peer-reviewed publication of research
24.25 conducted under section 152.25 or in the creation of summary data, as defined in section
24.26 13.02, subdivision 19.

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

24.28 Sec. 25. Minnesota Statutes 2022, section 152.29, subdivision 3, is amended to read:

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

25.1 cannabis or medical cannabis products that have been cultivated, harvested, manufactured,
25.2 packaged, and processed by that manufacturer to another registered manufacturer for the
25.3 other manufacturer to distribute.

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

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

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

25.9 (2) verify that the person requesting the distribution of medical cannabis is the patient,
25.10 the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse
25.11 listed in the registry verification using the procedures described in section 152.11, subdivision
25.12 2d;

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

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

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

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

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

25.31 (iv) upon request of the patient; and

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

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

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

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

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

26.10 (v) the dosage; ~~and.~~

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

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

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

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

26.21 Sec. 26. Minnesota Statutes 2023 Supplement, section 152.30, is amended to read:

26.22 **152.30 PATIENT DUTIES.**

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

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

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

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

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

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

27.5 Sec. 27. Minnesota Statutes 2023 Supplement, section 256B.0625, subdivision 13d, is
27.6 amended to read:

27.7 Subd. 13d. **Drug formulary.** (a) The ~~commissioner~~ office shall establish a drug
27.8 formulary. Its establishment and publication shall not be subject to the requirements of the
27.9 Administrative Procedure Act, but the Formulary Committee shall review and comment on
27.10 the formulary contents.

27.11 (b) The formulary shall not include:

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

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

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

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

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

27.22 (6) ~~medical~~ cannabis flower as defined in section 342.01, subdivision ~~54~~ 16, or ~~medical~~
27.23 cannabinoid products as defined in section 342.01, subdivision ~~52~~ 12, or cannabis products
27.24 as defined in section 342.01, subdivision 20.

27.25 (c) If a single-source drug used by at least two percent of the fee-for-service medical
27.26 assistance recipients is removed from the formulary due to the failure of the manufacturer
27.27 to sign a rebate agreement with the Department of Health and Human Services, the
27.28 commissioner shall notify prescribing practitioners within 30 days of receiving notification
27.29 from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was
27.30 not signed.

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

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

28.3 Subd. 29. **Disallowed section 280E expenses; cannabis licensees.** The amount of
28.4 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
28.5 subdivision ~~53 48~~, related to the business of ~~medical cannabis under sections 342.47 to~~
28.6 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
28.7 ~~under that chapter~~, cannabis or hemp and not allowed for federal income tax purposes under
28.8 section 280E of the Internal Revenue Code is a subtraction.

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

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

28.12 Subd. 19. **Disallowed section 280E expenses; cannabis licensees.** The amount of
28.13 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
28.14 subdivision ~~53 48~~, related to the business of ~~medical cannabis under sections 342.47 to~~
28.15 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
28.16 ~~under that chapter~~, cannabis or hemp and not allowed for federal income tax purposes under
28.17 section 280E of the Internal Revenue Code is a subtraction.

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

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

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

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

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

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

28.27 (e) "Cannabis solution product" means any cartridge, bottle, or other package that contains
28.28 a taxable cannabis product in a solution that is consumed or meant to be consumed through
28.29 the use of a heating element, power source, electronic circuit, or other electronic, chemical,
28.30 or mechanical means that produces vapor or aerosol. A cannabis solution product includes
28.31 any electronic delivery system, electronic vaping device, electronic vape pen, electronic

29.1 oral device, electronic delivery device, or similar product or device, and any batteries,
29.2 heating elements, or other components, parts, or accessories sold with and meant to be used
29.3 in the consumption of a solution containing a taxable cannabis product.

29.4 (f) "Cannabis mezzobusiness" means a cannabis business licensed under section 342.29.

29.5 (g) "Cannabis microbusiness" means a cannabis business licensed under section 342.28.

29.6 (h) "Cannabis retailer" means a cannabis business licensed under section 342.32.

29.7 (i) "Commissioner" means the commissioner of revenue.

29.8 (j) "Gross receipts" means the total amount received in money or by barter or exchange
29.9 for all taxable cannabis product sales at retail as measured by the sales price. Gross receipts
29.10 include but are not limited to delivery charges and packaging costs. Gross receipts do not
29.11 include:

29.12 (1) any taxes imposed directly on the customer that are separately stated on the invoice,
29.13 bill of sale, or similar document given to the purchaser; and

29.14 (2) discounts, including cash, terms, or coupons, that are not reimbursed by a third party
29.15 and that are allowed by the seller and taken by a purchaser on a sale.

29.16 (k) "Hemp-derived consumer product" has the meaning given in section 342.01,
29.17 subdivision 37.

29.18 (l) "Lower-potency hemp edible" has the meaning given in section 342.01, subdivision
29.19 50.

29.20 (m) "Lower-potency hemp edible retailer" means a cannabis business licensed under
29.21 section 342.43, subdivision 1, clause (2).

29.22 ~~(n) "Medical cannabis flower" has the meaning given in section 342.01, subdivision 54.~~

29.23 ~~(o) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision~~
29.24 ~~52.~~

29.25 ~~(p) "Medical cannabis paraphernalia" has the meaning given in section 342.01,~~
29.26 ~~subdivision 55.~~

29.27 ~~(q)~~ (n) "Retail sale" has the meaning given in section 297A.61, subdivision 4.

29.28 ~~(r)~~ (o) "Taxable cannabis product" means cannabis flower, cannabis product, cannabis
29.29 solution product, hemp-derived consumer product, lower-potency hemp edible, and any
29.30 substantially similar item, and does not include items exempt from tax under subdivision
29.31 4, paragraph (b).

30.1 (s) (p) "Taxable cannabis product retailer" means a retailer that sells any taxable cannabis
30.2 product, and includes a cannabis retailer, cannabis microbusiness, cannabis mezzobusiness,
30.3 medical cannabis combination business, and lower-potency hemp edible retailer. Taxable
30.4 cannabis product retailer includes but is not limited to a:

30.5 (1) retailer maintaining a place of business in this state;

30.6 (2) marketplace provider maintaining a place of business in this state, as defined in
30.7 section 297A.66, subdivision 1, paragraph (a);

30.8 (3) retailer not maintaining a place of business in this state; and

30.9 (4) marketplace provider not maintaining a place of business in this state, as defined in
30.10 section 297A.66, subdivision 1, paragraph (b).

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

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

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

30.18 (b) The tax imposed under this section does not apply to sales by a cannabis business
30.19 with a medical cannabis retail endorsement or by a medical cannabis combination business
30.20 of medical the following items purchased by or for a patient: cannabis flower, cannabinoid
30.21 products, or cannabis paraphernalia. Items sold under this paragraph must be sold to a person
30.22 enrolled in the registry program, including medical cannabis flower, medical cannabinoid
30.23 products, or medical cannabis paraphernalia.

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

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

30.27 (1) sales made in Indian country as defined in United States Code, title 18, section 1151,
30.28 by a cannabis business licensed by a Minnesota Tribal government, as defined in section
30.29 3.9228, subdivision 1, paragraph (f); or

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

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

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

31.4 Subd. 2. **Food and food ingredients.** Except as otherwise provided in this subdivision,
31.5 food and food ingredients are exempt. For purposes of this subdivision, "food" and "food
31.6 ingredients" mean substances, whether in liquid, concentrated, solid, frozen, dried, or
31.7 dehydrated form, that are sold for ingestion or chewing by humans and are consumed for
31.8 their taste or nutritional value. Food and food ingredients exempt under this subdivision do
31.9 not include candy, soft drinks, dietary supplements, and prepared foods. Food and food
31.10 ingredients do not include alcoholic beverages, tobacco, taxable cannabis products, ~~medical~~
31.11 ~~cannabis flower, and medical cannabinoid products~~ and any item exempt from tax under
31.12 section 295.81, subdivision 4, paragraph (b). For purposes of this subdivision, "alcoholic
31.13 beverages" means beverages that are suitable for human consumption and contain one-half
31.14 of one percent or more of alcohol by volume. For purposes of this subdivision, "tobacco"
31.15 means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco.
31.16 For purposes of this subdivision, "taxable cannabis product" has the meaning given in section
31.17 295.81, subdivision 1, paragraph (r), ~~"medical cannabis flower" has the meaning given in~~
31.18 ~~section 342.01, subdivision 54, and "medical cannabinoid product" has the meaning given~~
31.19 ~~in section 342.01, subdivision 52 (o).~~ For purposes of this subdivision, "dietary supplements"
31.20 means any product, other than tobacco, intended to supplement the diet that:

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

31.22 (i) a vitamin;

31.23 (ii) a mineral;

31.24 (iii) an herb or other botanical;

31.25 (iv) an amino acid;

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

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

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

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

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

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

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

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

32.11 (2) school districts, local governments, the University of Minnesota, state universities,
32.12 community colleges, technical colleges, state academies, the Perpich Minnesota Center for
32.13 Arts Education, and an instrumentality of a political subdivision that is accredited as an
32.14 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
32.16 state of tangible personal property and taxable services used at or by hospitals and nursing
32.17 homes;

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

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

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

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

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

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

33.1 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
33.2 prepared food, candy, soft drinks, alcoholic beverages as defined in section 297A.67,
33.3 subdivision 2, and taxable cannabis products as defined under section 295.81, subdivision
33.4 1, paragraph (r), except for lodging, prepared food, candy, soft drinks, alcoholic beverages,
33.5 and taxable cannabis products purchased directly by the United States or its agencies or
33.6 instrumentalities; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34.11 (1) a cannabis product;

34.12 (2) a hemp-derived consumer product;

34.13 (3) a lower-potency hemp edible; or

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

34.16 (i) a patient enrolled in the registry program;

34.17 (ii) a registered designated caregiver; or

34.18 (iii) a parent, legal guardian, or spouse of an enrolled patient, if provided by a cannabis
34.19 retailer or medical cannabis retailer to treat or alleviate the symptoms of a qualifying medical
34.20 condition.

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

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

34.25 (1) cannabis microbusiness;

34.26 (2) cannabis mezzobusiness;

34.27 (3) cannabis cultivator;

34.28 (4) cannabis manufacturer;

34.29 (5) cannabis retailer;

- 35.1 (6) cannabis wholesaler;
- 35.2 (7) cannabis transporter;
- 35.3 (8) cannabis testing facility;
- 35.4 (9) cannabis event organizer;
- 35.5 (10) cannabis delivery service; and
- 35.6 ~~(11) medical cannabis cultivator;~~
- 35.7 ~~(12) medical cannabis processor;~~
- 35.8 ~~(13) medical cannabis retailer; and~~
- 35.9 ~~(14)~~ (11) medical cannabis combination business.

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

35.11 Sec. 38. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 16, is amended
35.12 to read:

35.13 Subd. 16. **Cannabis flower.** "Cannabis flower" means the harvested flower, bud, leaves,
35.14 ~~and~~ or stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower ~~and~~
35.15 ~~medical cannabis flower.~~ Cannabis flower does not include cannabis seed, hemp plant parts,
35.16 or hemp-derived consumer products.

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

35.18 Sec. 39. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 17, is amended
35.19 to read:

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

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

35.24 Sec. 40. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended
35.25 to read:

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

36.1 Cannabis plant does not include industrial hemp grown pursuant to a license under chapter
36.2 18K.

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

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

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

36.7 (1) cannabis concentrate;

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

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

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

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

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

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

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

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

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

36.25 (1) cannabis microbusiness;

36.26 (2) cannabis mezzobusiness;

36.27 (3) cannabis cultivator;

36.28 (4) cannabis manufacturer;

36.29 (5) cannabis retailer;

- 37.1 (6) cannabis wholesaler;
- 37.2 (7) cannabis transporter;
- 37.3 (8) cannabis testing facility;
- 37.4 (9) cannabis event organizer;
- 37.5 (10) cannabis delivery service;
- 37.6 (11) lower-potency hemp edible manufacturer;
- 37.7 (12) lower-potency hemp edible retailer; or
- 37.8 ~~(13) medical cannabis cultivator;~~
- 37.9 ~~(14) medical cannabis processor;~~
- 37.10 ~~(15) medical cannabis retailer; or~~
- 37.11 ~~(16)~~ (13) medical cannabis combination business.

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

37.13 Sec. 44. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 57, is amended
37.14 to read:

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

37.16 Sec. 45. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 64, is amended
37.17 to read:

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

37.20 (1) is at least 18 years old;

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

37.23 ~~(3)~~ (2) has been approved by the ~~Division of Medical Cannabis~~ Office of Cannabis
37.24 Management to assist a patient with obtaining ~~medical~~ cannabis flower and ~~medical~~
37.25 cannabinoid products from a cannabis ~~retailer or medical cannabis retailer~~ business with a
37.26 medical cannabis retail endorsement and with administering ~~medical~~ cannabis flower and
37.27 ~~medical~~ cannabinoid products; and

37.28 ~~(4)~~ (3) is authorized by the ~~Division of Medical Cannabis~~ Office of Cannabis Management
37.29 to assist a patient with the use of ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products.

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

38.2 Sec. 46. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 65, is amended
38.3 to read:

38.4 Subd. 65. **Registry or registry program.** "Registry" or "registry program" means the
38.5 medical cannabis patient registry established under this chapter listing ~~patients~~ each person
38.6 authorized to:

38.7 (1) obtain ~~medical~~ cannabis flower, ~~medical~~ cannabinoid products, and ~~medical~~ cannabis
38.8 paraphernalia from a cannabis ~~retailers and medical cannabis retailers~~ business with a
38.9 medical cannabis retail endorsement; and

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

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

38.12 Sec. 47. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 66, is amended
38.13 to read:

38.14 Subd. 66. **Registry verification.** "Registry verification" means the verification provided
38.15 by the ~~Division of Medical Cannabis~~ Office of Cannabis Management that a patient is
38.16 enrolled in the registry program and that includes the patient's name, patient registry number,
38.17 and, if applicable, the name of the patient's registered designated caregiver or parent, legal
38.18 guardian, or spouse.

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

38.20 Sec. 48. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
38.21 subdivision to read:

38.22 Subd. 69a. **Tincture.** "Tincture" means a solution of hemp extract, derived either directly
38.23 from a hemp plant or from a manufactured hemp extract, dissolved in glycerin, food-grade
38.24 oils, or other food-grade solvents and that is intended to be consumed through oral
38.25 administration or intended to be consumed in combination with food products, including
38.26 beverages.

38.27 Sec. 49. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 2, is amended
38.28 to read:

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

- 39.1 (1) to develop, maintain, and enforce an organized system of regulation for the cannabis
39.2 industry and hemp consumer industry;
- 39.3 (2) to establish programming, services, and notification to protect, maintain, and improve
39.4 the health of citizens;
- 39.5 (3) to prevent unauthorized access to cannabis flower, cannabis products, lower-potency
39.6 hemp edibles, and hemp-derived consumer products by individuals under 21 years of age;
- 39.7 (4) to establish and regularly update standards for product manufacturing, testing,
39.8 packaging, and labeling, including requirements for an expiration, sell-by, or best-used-by
39.9 date;
- 39.10 (5) to promote economic growth with an emphasis on growth in areas that experienced
39.11 a disproportionate, negative impact from cannabis prohibition;
- 39.12 (6) to issue and renew licenses;
- 39.13 (7) to require fingerprints from individuals determined to be subject to fingerprinting,
39.14 including the submission of fingerprints to the Federal Bureau of Investigation where
39.15 required by law and to obtain criminal conviction data for individuals seeking a license
39.16 from the office on the individual's behalf or as a cooperative member or director, manager,
39.17 or general partner of a business entity;
- 39.18 (8) to receive reports required by this chapter and inspect the premises, records, books,
39.19 and other documents of license holders to ensure compliance with all applicable laws and
39.20 rules;
- 39.21 (9) to authorize the use of unmarked motor vehicles to conduct seizures or investigations
39.22 pursuant to the office's authority;
- 39.23 (10) to impose and collect civil and administrative penalties as provided in this chapter;
- 39.24 (11) to publish such information as may be deemed necessary for the welfare of cannabis
39.25 businesses, cannabis workers, hemp businesses, and hemp workers and the health and safety
39.26 of citizens;
- 39.27 (12) to make loans and grants in aid to the extent that appropriations are made available
39.28 for that purpose;
- 39.29 (13) to authorize research and studies on cannabis flower, cannabis products, artificially
39.30 derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products, the
39.31 cannabis industry, and the hemp consumer industry;
- 39.32 (14) to provide reports as required by law;

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

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

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

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

40.18 (19) to order a person or business that manufactures or produces cannabis flower, cannabis
40.19 products, artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived
40.20 consumer products, or hemp-derived topical products to recall a product if the office
40.21 determines that the product represents a risk of causing a serious adverse incident; and

40.22 ~~(19)~~ (20) to exercise other powers and authority and perform other duties required by
40.23 law.

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

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

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

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

41.2 Sec. 50. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 5, is amended
41.3 to read:

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

41.6 (b) Rules for which a notice of intent to adopt rules is published in the State Register
41.7 before July 1, 2025, may be adopted using the expedited rulemaking process in section
41.8 14.389. The 18-month time limit imposed by section 14.125 does not apply to rules adopted
41.9 under this paragraph.

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

41.11 Sec. 51. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 6, is amended
41.12 to read:

41.13 Subd. 6. **Director.** (a) The governor shall appoint a director of the ~~office~~ Office of
41.14 Cannabis Management with the advice and consent of the senate. The director must be in
41.15 the unclassified service and must serve at the pleasure of the governor.

41.16 ~~(b) The salary of the director must not exceed the salary limit established under section~~
41.17 ~~15A.0815, subdivision 3.~~

41.18 (b) The director may appoint and employ no more than two deputy directors.

41.19 (c) The director has administrative control of the Office of Cannabis Management. The
41.20 director has the powers described in section 15.06, subdivision 6.

41.21 (d) The director may apply for and accept on behalf of the state any grants, bequests,
41.22 gifts, or contributions for the purpose of carrying out the duties and responsibilities of the
41.23 director.

41.24 (e) Pursuant to state law, the director may apply for and receive money made available
41.25 from federal sources for the purpose of carrying out the duties and responsibilities of the
41.26 director.

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

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

42.1 Sec. 52. Minnesota Statutes 2023 Supplement, section 342.03, subdivision 1, is amended

42.2 to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42.20 (15) a representative from the Association of Minnesota Counties appointed by the
42.21 association;

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

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

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

42.27 (19) an expert representing the interests of cannabis workers appointed by the governor;

42.28 (20) an expert representing the interests of employers appointed by the governor;

- 43.1 (21) an expert in municipal law enforcement with advanced training in impairment
43.2 detection and evaluation appointed by the governor;
- 43.3 (22) an expert in social welfare or social justice appointed by the governor;
- 43.4 (23) an expert in criminal justice reform to mitigate the disproportionate impact of drug
43.5 prosecutions on communities of color appointed by the governor;
- 43.6 (24) an expert in prevention, treatment, and recovery related to substance use disorders
43.7 appointed by the governor;
- 43.8 (25) an expert in minority business ownership appointed by the governor;
- 43.9 (26) an expert in women-owned businesses appointed by the governor;
- 43.10 (27) an expert in cannabis retailing appointed by the governor;
- 43.11 (28) an expert in cannabis product manufacturing appointed by the governor;
- 43.12 (29) an expert in laboratory sciences and toxicology appointed by the governor;
- 43.13 (30) an expert in providing legal services to cannabis businesses appointed by the
43.14 governor;
- 43.15 (31) an expert in cannabis cultivation appointed by the governor;
- 43.16 (32) an expert in pediatric medicine appointed by the governor;
- 43.17 (33) an expert in adult medicine appointed by the governor;
- 43.18 (34) an expert in clinical pharmacy appointed by the governor;
- 43.19 (35) three patient advocates, one who is a patient enrolled in the medical cannabis
43.20 program; one who is a parent or caregiver of a patient in the medical cannabis program;
43.21 and one patient with experience in the mental health system or substance use disorder
43.22 treatment system appointed by the governor;
- 43.23 ~~(35)~~ (36) two licensed mental health professionals appointed by the governor;
- 43.24 ~~(36)~~ (37) a veteran appointed by the governor;
- 43.25 ~~(37)~~ (38) one member of each of the following federally recognized Tribes, designated
43.26 by the elected Tribal president or chairperson of the governing bodies of:
- 43.27 (i) the Fond du Lac Band;
- 43.28 (ii) the Grand Portage Band;
- 43.29 (iii) the Mille Lacs Band;

- 44.1 (iv) the White Earth Band;
- 44.2 (v) the Bois Forte Band;
- 44.3 (vi) the Leech Lake Band;
- 44.4 (vii) the Red Lake Nation;
- 44.5 (viii) the Upper Sioux Community;
- 44.6 (ix) the Lower Sioux Indian Community;
- 44.7 (x) the Shakopee Mdewakanton Sioux Community; and
- 44.8 (xi) the Prairie Island Indian Community; ~~and~~
- 44.9 ~~(38)~~ (39) a representative from the Local Public Health Association of Minnesota
- 44.10 appointed by the association; and
- 44.11 (40) one youth from a rural area and one youth from a metropolitan area who are both
- 44.12 appointed by the governor. The youths must have been disproportionately affected by
- 44.13 cannabis or cannabis use or have an immediate family member who was negatively affected
- 44.14 by cannabis use. The youths must be between the ages of 18 and 24 years old.

44.15 Sec. 53. Minnesota Statutes 2023 Supplement, section 342.07, subdivision 3, is amended

44.16 to read:

44.17 Subd. 3. **Edible cannabinoid product handler endorsement.** (a) Any person seeking

44.18 to manufacture, process, sell, handle, or store an edible cannabis product or lower-potency

44.19 hemp edible, other than an edible cannabis product or lower-potency hemp edible that has

44.20 been placed in its final packaging, must first obtain an edible cannabinoid product handler

44.21 endorsement.

44.22 (b) In consultation with the commissioner of agriculture, the office shall establish an

44.23 edible cannabinoid product handler endorsement.

44.24 (c) The office must regulate edible cannabinoid product handlers ~~and assess penalties~~

44.25 ~~in the same~~ in a manner provided for consistent with Department of Agriculture regulation

44.26 of food handlers under chapters 28A, 31, and 34A and associated rules, with the following

44.27 exceptions:

44.28 (1) the office must issue an edible cannabinoid product handler endorsement, rather than

44.29 a license;

44.30 (2) eligibility for an edible cannabinoid product handler endorsement is limited to persons

44.31 who possess a valid license issued by the office;

45.1 (3) the office may not charge a fee for issuing or renewing the endorsement;
45.2 (4) the office must align the term and renewal period for edible cannabinoid product
45.3 handler endorsements with the term and renewal period of the license issued by the office;
45.4 and

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

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

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

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

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

- 45.19 (1) use, possess, or transport cannabis paraphernalia;
- 45.20 (2) possess or transport two ounces or less of adult-use cannabis flower in a public place;
- 45.21 (3) possess two pounds or less of adult-use cannabis flower in the individual's private
45.22 residence;
- 45.23 (4) possess or transport eight grams or less of adult-use cannabis concentrate;
- 45.24 (5) possess or transport edible cannabis products or lower-potency hemp edibles infused
45.25 with a combined total of 800 milligrams or less of tetrahydrocannabinol;
- 45.26 (6) give for no remuneration to an individual who is at least 21 years of age:
- 45.27 (i) two ounces or less of adult-use cannabis flower;
- 45.28 (ii) eight grams or less of adult-use cannabis concentrate; or
- 45.29 (iii) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams
45.30 or less of tetrahydrocannabinol; and

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

46.3 (i) a private residence, including the individual's curtilage or yard;

46.4 (ii) on private property, not generally accessible by the public, unless the individual is
46.5 explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency
46.6 hemp edibles, or hemp-derived consumer products on the property by the owner of the
46.7 property; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47.17 Sec. 55. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 3, is amended
47.18 to read:

47.19 Subd. 3. **Home extraction of cannabis concentrate by use of volatile solvent**
47.20 **prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate
47.21 or hemp concentrate without a cannabis microbusiness, cannabis mezzobusiness, cannabis
47.22 manufacturer, ~~medical cannabis processor~~, or lower-potency hemp edible manufacturer
47.23 license issued under this chapter.

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

47.25 Sec. 56. Minnesota Statutes 2023 Supplement, section 342.10, is amended to read:

47.26 **342.10 LICENSES; TYPES.**

47.27 The office shall issue the following types of license:

47.28 (1) cannabis microbusiness;

47.29 (2) cannabis mezzobusiness;

47.30 (3) cannabis cultivator;

47.31 (4) cannabis manufacturer;

- 48.1 (5) cannabis retailer;
- 48.2 (6) cannabis wholesaler;
- 48.3 (7) cannabis transporter;
- 48.4 (8) cannabis testing facility;
- 48.5 (9) cannabis event organizer;
- 48.6 (10) cannabis delivery service;
- 48.7 (11) lower-potency hemp edible manufacturer;
- 48.8 (12) lower-potency hemp edible retailer; or
- 48.9 ~~(13) medical cannabis cultivator;~~
- 48.10 ~~(14) medical cannabis processor;~~
- 48.11 ~~(15) medical cannabis retailer; or~~
- 48.12 ~~(16)~~ (13) medical cannabis combination business.

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

48.14 Sec. 57. Minnesota Statutes 2023 Supplement, section 342.11, is amended to read:

48.15 **342.11 LICENSES; FEES.**

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

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

- 48.24 (1) for a cannabis microbusiness:
 - 48.25 (i) an application fee of \$500;
 - 48.26 (ii) an initial license fee of \$0; and
 - 48.27 (iii) a renewal license fee of \$2,000;
- 48.28 (2) for a cannabis mezzobusiness:

- 49.1 (i) an application fee of \$5,000;
- 49.2 (ii) an initial license fee of \$5,000; and
- 49.3 (iii) a renewal license fee of \$10,000;
- 49.4 (3) for a cannabis cultivator:
 - 49.5 (i) an application fee of \$10,000;
 - 49.6 (ii) an initial license fee of \$20,000; and
 - 49.7 (iii) a renewal license fee of \$30,000;
- 49.8 (4) for a cannabis manufacturer:
 - 49.9 (i) an application fee of \$10,000;
 - 49.10 (ii) an initial license fee of \$10,000; and
 - 49.11 (iii) a renewal license fee of \$20,000;
- 49.12 (5) for a cannabis retailer:
 - 49.13 (i) an application fee of \$2,500;
 - 49.14 (ii) an initial license fee of \$2,500; and
 - 49.15 (iii) a renewal license fee of \$5,000;
- 49.16 (6) for a cannabis wholesaler:
 - 49.17 (i) an application fee of \$5,000;
 - 49.18 (ii) an initial license fee of \$5,000; and
 - 49.19 (iii) a renewal license fee of \$10,000;
- 49.20 (7) for a cannabis transporter:
 - 49.21 (i) an application fee of \$250;
 - 49.22 (ii) an initial license fee of \$500; and
 - 49.23 (iii) a renewal license fee of \$1,000;
- 49.24 (8) for a cannabis testing facility:
 - 49.25 (i) an application fee of \$5,000;
 - 49.26 (ii) an initial license fee of \$5,000; and
 - 49.27 (iii) a renewal license fee of \$10,000;

- 50.1 (9) for a cannabis delivery service:
- 50.2 (i) an application fee of \$250;
- 50.3 (ii) an initial license fee of \$500; and
- 50.4 (iii) a renewal license fee of \$1,000;
- 50.5 (10) for a cannabis event organizer:
- 50.6 (i) an application fee of \$750; and
- 50.7 (ii) an initial license fee of \$750;
- 50.8 (11) for a lower-potency hemp edible manufacturer:
- 50.9 (i) an application fee of \$250;
- 50.10 (ii) an initial license fee of \$1,000; and
- 50.11 (iii) a renewal license fee of \$1,000;
- 50.12 (12) for a lower-potency hemp edible retailer:
- 50.13 (i) an application fee of \$250 per retail location;
- 50.14 (ii) an initial license fee of \$250 per retail location; and
- 50.15 (iii) a renewal license fee of \$250 per retail location; and
- 50.16 ~~(13) for a medical cannabis cultivator:~~
- 50.17 ~~(i) an application fee of \$250;~~
- 50.18 ~~(ii) an initial license fee of \$0; and~~
- 50.19 ~~(iii) a renewal license fee of \$0;~~
- 50.20 ~~(14) for a medical cannabis processor:~~
- 50.21 ~~(i) an application fee of \$250;~~
- 50.22 ~~(ii) an initial license fee of \$0; and~~
- 50.23 ~~(iii) a renewal license fee of \$0;~~
- 50.24 ~~(15) for a medical cannabis retailer:~~
- 50.25 ~~(i) an application fee of \$250;~~
- 50.26 ~~(ii) an initial license fee of \$0; and~~
- 50.27 ~~(iii) a renewal license fee of \$0; and~~

51.1 ~~(16)~~ (13) for a medical cannabis combination business:

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

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

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

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

51.6 Sec. 58. Minnesota Statutes 2023 Supplement, section 342.12, is amended to read:

51.7 **342.12 LICENSES; TRANSFERS; ADJUSTMENTS.**

51.8 (a) ~~Licenses~~ A person holding a license issued under this chapter may be freely transferred
51.9 transfer that license to another entity subject to the prior written approval of the office,
51.10 ~~which approval may be given or withheld in the office's sole discretion, provided that a~~
51.11 ~~social equity applicant may only transfer the applicant's license to another social equity~~
51.12 ~~applicant~~ unless the license is temporary or is held by a social equity applicant. A new
51.13 license must be obtained when:

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

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

51.19 (b) ~~Transfers between~~ Notwithstanding paragraph (a), during the first three years from
51.20 the date that a social equity applicant holds a license, the social equity applicants applicant
51.21 may only transfer the license to another social equity applicant. Three years after a license
51.22 was initially issued, a social equity applicant may transfer the license to any entity. A license
51.23 transfer by a social equity applicant must be reviewed by the Division of Social Equity.

51.24 (c) Licenses must be renewed annually.

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

51.27 (e) The office by rule may permit the relocation of a licensed cannabis business; permit
51.28 the relocation of an approved operational location, including a grow or retail location; adopt
51.29 requirements for the submission of a license relocation application; establish standards for
51.30 the approval of a relocation application; and charge a fee not to exceed \$250 for reviewing

52.1 and processing applications. Relocation of a licensed premises pursuant to this paragraph
52.2 does not extend or otherwise modify the license term of the license subject to relocation.

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

52.4 Sec. 59. Minnesota Statutes 2023 Supplement, section 342.13, is amended to read:

52.5 **342.13 LOCAL CONTROL.**

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

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

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

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

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

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

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

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

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

53.7 ~~(g) Upon receipt of an application for a license issued under this chapter, the office shall~~
53.8 ~~contact the local unit of government in which the business would be located and provide~~
53.9 ~~the local unit of government with 30 days in which to provide input on the application. The~~
53.10 ~~local unit of government may provide the office with any additional information it believes~~
53.11 ~~is relevant to the office's decision on whether to issue a license, including but not limited~~
53.12 ~~to identifying concerns about the proposed location of a cannabis business or sharing public~~
53.13 ~~information about an applicant.~~

53.14 ~~(h)~~ (g) The office by rule shall establish an expedited complaint process to receive,
53.15 review, and respond to complaints made by a local unit of government about a cannabis
53.16 business. ~~Complaints may include alleged violations of local ordinances or other alleged~~
53.17 ~~violations.~~ At a minimum, the expedited complaint process shall require the office to provide
53.18 an initial response to the complaint within seven days and perform any necessary inspections
53.19 within 30 days. Nothing in this paragraph prohibits a local unit of government from enforcing
53.20 a local ordinance. If a local unit of government notifies the office that a cannabis business
53.21 other than a cannabis retailer, cannabis microbusiness with a retail operations endorsement,
53.22 cannabis mezzobusiness, lower-potency hemp edible retailer, ~~medical cannabis retailer,~~ or
53.23 medical cannabis combination business poses an immediate threat to the health or safety
53.24 of the public, the office must respond within one business day and may take any action
53.25 described in section 342.19 or 342.21.

53.26 ~~(i)~~ (h) A local government unit that issues cannabis retailer registration under section
53.27 342.22 may, by ordinance, limit the number of licensed cannabis retailers, cannabis
53.28 mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with
53.29 a retail operations endorsement to no fewer than one registration for every 12,500 residents.

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

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

54.1 ~~(h)~~ (k) Notwithstanding the foregoing provisions, the state shall not issue a license to
54.2 any cannabis business to operate in Indian country, as defined in United States Code, title
54.3 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal
54.4 government.

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

54.6 Sec. 60. Minnesota Statutes 2023 Supplement, section 342.14, is amended to read:

54.7 **342.14 CANNABIS LICENSE APPLICATION AND RENEWAL.**

54.8 Subdivision 1. **Application; contents.** (a) The office by rule shall establish ~~forms and~~
54.9 procedures for the processing of cannabis licenses issued under this chapter. At a minimum,
54.10 any application to obtain or renew a cannabis license shall include the following information,
54.11 if applicable:

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

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

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

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

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

54.22 (6) a copy of the security plan, including security monitoring, security equipment, and
54.23 facility maps;

54.24 (7) proof of trade name registration;

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

54.29 (9) standard operating procedures for:

54.30 (i) quality assurance;

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

- 55.1 (iii) accounting and tax compliance;
- 55.2 ~~(9)~~ (10) an attestation signed by a bona fide labor organization stating that the applicant
- 55.3 has entered into a labor peace agreement;
- 55.4 (11) a description of the training and education that will be provided to any employee;
- 55.5 (12) a disclosure of any government violations of a license agreement or federal, state,
- 55.6 or local laws or regulations, including but not limited to criminal, environmental, food
- 55.7 safety, workplace safety, wage and hour, worker's compensation, labor and employment,
- 55.8 whistleblower protection, human rights, discrimination, tax, or other laws and regulations
- 55.9 relevant to business operations and working conditions;
- 55.10 ~~(10)~~ (13) certification that the applicant will comply with the requirements of this chapter
- 55.11 relating to the ownership and operation of a cannabis business;
- 55.12 ~~(11)~~ (14) identification of one or more controlling persons or managerial employees as
- 55.13 agents who shall be responsible for dealing with the office on all matters; ~~and~~
- 55.14 ~~(12)~~ (15) a statement that the applicant agrees to respond to the office's supplemental
- 55.15 requests for information; and
- 55.16 (16) every applicant or, in the case of a business entity, every cooperative member or
- 55.17 director, manager, and general partner of the business entity for a cannabis business license
- 55.18 must provide a release for the office to perform the background checks in section 342.15.
- 55.19 (b) An applicant must file and update as necessary a disclosure of ownership and control.
- 55.20 The office by rule shall establish the contents ~~and form~~ of the disclosure. Except as provided
- 55.21 in paragraph (f), the disclosure shall, at a minimum, include the following:
- 55.22 (1) the management structure, ownership, and control of the applicant or license holder,
- 55.23 including the name of each cooperative member, officer, director, manager, general partner,
- 55.24 or business entity; the office or position held by each person; each person's percentage
- 55.25 ownership interest, if any; and, if the business has a parent company, the name of each
- 55.26 owner, board member, and officer of the parent company and the owner's, board member's,
- 55.27 or officer's percentage ownership interest in the parent company and the cannabis business;
- 55.28 (2) a statement from the applicant and, if the applicant is a business, from every officer,
- 55.29 director, manager, and general partner of the business, indicating whether that person has
- 55.30 previously held, or currently holds, an ownership interest in a cannabis business in Minnesota,
- 55.31 any other state or territory of the United States, or any other country;

- 56.1 (3) if the applicant is a corporation, copies of the applicant's articles of incorporation
56.2 and bylaws and any amendments to the applicant's articles of incorporation or bylaws;
- 56.3 (4) copies of any partnership agreement, operating agreement, or shareholder agreement;
- 56.4 (5) copies of any promissory notes, security instruments, or other similar agreements;
- 56.5 (6) an explanation detailing the funding sources used to finance the business;
- 56.6 (7) a list of operating and investment accounts for the business, including any applicable
56.7 financial institution and account number; and
- 56.8 (8) a list of each outstanding loan and financial obligation obtained for use in the business,
56.9 including the loan amount, loan terms, and name and address of the creditor.
- 56.10 (c) An application may include:
- 56.11 (1) proof that the applicant is a social equity applicant;
- 56.12 (2) a description of the training and education that will be provided to any employee;
- 56.13 or
- 56.14 (3) a copy of business policies governing operations to ensure compliance with this
56.15 chapter.
- 56.16 (d) Commitments made by an applicant in its application, including but not limited to
56.17 the maintenance of a labor peace agreement, shall be an ongoing material condition of
56.18 maintaining and renewing the license.
- 56.19 (e) An application on behalf of a corporation or association shall be signed by at least
56.20 two officers or managing agents of that entity.
- 56.21 (f) The office may, by rule, establish exceptions to the disclosures required under
56.22 paragraph (b) for members of a cooperative who hold less than a five percent ownership
56.23 interest in the cooperative.
- 56.24 **Subd. 2. Application; process.** (a) An applicant must submit all required information
56.25 to the office on the forms and in the manner prescribed by the office.
- 56.26 (b) If the office receives an application that fails to provide the required information,
56.27 the office shall issue a deficiency notice to the applicant. The applicant shall have ten
56.28 business days from the date of the deficiency notice to submit the required information.
- 56.29 (c) Failure by an applicant to submit all required information will result in the application
56.30 being rejected.

57.1 (d) An applicant seeking an endorsement for a specified operation activity must submit
57.2 required information to the office in the manner prescribed by the office.

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

57.7 (f) An application is deemed complete once the office receives all required information
57.8 in subdivision 1 and the applicant provides the office with the address and legal property
57.9 description of the business, and the name of the local unit of government where the applicant
57.10 intends to locate its business.

57.11 (g) The office may deny an application that:

57.12 (1) is incomplete;

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

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

57.16 ~~(d)~~ (h) Upon receipt of a completed application and fee, the office shall forward a copy
57.17 of the application to the local unit of government in which the business operates or intends
57.18 to operate with a form for certification as to whether a proposed cannabis business complies
57.19 with local zoning ordinances and, if applicable, whether the proposed business complies
57.20 with the state fire code and building code. Within 30 days of receiving a copy of an
57.21 application and a certification form from the office, a local unit of government must return
57.22 the completed form to the office. In the event a local unit of government fails to return the
57.23 form within 30 days, the office may issue a license.

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

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

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

58.4 Subd. 2b. **Retention.** The Office of Cannabis Management must retain all application
58.5 materials for 12 months after it issues a decision on the application and must consider the
58.6 application in any subsequent round commenced by the office in the 12-month retention
58.7 period, unless the applicant requests to be removed from consideration. The office must not
58.8 require applicants considered under this section to pay an application fee. An applicant may
58.9 supplement the application during the subsequent round. This subdivision does not apply
58.10 to applicants seeking a license under section 342.39.

58.11 Subd. 3. **License revocation.** The office may revoke a cannabis business license if the
58.12 licensee has not made good faith efforts to obtain an endorsement within 18 months of the
58.13 date that the license was issued. The office may give a licensee a onetime extension to obtain
58.14 an endorsement if the licensee demonstrates that the licensee made good faith efforts to
58.15 obtain an endorsement within 18 months of the date that the license was issued.

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

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

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

58.29 (b) After receiving this information, the bureau must conduct a Minnesota state criminal
58.30 history records check of ~~the license applicant or prospective cannabis worker~~ an individual
58.31 identified in paragraph (a). The bureau may exchange a ~~license applicant's or prospective~~
58.32 ~~cannabis worker's~~ an individual's fingerprints with the Federal Bureau of Investigation to
58.33 obtain the ~~license applicant's or prospective cannabis worker's~~ national criminal history
58.34 record information of the individual. The bureau must return the results of the Minnesota

59.1 state and federal criminal history records checks to the office to determine if the license
59.2 applicant or prospective cannabis worker individual is disqualified under rules adopted
59.3 pursuant to this section.

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

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

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

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

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

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

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

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

59.28 Subd. 5. Civil and regulatory offenses; disqualifications. The office may determine
59.29 whether any civil or regulatory violations, as determined by another state agency, local unit
59.30 of government, or any other jurisdiction, disqualify an individual from holding or receiving
59.31 a cannabis business license issued under this chapter or disqualify an individual from working
59.32 for a cannabis business, and the length of the disqualification. Upon the office's request, a

60.1 state agency, as defined in section 13.02, subdivision 17, may release civil investigative
60.2 data, including data classified as protected nonpublic or confidential under section 13.39,
60.3 subdivision 2, if the request is related to a specific applicant and the data is necessary to
60.4 make a determination under this section.

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

60.6 Sec. 64. **[342.151] EMPLOYEES OF LICENSE HOLDERS.**

60.7 Subdivision 1. **Criminal history check.** A license holder may employ or contract with
60.8 as many unlicensed individuals as may be necessary, provided that the license holder is at
60.9 all times accountable for the good conduct of every individual employed by or contracted
60.10 with the license holder. Before hiring an individual as a cannabis worker, the license holder
60.11 must submit to the Bureau of Criminal Apprehension the individual's full set of fingerprints
60.12 and written consent for the bureau to conduct a state and national criminal history check.
60.13 The bureau may exchange an individual's fingerprints with the Federal Bureau of
60.14 Investigation. The Bureau of Criminal Apprehension must determine whether the individual
60.15 is qualified to be employed as a cannabis worker and must notify the license holder of the
60.16 bureau's determination. The license holder must not employ an individual who is disqualified
60.17 from being employed as a cannabis worker.

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

60.21 (1) human trafficking;

60.22 (2) noncannabis controlled substance crimes in the first or second degree;

60.23 (3) labor trafficking;

60.24 (4) fraud;

60.25 (5) embezzlement;

60.26 (6) extortion;

60.27 (7) money laundering; or

60.28 (8) insider trading;

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

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

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

61.4 Sec. 65. Minnesota Statutes 2023 Supplement, section 342.16, is amended to read:

61.5 **342.16 CANNABIS BUSINESSES; GENERAL OWNERSHIP**
61.6 **DISQUALIFICATIONS AND REQUIREMENTS.**

61.7 (a) A license holder or applicant must meet each of the following requirements, if
61.8 applicable, to hold or receive a cannabis license issued under this chapter:

61.9 (1) be at least 21 years of age;

61.10 (2) have completed an application for licensure or application for renewal;

61.11 (3) have paid the applicable application fee and license fee;

61.12 (4) if the applicant or license holder is a business entity, be incorporated in the state or
61.13 otherwise formed or organized under the laws of the state;

61.14 (5) not be employed by the office or any state agency with regulatory authority under
61.15 this chapter or the rules adopted pursuant to this chapter;

61.16 (6) not be a licensed peace officer, as defined in section 626.84, subdivision 1, paragraph
61.17 (c);

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

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

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

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

61.26 (11) not be disqualified under section 342.15;

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

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

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

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

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

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

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

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

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

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

62.15 **342.17 SOCIAL EQUITY APPLICANTS.**

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

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

62.19 (2) had a parent, guardian, child, spouse, or dependent who was convicted of an offense
62.20 involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

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

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

62.25 ~~(4)~~ (5) is a military veteran, including status as a service-disabled veteran, current or
62.26 former member of the national guard;

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

62.29 ~~(5)~~ (7) has been a resident for the last five years of one or more subareas, such as census
62.30 tracts or neighborhoods, that experienced a disproportionately large amount of cannabis

63.1 enforcement as determined by the study conducted by the office pursuant to section 342.04,
63.2 paragraph (b), and reported in the preliminary report, final report, or both;

63.3 ~~(6) is an emerging farmer as defined in section 17.055, subdivision 1; or~~

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

63.8 ~~(7)~~ (9) has been a resident for the last five years of one or more census tracts where, as
63.9 reported in the most recently completed decennial census published by the United States
63.10 Bureau of the Census, either:

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

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

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

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

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

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

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

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

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

64.1 Sec. 68. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 2, is amended
64.2 to read:

64.3 Subd. 2. **Vertical integration prohibited; exceptions.** (a) Except as otherwise provided
64.4 in this subdivision, the office shall not issue licenses to a single applicant that would result
64.5 in the applicant being vertically integrated in violation of the provisions of this chapter.

64.6 (b) Nothing in this section prohibits or limits the issuance of microbusiness licenses ~~or,~~
64.7 mezzobusiness licenses, or medical cannabis combination business licenses, or the issuance
64.8 of both lower-potency hemp edible manufacturer and lower-potency hemp edible retailer
64.9 licenses to the same person or entity.

64.10 Sec. 69. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 3, is amended
64.11 to read:

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

- 64.15 ~~(1) status as a social equity applicant or as an applicant who is substantially similar to~~
64.16 ~~a social equity applicant as described in paragraph (c);~~
- 64.17 ~~(2) status as a veteran or retired national guard applicant who does not meet the definition~~
64.18 ~~of social equity applicant;~~
- 64.19 ~~(3)~~ (1) security and record keeping;
- 64.20 ~~(4)~~ (2) employee training plan;
- 64.21 ~~(5)~~ (3) business plan and financial situation;
- 64.22 ~~(6)~~ (4) labor and employment practices;
- 64.23 ~~(7)~~ (5) knowledge and experience; and
- 64.24 ~~(8)~~ (6) environmental plan.

64.25 ~~(b) The office may award additional points to an application if the license holder would~~
64.26 ~~expand service to an underrepresented market, including but not limited to participation in~~
64.27 ~~the medical cannabis program.~~

64.28 ~~(c) The office shall establish application materials permitting individual applicants to~~
64.29 ~~demonstrate the impact that cannabis prohibition has had on that applicant, including but~~
64.30 ~~not limited to the arrest or imprisonment of the applicant or a member of the applicant's~~

65.1 ~~immediate family, and the office may award points to such applicants in the same manner~~
65.2 ~~as points are awarded to social equity applicants.~~

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

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

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

65.18 Sec. 70. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a
65.19 subdivision to read:

65.20 **Subd. 4. Maximum number of licenses.** (a) Through as many licensing periods as the
65.21 ~~office deems necessary, the office shall issue no more than the maximum number of licenses~~
65.22 ~~in each license category listed in paragraphs (f) and (g) to applicants that meet the minimum~~
65.23 ~~qualifications in subdivision 3. After 24 months from the beginning of the license application~~
65.24 ~~process, the office may adjust the maximum number of licenses of any type listed in this~~
65.25 ~~subdivision based on market demand, consistent with the objectives in section 342.02,~~
65.26 ~~subdivision 1, and the annual report required under section 342.04, paragraph (f).~~

65.27 (b) If any applicant that meets the minimum qualifications in subdivision 3 is a city or
65.28 ~~county seeking to establish, own, or operate a municipal cannabis store authorized under~~
65.29 ~~section 342.32, subdivision 5, the office must issue a license to that applicant.~~

65.30 Notwithstanding paragraph (g), a license issued to a city or county must not be counted
65.31 ~~against the maximum number of licenses made available in an application period.~~

65.32 (c) If there are insufficient licenses available for all applicants that meet the minimum
65.33 ~~qualifications in subdivision 3, the office shall hold a lottery to randomly select license~~

66.1 recipients from among the applicants. The office may issue as many licenses as the office
66.2 deems necessary of a license type that is not listed in this subdivision. The office is not
66.3 required to issue a license for a license type that is not listed in this subdivision.

66.4 (d) Cannabis microbusiness and cannabis mezzobusiness license holders with a retail
66.5 endorsement must obtain at least one other endorsement for authorized actions under the
66.6 license category within 18 months of license issuance or the office may revoke the license
66.7 holder's license or take appropriate enforcement action.

66.8 (e) The office is not required to issue licenses to meet the maximum number of licenses
66.9 that may be issued under paragraphs (f) and (g).

66.10 (f) For licenses that are available to social equity applicants, the maximum number of
66.11 licenses that the office may issue are:

66.12 (1) cultivator licenses, 19;

66.13 (2) product manufacturer licenses, 12;

66.14 (3) retailer licenses, 100; and

66.15 (4) cannabis mezzobusiness licenses, 30.

66.16 (g) For licenses that are available to all applicants, the maximum number of licenses
66.17 that the office may issue are:

66.18 (1) cultivator licenses, 19;

66.19 (2) product manufacturer licenses, 12;

66.20 (3) retailer licenses, 100; and

66.21 (4) cannabis mezzobusiness licenses, 30.

66.22 (h) Of the available licenses listed in paragraph (g), the following number of licenses
66.23 will be available for applicants that notify the office they will apply for a medical retail
66.24 endorsement and intend to serve the medical registry market for at least three years:

66.25 (1) cannabis mezzobusiness, six; and

66.26 (2) cannabis retailer, 20.

66.27 Failure to receive a medical retail endorsement or to serve the medical registry market for
66.28 at least three years will result in a revocation of license.

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

67.1 Sec. 71. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a
67.2 subdivision to read:

67.3 Subd. 5. Conversion to hemp business license. (a) After the office adopts initial rules
67.4 pertaining to cannabis, the office may permit a holder of a hemp-derived cannabinoid
67.5 business registration pursuant to section 151.72 to convert the holder's registration to a
67.6 comparable lower-potency hemp edible business license if:

67.7 (1) the registration was active before the office adopted initial rules pertaining to cannabis;

67.8 (2) the registrant submits documentation to the office sufficient to meet the minimum
67.9 requirements in section 342.44;

67.10 (3) the registrant pays an application and licensing fee as required by section 342.11;

67.11 and

67.12 (4) the registrant is in good standing with the state.

67.13 (b) A registrant with an active hemp-derived cannabinoid business registration pursuant
67.14 to section 151.72 may continue operations under an active registration for no more than 30
67.15 days after the office begins accepting applications for a lower-potency hemp edible business
67.16 license.

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

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

67.22 Sec. 72. **[342.185] TRUE PARTY OF INTEREST.**

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

67.25 (b) "Control" means the power to independently order or direct the management,
67.26 managers, or policies of a licensed business.

67.27 (c) "Financial institution" means any bank, mutual savings bank, consumer loan company,
67.28 credit union, savings and loan association, trust company, or other lending institution under
67.29 the jurisdiction of the Department of Commerce.

67.30 (d) "Financier" means any person or entity that:

67.31 (1) is not a financial institution or government entity;

68.1 (2) provides money as a gift, grant, or loan to an applicant for a cannabis business license,
68.2 a cannabis business, or both; and

68.3 (3) expects to be paid back, with or without reasonable interest.

68.4 (e) "Gross profit" means sales minus the cost of goods sold.

68.5 (f) "Revenue" means the income generated from the sale of goods and services associated
68.6 with the main operations of a business before any costs or expenses are deducted.

68.7 (g) "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
68.11 partnership, all general partners and limited partners;

68.12 (4) for a limited liability company, all limited liability company members and managers;

68.13 (5) for a privately held corporation, all corporate officers and directors or persons with
68.14 equivalent titles and all stockholders;

68.15 (6) for multilevel ownership structures, all individuals that make up the ownership
68.16 structure;

68.17 (7) for any entity or person with a right to receive revenue, gross profit or net profit or
68.18 exercise control over a licensed business; any entity or person with the right to receive some
68.19 or all of the revenue, gross profit, or net profit from a licensed business during any full or
68.20 partial calendar or fiscal year; and any entity or person who exercises control over a licensed
68.21 business; and

68.22 (8) for a nonprofit corporation, all individuals and entities with membership rights in
68.23 accordance with the provisions of the articles of incorporation or bylaws.

68.24 True party of interest does not include:

68.25 (1) a person or entity receiving payment for rent on a fixed basis under a lease or rental
68.26 agreement. Notwithstanding, if there is a common ownership interest between the applicant
68.27 or licensee and the entity that owns the real property, the office may investigate all funds
68.28 associated with the landlord to determine if a financier relationship exists. The office may
68.29 also investigate a landlord in situations in which a rental payment has been waived or
68.30 deferred;

69.1 (2) a person who receives a bonus or commission based on the person's sales, so long
69.2 as the commission does not exceed ten percent of the person's sales in any given bonus or
69.3 commission period. Commission-based compensation agreements must be in writing;

69.4 (3) a person or entity contracting with a licensee to receive a commission for the sale of
69.5 a business or real property;

69.6 (4) a consultant receiving a flat or hourly rate compensation under a written contractual
69.7 agreement;

69.8 (5) a person with an option to purchase the applied for or licensed business, so long as
69.9 no money has been paid to the licensee under an option contract or agreement for the
69.10 purchase or sale of a licensed business or a business that is applying for a license;

69.11 (6) any business or individual with a contract or agreement for services with a licensed
69.12 business, such as a branding or staffing company, as long as the licensee retains the right
69.13 to and controls the business; or

69.14 (7) a financial institution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

70.29 (2) inspect and investigate during regular working hours and at other reasonable times,
70.30 within reasonable limits and in a reasonable manner, ~~any cannabis business or hemp business~~
70.31 the place of business of any cannabis business, hemp business, or business engaged in the
70.32 cultivation, manufacture, or retail sale of cannabis without a license under this chapter and
70.33 all relevant conditions, equipment, records, and materials therein; and

71.1 (3) question privately any employer, owner, operator, agent, or employee of a ~~cannabis~~
71.2 ~~business or hemp business~~ any cannabis business, hemp business, or business engaged in
71.3 the cultivation, manufacture, or retail sale of cannabis without a license under this chapter.

71.4 (b) An employer, owner, operator, agent, or employee must not refuse the office entry
71.5 or otherwise deter or prohibit the office from taking action under paragraph (a).

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

71.7 Sec. 74. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 3, is amended
71.8 to read:

71.9 Subd. 3. **Aiding of inspection.** Subject to rules issued by the office, a representative of
71.10 a ~~cannabis business or hemp business~~ shall business participating in the cannabis industry
71.11 or hemp consumer industry must be given an opportunity to accompany the office during
71.12 the physical inspection of ~~any cannabis business or hemp~~ the business for the purpose of
71.13 aiding such inspection.

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

71.15 Sec. 75. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 4, is amended
71.16 to read:

71.17 Subd. 4. **Complaints and reports; priority of inspection.** (a) The office may conduct
71.18 inspections of any ~~licensed cannabis business or hemp business~~ cannabis business, hemp
71.19 business, or a business engaged in the cultivation, manufacture, or retail sale of cannabis
71.20 without a license under this chapter at any time to ensure compliance with the ownership
71.21 and operation requirements of this chapter.

71.22 (b) Any person may report a suspected violation of a safety or health standard. If upon
71.23 receipt of such notification the office determines that there are reasonable grounds to believe
71.24 that such violation or danger exists, the office shall make a special inspection as soon as
71.25 practicable to determine if such danger or violation exists.

71.26 (c) The office shall prioritize inspections of ~~cannabis businesses and hemp businesses~~
71.27 where there are reasonable grounds to believe that a violation by a person or business poses
71.28 imminent danger to the public or customers. Inspections must take place within one business
71.29 day of the receipt of a credible report.

71.30 (d) The office shall promptly inspect ~~cannabis businesses and hemp businesses~~ the place
71.31 of business of any cannabis business, hemp business, or a business engaged in the cultivation,

72.1 manufacture, or retail sale of cannabis without a license under this chapter that are is the
72.2 subject of complaint by a local unit of government.

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

72.4 Sec. 76. Minnesota Statutes 2023 Supplement, section 342.19, subdivision 5, is amended
72.5 to read:

72.6 Subd. 5. **Violations; administrative orders and penalties.** (a) The office may issue an
72.7 administrative order to any ~~licensed cannabis business or hemp business~~ cannabis business,
72.8 hemp business, or a business engaged in the cultivation, manufacture, or retail sale of
72.9 cannabis without a license under this chapter that the office determines has committed a
72.10 violation of this chapter or rules adopted pursuant to this chapter. The administrative order
72.11 may require the business to correct the violation or to cease and desist from committing the
72.12 violation. The order must state the deficiencies that constitute the violation and the time by
72.13 which the violation must be corrected. If the business believes that the information in the
72.14 administrative order is in error, the business may ask the office to consider the parts of the
72.15 order that are alleged to be in error. The request must be in writing, delivered to the office
72.16 by certified mail within seven days after receipt of the order, and provide documentation
72.17 to support the allegation of error. The office must respond to a request for reconsideration
72.18 within 15 days after receiving the request. A request for reconsideration does not stay the
72.19 correction order unless the office issues a supplemental order granting additional time. The
72.20 office's disposition of a request for reconsideration is final.

72.21 (b) For each violation of this chapter or rules adopted pursuant to this chapter, the office
72.22 may issue to each ~~cannabis business or hemp~~ individual or business a monetary penalty of
72.23 up to \$10,000, an amount that deprives the individual or business of any economic advantage
72.24 gained by the violation, or both.

72.25 (c) An administrative penalty may be recovered in a civil action in the name of the state
72.26 brought in the district court of the county where the violation is alleged to have occurred
72.27 or the district court where the office is housed.

72.28 (d) In addition to penalties listed in this subdivision, a person or business who violates
72.29 the provisions of this chapter is subject to any applicable criminal penalty.

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

73.1 Sec. 77. Minnesota Statutes 2023 Supplement, section 342.22, is amended to read:

73.2 **342.22 RETAILERS; LOCAL REGISTRATION AND ENFORCEMENT.**

73.3 Subdivision 1. **Registration required.** Before receiving a retail operations endorsement
73.4 and making retail sales to customers or patients, a cannabis microbusiness ~~with a retail~~
73.5 ~~operations endorsement~~, cannabis mezzobusiness ~~with a retail operations endorsement~~,
73.6 cannabis retailer, ~~medical cannabis retailer~~, medical cannabis combination business, or
73.7 lower-potency hemp edible retailer must register with the city, town, or county in which
73.8 the retail establishment is located. A county may issue a registration in cases where a city
73.9 or town has provided consent for the county to issue the registration for the jurisdiction.

73.10 Subd. 2. **Registration fee.** (a) A local unit of government may impose an initial retail
73.11 registration fee of \$500 or up to half the amount of the applicable initial license fee under
73.12 section 342.11, whichever is less. The local unit of government may also impose a renewal
73.13 retail registration fee of \$1,000 or up to half the amount of the applicable renewal license
73.14 fee under section 342.11, whichever is less. The initial registration fee shall include the fee
73.15 for initial registration and the first annual renewal. Any renewal fee imposed by the local
73.16 unit of government shall be charged at the time of the second renewal and each subsequent
73.17 annual renewal thereafter.

73.18 (b) The local unit of government may not charge an application fee.

73.19 ~~(e) A cannabis business with a cannabis retailer license and a medical cannabis retailer~~
73.20 ~~license for the same location may only be charged a single registration fee.~~

73.21 ~~(d)~~ (c) Registration fees are nonrefundable.

73.22 Subd. 3. **Issuance of registration.** (a) A local unit of government shall issue a retail
73.23 registration to a cannabis microbusiness with a retail operations endorsement, cannabis
73.24 mezzobusiness with a retail operations endorsement, cannabis retailer, ~~medical cannabis~~
73.25 ~~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
73.29 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
73.31 the retail establishment is located.

74.1 (b) Before issuing a retail registration, the local unit of government may conduct a
74.2 preliminary compliance check to ensure that the cannabis business or hemp business is in
74.3 compliance with ~~the any applicable operation requirements and the limits on the types of~~
74.4 ~~cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer~~
74.5 ~~products that may be sold~~ local ordinance established pursuant to section 342.13.

74.6 (c) A local unit of government shall renew the retail registration of a cannabis business
74.7 or hemp business when the office renews the license of the cannabis business or hemp
74.8 business.

74.9 (d) A retail registration issued under this section may not be transferred.

74.10 Subd. 4. **Compliance checks.** (a) A local unit of government shall conduct compliance
74.11 checks of every cannabis business and hemp business with a retail registration issued by
74.12 the local unit of government. ~~The checks~~ During a compliance check, a local unit of
74.13 government shall assess a business's compliance with age verification requirements, the
74.14 and compliance with any applicable operation requirements, and the applicable limits on
74.15 the types of cannabis flower, cannabis products, lower-potency hemp edibles, and
74.16 hemp-derived consumer products being sold local ordinance established pursuant to section
74.17 342.13.

74.18 (b) ~~The~~ A local unit of government must conduct unannounced age verification
74.19 compliance checks of every cannabis business and hemp business at least once each calendar
74.20 year. Age verification compliance checks must involve persons at least 17 years of age but
74.21 under the age of 21 who, with the prior written consent of a parent or guardian if the person
74.22 is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis
74.23 products, lower-potency hemp edibles, or hemp-derived consumer products under the direct
74.24 supervision of a law enforcement officer or an employee of the local unit of government.

74.25 ~~(e) Checks to ensure compliance with the applicable operation requirements and the~~
74.26 ~~limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and~~
74.27 ~~hemp-derived consumer products that may be sold must be performed at least once each~~
74.28 ~~calendar year and may be performed by a law enforcement officer or an employee of the~~
74.29 ~~local unit of government.~~

74.30 Subd. 5. **Registration suspension and cancellation; notice to office; penalties.** (a) If
74.31 a local unit of government determines that a cannabis business or hemp business with a
74.32 retail registration issued by the local unit of government is not operating in compliance with
74.33 the requirements of ~~this chapter~~ a local ordinance authorized under section 342.13 or that
74.34 the operation of the business poses an immediate threat to the health or safety of the public,

75.1 the local unit of government may suspend the retail registration of the cannabis business or
75.2 hemp business. The local unit of government must immediately notify the office of the
75.3 suspension and shall include a description of the grounds for the suspension.

75.4 (b) The office shall review the retail registration suspension and may order reinstatement
75.5 of the retail registration or take any action described in section 342.19 or 342.21.

75.6 (c) The retail registration suspension must be for up to 30 days unless the office suspends
75.7 the license and operating privilege of the cannabis business or hemp business for a longer
75.8 period or revokes the license.

75.9 (d) The local unit of government may reinstate the retail registration if the local unit of
75.10 government determines that any violation has been cured. The local unit of government
75.11 must reinstate the retail registration if the office orders reinstatement.

75.12 (e) No cannabis microbusiness ~~with a retail operations endorsement~~, cannabis
75.13 mezzobusiness ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis~~
75.14 ~~retailer~~, medical cannabis combination business, or lower-potency hemp edible retailer may
75.15 make any sale to a customer or patient without a valid retail registration with a local unit
75.16 of government and a valid endorsement from the office. A local unit of government may
75.17 impose a civil penalty of up to \$2,000 for each violation of this paragraph.

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

75.19 Sec. 78. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended
75.20 to read:

75.21 Subdivision 1. **Individuals under 21 years of age.** (a) A cannabis business may not
75.22 employ an individual under 21 years of age and may not contract with an individual under
75.23 21 years of age if the individual's scope of work involves the handling of cannabis plants,
75.24 cannabis flower, artificially derived cannabinoids, or cannabinoid products.

75.25 (b) A cannabis business may not permit an individual under 21 years of age to enter the
75.26 business premises other than entry by a ~~patient~~ person enrolled in the registry program.

75.27 (c) A cannabis business may not sell or give cannabis flower, cannabis products,
75.28 lower-potency hemp edibles, or hemp-derived consumer products to an individual under
75.29 21 years of age unless the individual is a ~~patient; registered designated caregiver; or a parent,~~
75.30 ~~legal guardian, or spouse of a patient who is authorized to use, possess, or transport medical~~
75.31 ~~cannabis flower or medical cannabinoid products~~ enrolled in the patient registry program
75.32 and the cannabis business holds a medical cannabis retail endorsement.

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

76.2 Sec. 79. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 2, is amended
76.3 to read:

76.4 Subd. 2. **Use of cannabis flower and products within a licensed cannabis business.** (a)
76.5 A cannabis business may not permit an individual who is not an employee to consume
76.6 cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer
76.7 products within its licensed premises unless the business is licensed to permit on-site
76.8 consumption.

76.9 (b) Except as otherwise provided in this subdivision, a cannabis business may not permit
76.10 an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles,
76.11 or hemp-derived consumer products within its licensed premises or while the employee is
76.12 otherwise engaged in activities within the course and scope of employment.

76.13 (c) A cannabis business may permit an employee to use ~~medical~~ cannabis flower and
76.14 ~~medical~~ cannabinoid products if that individual is a patient enrolled in the registry program
76.15 and consuming cannabis as prescribed.

76.16 (d) For quality control, employees of a licensed cannabis business may sample cannabis
76.17 flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.
76.18 Employees may not interact directly with customers for at least three hours after sampling
76.19 a product. Employees may not consume more than three samples in a single 24-hour period.
76.20 All samples must be recorded in the statewide monitoring system.

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

76.22 Sec. 80. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
76.23 subdivision to read:

76.24 Subd. 1a. **Cannabis research.** A cannabis researcher employed by or affiliated with
76.25 institutions of higher education that are regionally or nationally accredited may apply for a
76.26 cannabis microbusiness license to conduct cannabis crop research. A cannabis researcher
76.27 with a cannabis microbusiness license may perform activities identified in subdivision 1,
76.28 clauses (1) to (9) and (13). Cannabis grown for research purposes must not be offered for
76.29 sale or otherwise enter the stream of commerce.

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

77.1 Sec. 81. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 2, is amended
77.2 to read:

77.3 Subd. 2. **Size limitations.** (a) A cannabis microbusiness that cultivates cannabis at an
77.4 indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust
77.5 plant canopy limits upward or downward but not below 5,000 square feet to meet market
77.6 demand consistent with the goals identified in section 342.02, subdivision 1.

77.7 (b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
77.8 up to one-half acre ~~of mature, flowering plants unless the office increases that limit. The~~
77.9 ~~office may increase the limit to no more than one acre if the office determines that expansion~~
77.10 ~~is. The office may adjust size limits upward or downward but not below one-half acre to~~
77.11 ~~meet market demand~~ consistent with the goals identified in section 342.02, subdivision 1.

77.12 (c) The office shall establish a limit on the manufacturing of cannabis products,
77.13 lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness
77.14 that manufactures such products may perform. The limit must be equivalent to the amount
77.15 of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square
77.16 feet in a year, but may be increased if the office expands the allowable area of cultivation
77.17 under paragraph (a).

77.18 (d) A cannabis microbusiness with the appropriate endorsement may operate one retail
77.19 location.

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

77.21 Sec. 82. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 1, is amended
77.22 to read:

77.23 Subdivision 1. **Authorized actions.** A cannabis mezzobusiness license, consistent with
77.24 the specific license endorsement or endorsements, entitles the license holder to perform any
77.25 or all of the following within the limits established by this section:

77.26 (1) grow cannabis plants from seed or immature plant to mature plant and harvest
77.27 cannabis flower from a mature plant for use as adult-use cannabis flower or for use in
77.28 adult-use cannabis products;

77.29 ~~(2) grow cannabis plants from seed or immature plant to mature plant and harvest~~
77.30 ~~cannabis flower from a mature plant for use as medical cannabis flower or for use in medical~~
77.31 ~~cannabinoid products;~~

77.32 ~~(3)~~ (2) make cannabis concentrate;

- 78.1 ~~(4)~~ (3) make hemp concentrate, including hemp concentrate with a delta-9
78.2 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- 78.3 ~~(5)~~ (4) manufacture artificially derived cannabinoids;
- 78.4 ~~(6)~~ (5) manufacture adult-use cannabis products, lower-potency hemp edibles, and
78.5 hemp-derived consumer products for public consumption;
- 78.6 ~~(7)~~ (6) manufacture and process ~~medical~~ cannabinoid products;
- 78.7 ~~(8)~~ (7) purchase immature cannabis plants and seedlings and cannabis flower from a
78.8 cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a
78.9 cannabis wholesaler;
- 78.10 ~~(9)~~ (8) purchase cannabis concentrate, hemp concentrate, and synthetically derived
78.11 cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis
78.12 manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products,
78.13 lower-potency hemp edibles, or hemp-derived consumer products;
- 78.14 ~~(10)~~ (9) purchase hemp plant parts and propagules from a licensed hemp grower licensed
78.15 under chapter 18K;
- 78.16 ~~(11)~~ (10) purchase hemp concentrate from an industrial hemp processor licensed under
78.17 chapter 18K;
- 78.18 ~~(12)~~ (11) package and label adult-use cannabis flower, adult-use cannabis products,
78.19 lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- 78.20 ~~(13)~~ (12) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use
78.21 cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and
78.22 other products authorized by law to other cannabis businesses and to customers; and
- 78.23 ~~(14)~~ (13) perform other actions approved by the office.

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

78.25 Sec. 83. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended
78.26 to read:

78.27 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
78.28 cannabis mezzobusiness license may also hold a cannabis event organizer license ~~and a~~
78.29 ~~medical cannabis retailer~~ license.

79.1 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
79.2 cannabis mezzobusiness license may own or operate any other cannabis business or hemp
79.3 business or hold more than one cannabis mezzobusiness license.

79.4 (c) For purposes of this subdivision, a restriction on the number or type of license that
79.5 a business may hold applies to every cooperative member or every director, manager, and
79.6 general partner of a cannabis business.

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

79.8 Sec. 84. Minnesota Statutes 2023 Supplement, section 342.30, subdivision 4, is amended
79.9 to read:

79.10 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
79.11 cannabis cultivator license may also hold a cannabis manufacturing license, ~~medical cannabis~~
79.12 ~~cultivator license~~, medical cannabis producer license, license to grow industrial hemp, and
79.13 cannabis event organizer license.

79.14 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
79.15 cannabis cultivator license may own or operate any other cannabis business or hemp business.
79.16 This prohibition does not prevent the transportation of cannabis flower from a cannabis
79.17 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business
79.18 and located on the same premises.

79.19 (c) The office by rule may limit the number of cannabis cultivator licenses a person,
79.20 cooperative, or business may hold.

79.21 (d) For purposes of this subdivision, a restriction on the number or type of license a
79.22 business may hold applies to every cooperative member or every director, manager, and
79.23 general partner of a cannabis business.

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

79.25 Sec. 85. Minnesota Statutes 2023 Supplement, section 342.31, subdivision 4, is amended
79.26 to read:

79.27 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
79.28 cannabis manufacturer license may also hold a cannabis cultivator license, ~~a medical cannabis~~
79.29 ~~cultivator license~~, ~~a medical cannabis processor license~~, and a cannabis event organizer
79.30 license.

80.1 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
80.2 cannabis manufacturer license may own or operate any other cannabis business or hemp
80.3 business. This prohibition does not prevent transportation of cannabis flower from a cannabis
80.4 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business
80.5 and located on the same premises.

80.6 (c) The office by rule may limit the number of cannabis manufacturer licenses that a
80.7 person or business may hold.

80.8 (d) For purposes of this subdivision, a restriction on the number or type of license that
80.9 a business may hold applies to every cooperative member or every director, manager, and
80.10 general partner of a cannabis business.

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

80.12 Sec. 86. Minnesota Statutes 2023 Supplement, section 342.32, subdivision 4, is amended
80.13 to read:

80.14 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
80.15 cannabis retailer license may also hold a cannabis delivery service license, ~~a medical cannabis~~
80.16 ~~retailer license,~~ and a cannabis event organizer license.

80.17 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
80.18 cannabis retailer license may own or operate any other cannabis business or hemp business.

80.19 (c) No person, cooperative, or business may hold a license to own or operate more than
80.20 one cannabis retail business in one city and three retail businesses in one county.

80.21 (d) The office by rule may limit the number of cannabis retailer licenses a person,
80.22 cooperative, or business may hold.

80.23 (e) For purposes of this subdivision, a restriction on the number or type of license a
80.24 business may hold applies to every cooperative member or every director, manager, and
80.25 general partner of a cannabis business.

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

80.27 Sec. 87. Minnesota Statutes 2023 Supplement, section 342.35, subdivision 1, is amended
80.28 to read:

80.29 Subdivision 1. **Authorized actions.** A cannabis transporter license entitles the license
80.30 holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis
80.31 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate,

81.1 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
81.2 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
81.3 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis retailers,~~
81.4 ~~medical cannabis processors,~~ and industrial hemp growers to cannabis microbusinesses,
81.5 cannabis mezzobusinesses, cannabis manufacturers, cannabis testing facilities, cannabis
81.6 wholesalers, cannabis retailers, lower-potency hemp edible retailers, ~~medical cannabis~~
81.7 ~~processors, medical cannabis retailers,~~ and medical cannabis combination businesses and
81.8 perform other actions approved by the office.

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

81.10 Sec. 88. Minnesota Statutes 2023 Supplement, section 342.37, subdivision 1, is amended
81.11 to read:

81.12 Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license
81.13 holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis
81.14 products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,
81.15 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
81.16 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
81.17 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis~~
81.18 ~~cultivators, medical cannabis processors,~~ medical cannabis combination businesses, and
81.19 industrial hemp growers.

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

81.21 Sec. 89. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended
81.22 to read:

81.23 Subd. 7. **Cannabis event sales.** (a) Cannabis microbusinesses with a retail endorsement,
81.24 cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis
81.25 combination businesses operating a retail location, and lower-potency hemp edible retailers,
81.26 including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use
81.27 cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived
81.28 consumer products to customers at a cannabis event.

81.29 (b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,
81.30 lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must
81.31 take place in a retail area as designated in the premises diagram.

81.32 (c) Authorized retailers may only conduct sales within their specifically assigned area.

82.1 (d) Authorized retailers must verify the age of all customers pursuant to section 342.27,
82.2 subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis
82.3 flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
82.4 products to an individual under 21 years of age.

82.5 (e) Authorized retailers may display one sample of each type of cannabis plant, adult-use
82.6 cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived
82.7 consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis
82.8 products must be stored in a sample jar or display case and be accompanied by a label or
82.9 notice containing the information required to be affixed to the packaging or container
82.10 containing adult-use cannabis flower and adult-use cannabis products sold to customers. A
82.11 sample may not consist of more than eight grams of adult-use cannabis flower or adult-use
82.12 cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams
82.13 of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use
82.14 cannabis flower or adult-use cannabis product before purchase.

82.15 (f) The notice requirements under section 342.27, subdivision 6, apply to authorized
82.16 retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,
82.17 and hemp-derived consumer products for sale at a cannabis event.

82.18 (g) Authorized retailers may not:

82.19 (1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp
82.20 edibles, or hemp-derived consumer products to a person who is visibly intoxicated;

82.21 (2) knowingly sell more cannabis plants, adult-use cannabis flower, adult-use cannabis
82.22 products, lower-potency hemp edibles, or hemp-derived consumer products than a customer
82.23 is legally permitted to possess;

82.24 (3) sell ~~medical cannabis flower or medical~~ cannabinoid products;

82.25 (4) give away cannabis plants, cannabis flower, cannabis products, lower-potency hemp
82.26 edibles, or hemp-derived consumer products; or

82.27 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabis products,
82.28 lower-potency hemp edibles, or hemp-derived consumer products in vending machines.

82.29 (h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis
82.30 product, lower-potency hemp edible, and hemp-derived consumer product, all cannabis
82.31 plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles,
82.32 and hemp-derived consumer products for sale at a cannabis event must be stored in a secure,

83.1 locked container that is not accessible to the public. Such items being stored at a cannabis
83.2 event shall not be left unattended.

83.3 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products,
83.4 lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis
83.5 event must comply with this chapter and rules adopted pursuant to this chapter regarding
83.6 the testing, packaging, and labeling of those items.

83.7 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold,
83.8 damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring
83.9 system.

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

83.11 Sec. 90. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 1, is amended
83.12 to read:

83.13 Subdivision 1. **Authorized actions.** A cannabis delivery service license entitles the
83.14 license holder to purchase cannabis flower, cannabis products, lower-potency hemp edibles,
83.15 and hemp-derived consumer products from licensed cannabis microbusinesses with a retail
83.16 endorsement, cannabis mezzobusinesses with a retail endorsement, cannabis retailers,
83.17 ~~medical cannabis retailers,~~ and medical cannabis combination businesses; transport and
83.18 deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived
83.19 consumable products to customers; and perform other actions approved by the office.

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

83.21 Sec. 91. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 3, is amended
83.22 to read:

83.23 Subd. 3. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
83.24 cannabis delivery service license may also hold a cannabis retailer license, a cannabis
83.25 wholesaler license, a cannabis transporter license, and a cannabis event organizer license,
83.26 ~~and a medical cannabis retailer license~~ subject to the ownership limitations that apply to
83.27 those licenses.

83.28 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
83.29 cannabis delivery service license may own or operate any other cannabis business or hemp
83.30 business.

83.31 (c) The office by rule may limit the number of cannabis delivery service licenses that a
83.32 person or business may hold.

84.1 (d) For purposes of this subdivision, a restriction on the number or type of license that
84.2 a business may hold applies to every cooperative member or every director, manager, and
84.3 general partner of a cannabis business.

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

84.5 Sec. 92. Minnesota Statutes 2023 Supplement, section 342.44, subdivision 1, is amended
84.6 to read:

84.7 Subdivision 1. **Application; contents.** (a) Except as otherwise provided in this
84.8 subdivision, the provisions of this chapter relating to license applications, license selection
84.9 criteria, general ownership disqualifications and requirements, and general operational
84.10 requirements do not apply to hemp businesses.

84.11 (b) The office, by rule, shall establish forms and procedures for the processing of hemp
84.12 licenses issued under this chapter. At a minimum, any application to obtain or renew a hemp
84.13 license shall include the following information, if applicable:

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

84.15 (2) the address and legal property description of the business;

84.16 (3) proof of trade name registration;

84.17 (4) certification that the applicant will comply with the requirements of this chapter
84.18 relating to the ownership and operation of a hemp business;

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

84.21 (6) a statement that the applicant agrees to respond to the office's supplemental requests
84.22 for information.

84.23 ~~(e) An applicant for a lower-potency hemp edible manufacturer license must submit an~~
84.24 ~~attestation signed by a bona fide labor organization stating that the applicant has entered~~
84.25 ~~into a labor peace agreement.~~

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

85.1 Sec. 93. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 6, is amended
85.2 to read:

85.3 Subd. 6. **Compliant products.** (a) A lower-potency hemp edible retailer shall ensure
85.4 that all lower-potency hemp edibles offered for sale comply with the limits on the amount
85.5 and types of cannabinoids that a lower-potency hemp edible can contain, including but not
85.6 limited to the requirement that lower-potency hemp edibles:

85.7 (1) consist of servings that contain no more than five milligrams of delta-9
85.8 tetrahydrocannabinol, no more than 25 milligrams of cannabidiol, no more than 25 milligrams
85.9 of cannabigerol, or any combination of those cannabinoids that does not exceed the identified
85.10 amounts;

85.11 (2) do not contain more than a combined total of 0.5 milligrams of all other cannabinoids
85.12 per serving; and

85.13 (3) do not contain an artificially derived cannabinoid other than delta-9
85.14 tetrahydrocannabinol.

85.15 (b) If a lower-potency hemp edible is packaged in a manner that includes more than a
85.16 single serving, the lower-potency hemp edible must indicate each serving by scoring,
85.17 wrapping, or other indicators that appear on the lower-potency hemp edible designating the
85.18 individual serving size. If it is not possible to indicate a single serving by scoring or use of
85.19 another indicator that appears on the product, the lower-potency hemp edible may not be
85.20 packaged in a manner that includes more than a single serving in each container, except
85.21 that a calibrated dropper, measuring spoon, or similar device for measuring a single serving
85.22 may be used for any tincture, or other edible cannabinoid products that are intended to be
85.23 combined with food products, including beverages, prior to consumption. If the lower-potency
85.24 hemp edible is meant to be consumed as a beverage, the beverage container may not contain
85.25 more than two servings per container.

85.26 (c) A single package containing multiple servings of a lower-potency hemp edible must
85.27 contain no more than 50 milligrams of delta-9 tetrahydrocannabinol, 250 milligrams of
85.28 cannabidiol, 250 milligrams of cannabigerol, or any combination of those cannabinoids that
85.29 does not exceed the identified amounts.

85.30 Sec. 94. **[342.465] LOWER-POTENCY HEMP EDIBLES; PROHIBITED CONDUCT.**

85.31 No person may sell, give, furnish, or in any way procure for another person lower-potency
85.32 hemp edibles for the use of an obviously impaired person.

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

86.1 Sec. 95. Minnesota Statutes 2023 Supplement, section 342.51, is amended to read:

86.2 **342.51 MEDICAL CANNABIS ~~RETAILERS~~ RETAIL ENDORSEMENT.**

86.3 Subdivision 1. **Authorized actions.** (a) The office must issue a medical cannabis retail
86.4 endorsement to a cannabis business, if the business:

86.5 (1) submits a medical cannabis retail endorsement application to the office;

86.6 (2) has at least one employee who earned a medical cannabis consultant certificate issued
86.7 by the office and has completed the required training or has at least one employee who is
86.8 a licensed pharmacist under chapter 151; and

86.9 (3) otherwise meets all applicable requirements established by the office.

86.10 (b) A medical cannabis ~~retailer license~~ retail endorsement entitles the license holder to
86.11 ~~purchase medical cannabis flower and medical cannabinoid products from medical cannabis~~
86.12 ~~cultivators and medical cannabis processors and sell or distribute medical cannabis flower~~
86.13 ~~and medical cannabinoid products to any person authorized to receive medical cannabis~~
86.14 ~~flower or medical cannabinoid products.~~ sell or distribute the following products to any
86.15 person enrolled in the medical cannabis patient registry under section 342.52:

86.16 (1) cannabis plants, cannabis flower, cannabis products, artificially derived cannabinoids,
86.17 lower-potency hemp edibles, and hemp-derived consumer products that are a product
86.18 category approved by the office and that comply with this chapter and rules adopted pursuant
86.19 to this chapter regarding the testing, packaging, and labeling of cannabis plants, cannabis
86.20 flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles,
86.21 and hemp-derived consumer products; and

86.22 (2) associated paraphernalia.

86.23 ~~(b)~~ (c) A medical cannabis ~~retailer license~~ retail endorsement holder must verify that all
86.24 ~~medical cannabis flower and medical cannabinoid products~~ under paragraph (b), clause (1),
86.25 have passed safety, potency, and consistency testing at a cannabis testing facility approved
86.26 by the office for the testing of ~~medical cannabis flower and medical cannabinoid~~ products
86.27 under paragraph (b), clause (1), before the ~~medical cannabis retailer~~ business may distribute
86.28 ~~the medical cannabis flower or medical cannabinoid product~~ products to any person
86.29 ~~authorized to receive medical cannabis flower or medical cannabinoid products~~ enrolled in
86.30 the medical cannabis patient registry program under section 342.52.

86.31 Subd. 2. **Distribution requirements.** (a) Prior to distribution of ~~medical cannabis flower~~
86.32 ~~or medical cannabinoid products,~~ a medical cannabis retailer licensee products listed in
86.33 subdivision 1, paragraph (b), to a person enrolled in the patient registry program, an employee

87.1 with a valid medical cannabis consultant certificate issued by the office or a licensed
87.2 pharmacist under chapter 151 must:

87.3 (1) review and confirm the patient's enrollment in the registry ~~verification~~ program;

87.4 (2) verify that the person requesting the distribution of ~~medical cannabis flower or~~
87.5 ~~medical cannabinoid~~ products listed under subdivision 1, paragraph (b), is the patient, the
87.6 patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse
87.7 using the procedures ~~specified in section 152.11, subdivision 2d~~ established by the office;

87.8 (3) ~~ensure that a pharmacist employee of the medical cannabis retailer has consulted~~
87.9 ~~with the patient if required according to subdivision 3; and~~

87.10 (3) provide consultation to the patient to determine the proper type of product, dosage,
87.11 and paraphernalia for the patient if required under subdivision 3;

87.12 (4) apply a patient-specific label on the ~~medical cannabis flower or medical cannabinoid~~
87.13 product that includes recommended dosage requirements and other information as required
87.14 ~~by rules adopted~~ by the office; and

87.15 (5) provide the patient with any other information required by the office.

87.16 (b) A medical cannabis ~~retailer~~ retail endorsement holder may not deliver ~~medical~~
87.17 ~~cannabis flower or medical cannabinoid~~ products listed in subdivision 1, paragraph (b), to
87.18 a person enrolled in the patient registry program unless the medical cannabis ~~retailer~~ retail
87.19 endorsement holder also holds a cannabis delivery service license. The delivery of ~~medical~~
87.20 ~~cannabis flower and medical cannabinoid~~ products are a product listed in subdivision 1,
87.21 paragraph (b), is subject to the provisions of section 342.42.

87.22 Subd. 3. **Final approval for distribution of ~~medical cannabis flower and medical~~**
87.23 **~~cannabinoid~~ products.** (a) A cannabis worker who is employed by a medical cannabis
87.24 ~~retailer and~~ retail endorsement holder who is licensed as a pharmacist pursuant to chapter
87.25 151 ~~shall be~~ or certified as a medical cannabis consultant by the office is the only person
87.26 who may give final approval for the distribution of ~~medical cannabis flower and medical~~
87.27 ~~cannabinoid~~ products listed in subdivision 1, paragraph (b). Prior to the distribution of
87.28 ~~medical cannabis flower or medical cannabinoid~~ products listed in subdivision 1, paragraph
87.29 (b), a pharmacist or certified medical cannabis consultant employed by ~~the~~ a business with
87.30 a medical cannabis ~~retailer~~ retail endorsement must consult with the patient to determine
87.31 the proper type of ~~medical cannabis flower, medical cannabinoid~~ product, ~~or medical cannabis~~
87.32 proper type of paraphernalia, and proper dosage for the patient after reviewing the range of

88.1 chemical compositions of ~~medical cannabis flower or medical cannabinoid~~ the product;
88.2 intended for distribution:

88.3 (1) if the patient is purchasing the product for the first time;

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

88.6 (3) if the patient purchases a product with a cannabinoid concentration of at least double
88.7 the patient's prior dosage; or

88.8 (4) upon the request of the patient.

88.9 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure
88.10 videoconference, telephone, or other remote means, as long as:

88.11 (1) the pharmacist or consultant engaging in the consultation is able to confirm the
88.12 identity of the patient; and

88.13 (2) the consultation adheres to patient privacy requirements that apply to health care
88.14 services delivered through telemedicine.

88.15 ~~(b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the~~
88.16 ~~distribution of medical cannabis flower or medical cannabinoid products when a medical~~
88.17 ~~cannabis retailer is distributing medical cannabis flower or medical cannabinoid products~~
88.18 ~~to a patient according to a patient-specific dosage plan established with that medical cannabis~~
88.19 ~~retailer and is not modifying the dosage or product being distributed under that plan. Medical~~
88.20 ~~cannabis flower or medical cannabinoid products distributed under this paragraph must be~~
88.21 ~~distributed by a pharmacy technician employed by the medical cannabis retailer.~~

88.22 **Subd. 4. 90-day supply.** ~~A medical cannabis retailer shall not distribute more than a~~
88.23 ~~90-day supply of medical cannabis flower or medical cannabinoid products to a patient,~~
88.24 ~~registered designated caregiver, or parent, legal guardian, or spouse of a patient according~~
88.25 ~~to the dosages established for the individual patient.~~

88.26 **Subd. 5. Distribution to recipient in a motor vehicle.** A medical cannabis ~~retailer~~ retail
88.27 endorsement holder may distribute ~~medical cannabis flower and medical cannabinoid~~
88.28 ~~products~~ a product listed in subdivision 1, paragraph (b), to a patient, registered-designated
88.29 caregiver, or parent, legal guardian, or spouse of a patient person enrolled in the patient
88.30 registry program who is at a dispensary location but remains in a motor vehicle, provided
88.31 that:

89.1 (1) staff receive payment and distribute ~~medical cannabis flower and medical cannabinoid~~
89.2 ~~products~~ a product listed in subdivision 1, paragraph (b), in a designated zone that is as
89.3 close as feasible to the front door of the facility;

89.4 (2) the medical cannabis ~~retailer~~ retail endorsement holder ensures that the receipt of
89.5 payment and distribution of ~~medical cannabis flower and medical cannabinoid products~~ a
89.6 product listed in subdivision 1, paragraph (b), are visually recorded by a closed-circuit
89.7 television surveillance camera and provides any other necessary security safeguards;

89.8 (3) the medical cannabis ~~retailer~~ retail endorsement holder does not store ~~medical cannabis~~
89.9 ~~flower or medical cannabinoid products~~ a product listed in subdivision 1, paragraph (b),
89.10 outside a restricted access area and staff transport ~~medical cannabis flower and medical~~
89.11 ~~cannabinoid products~~ the product from a restricted access area to the designated zone for
89.12 distribution only after confirming that the ~~patient, designated caregiver, or parent, guardian,~~
89.13 ~~or spouse~~ person enrolled in the patient registry program has arrived in the designated zone;

89.14 (4) the payment for and distribution of ~~medical cannabis flower and medical cannabinoid~~
89.15 ~~products~~ a product listed in subdivision 1, paragraph (b), take place only after a ~~pharmacist~~
89.16 ~~consultation takes place, if required under subdivision 3~~ meeting the requirements in
89.17 subdivision 2;

89.18 (5) immediately following the distribution of ~~medical cannabis flower or medical~~
89.19 ~~cannabinoid products~~ a product listed in subdivision 1, paragraph (b), staff ~~enter~~ record the
89.20 transaction in the statewide monitoring system; and

89.21 (6) immediately following the distribution of ~~medical cannabis flower and medical~~
89.22 ~~cannabinoid products~~ a product listed in subdivision 1, paragraph (b), staff take the payment
89.23 received into the facility.

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

89.25 Sec. 96. Minnesota Statutes 2023 Supplement, section 342.515, is amended to read:

89.26 **342.515 MEDICAL CANNABIS COMBINATION BUSINESSES.**

89.27 Subdivision 1. **Authorized actions.** (a) A person, cooperative, or business holding a
89.28 medical cannabis combination business license is prohibited from owning or operating any
89.29 other cannabis business or hemp business or holding an active registration agreement under
89.30 section 152.25, subdivision 1.

89.31 (b) A person or business may hold only one medical cannabis combination business
89.32 license.

90.1 (c) A medical cannabis combination business license entitles the license holder to perform
90.2 any or all of the following within the limits established by this section:

90.3 (1) grow cannabis plants from seed or immature plant to mature plant and harvest
90.4 ~~adult-use~~ cannabis flower and ~~medical~~ cannabis flower from a mature plant;

90.5 (2) make cannabis concentrate;

90.6 (3) make hemp concentrate, including hemp concentrate with a delta-9
90.7 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

90.8 (4) manufacture artificially derived cannabinoids;

90.9 (5) manufacture ~~medical~~ cannabinoid products;

90.10 (6) manufacture adult-use cannabis products, lower-potency hemp edibles, and
90.11 hemp-derived consumer products for public consumption;

90.12 (7) purchase immature cannabis plants and seedlings and cannabis flower from a cannabis
90.13 microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler,
90.14 ~~a medical cannabis cultivator~~, or another medical cannabis combination business;

90.15 (8) purchase hemp plant parts and propagules from an industrial hemp grower licensed
90.16 under chapter 18K;

90.17 (9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids
90.18 from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a
90.19 cannabis wholesaler, ~~a medical cannabis processor~~, or another medical cannabis combination
90.20 business;

90.21 (10) purchase hemp concentrate from an industrial hemp processor licensed under chapter
90.22 18K;

90.23 (11) package and label ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products for
90.24 sale to ~~medical cannabis processors~~, ~~medical cannabis retailers~~, other medical cannabis
90.25 combination businesses; and patients enrolled in the registry program, registered designated
90.26 caregivers, and parents, legal guardians, and spouses of an enrolled patient;

90.27 (12) package and label adult-use cannabis flower, adult-use cannabis products,
90.28 lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;

90.29 (13) sell ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products to patients enrolled
90.30 in the registry program, registered designated caregivers, and parents, legal guardians, and
90.31 spouses of an enrolled patient;

91.1 (14) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use
91.2 cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and
91.3 other products authorized by law to other cannabis businesses and to customers; and

91.4 (15) perform other actions approved by the office.

91.5 Subd. 2. **Cultivation; size limitations.** (a) A medical cannabis combination business
91.6 may cultivate cannabis to be sold as ~~medical~~ cannabis flower or used in ~~medical~~ cannabinoid
91.7 products in an area of up to 60,000 square feet of plant canopy subject to the limits on
91.8 adult-use cannabis cultivation in paragraph (c).

91.9 (b) A medical cannabis combination business may cultivate cannabis to be sold as
91.10 adult-use cannabis flower or used in adult-use cannabis products in an area authorized by
91.11 the office as described in paragraph (c).

91.12 (c) The office shall authorize a medical cannabis combination business to cultivate
91.13 cannabis for sale in the adult-use market in an area of plant canopy that is equal to one-half
91.14 of the area the business used to cultivate cannabis sold in the medical market in the preceding
91.15 year. The office shall establish an annual verification and authorization procedure. The
91.16 office may increase the area of plant canopy in which a medical cannabis combination
91.17 business is authorized to cultivate cannabis for sale in the adult-use market between
91.18 authorization periods if the business demonstrates a significant increase in the sale of medical
91.19 cannabis and medical cannabis products.

91.20 Subd. 3. **Manufacturing; size limitations.** The office may establish limits on cannabis
91.21 manufacturing that are consistent with the area of plant canopy a business is authorized to
91.22 cultivate.

91.23 Subd. 4. **Retail locations.** A medical cannabis combination business may operate up to
91.24 one retail location in each congressional district. ~~A medical cannabis combination business~~
91.25 ~~must offer medical cannabis flower, medical cannabinoid products, or both at every retail~~
91.26 ~~location.~~ Each retail location of a medical cannabis combination business must continuously
91.27 make cannabis flower or cannabinoid products available to patients enrolled in the registry
91.28 program, registered designated caregivers, and parents, legal guardians, and spouses of an
91.29 enrolled patient.

91.30 Subd. 5. **Failure to participate; suspension or revocation of license.** The office may
91.31 suspend or revoke a medical cannabis combination business license if the office determines
91.32 that the business is no longer actively participating in the medical cannabis market. The
91.33 office may, by rule, establish minimum requirements related to cannabis cultivation,
91.34 manufacturing of ~~medical~~ cannabinoid products, retail sales of ~~medical~~ cannabis flower and

92.1 ~~medical~~ cannabinoid products, and other relevant criteria to demonstrate active participation
92.2 in the medical cannabis market.

92.3 Subd. 6. **Operations.** A medical cannabis combination business must comply with the
92.4 relevant requirements of sections 342.25, 342.26, 342.27, and 342.51, subdivisions 2 to 5.

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

92.6 Sec. 97. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 1, is amended
92.7 to read:

92.8 Subdivision 1. **Administration.** The ~~Division of Medical Cannabis~~ office must administer
92.9 the medical cannabis patient registry program.

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

92.11 Sec. 98. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 2, is amended
92.12 to read:

92.13 Subd. 2. **Application procedure for patients.** (a) A patient seeking to enroll in the
92.14 registry program must submit to the ~~Division of Medical Cannabis~~ office an application
92.15 established by the ~~Division of Medical Cannabis~~ office and a copy of the certification
92.16 specified in paragraph (b) or, if the patient is a veteran who receives care from the United
92.17 States Department of Veterans Affairs, the information required pursuant to subdivision 3.
92.18 The patient must provide at least the following information in the application:

92.19 (1) the patient's name, mailing address, and date of birth;

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

92.22 (3) the name, mailing address, and date of birth of the patient's registered designated
92.23 caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian,
92.24 or spouse will be acting as the patient's caregiver;

92.25 (4) a disclosure signed by the patient that includes:

92.26 (i) a statement that, notwithstanding any law to the contrary, the office of ~~Cannabis~~
92.27 ~~Management, the Division of Medical Cannabis,~~ or an employee of the office of ~~Cannabis~~
92.28 ~~Management or Division of Medical Cannabis~~ may not be held civilly or criminally liable
92.29 for any injury, loss of property, personal injury, or death caused by an act or omission while
92.30 acting within the employee's scope of office or employment under this section; and

93.1 (ii) the patient's acknowledgment that enrollment in the registry program is conditional
93.2 on the patient's agreement to meet all other requirements of this section; and

93.3 (5) all other information required by the ~~Division of Medical Cannabis~~ office.

93.4 (b) As part of the application under this subdivision, a patient must submit a copy of a
93.5 certification from the patient's health care practitioner that is dated within 90 days prior to
93.6 the submission of the application and that certifies that the patient has been diagnosed with
93.7 a qualifying medical condition.

93.8 (c) A patient's health care practitioner may submit a statement to the ~~Division of Medical~~
93.9 ~~Cannabis~~ office declaring that the patient is no longer diagnosed with a qualifying medical
93.10 condition. Within 30 days after receipt of a statement from a patient's health care practitioner,
93.11 the ~~Division of Medical Cannabis~~ office must provide written notice to a patient stating that
93.12 the patient's enrollment in the registry program will be revoked in 30 days unless the patient
93.13 submits a certification from a health care practitioner that the patient is currently diagnosed
93.14 with a qualifying medical condition or, if the patient is a veteran, the patient submits
93.15 confirmation that the patient is currently diagnosed with a qualifying medical condition in
93.16 a form and manner consistent with the information required for an application made pursuant
93.17 to subdivision 3. If the ~~Division of Medical Cannabis~~ office revokes a patient's enrollment
93.18 in the registry program pursuant to this paragraph, the division must provide notice to the
93.19 patient and to the patient's health care practitioner.

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

93.21 Sec. 99. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 3, is amended
93.22 to read:

93.23 Subd. 3. **Application procedure for veterans.** (a) The ~~Division of Medical Cannabis~~
93.24 office shall establish an alternative certification procedure for veterans who receive care
93.25 from the United States Department of Veterans Affairs to confirm that the veteran has been
93.26 diagnosed with a qualifying medical condition.

93.27 (b) A patient who is also a veteran and is seeking to enroll in the registry program must
93.28 submit to the ~~Division of Medical Cannabis~~ office a copy of the patient's veteran health
93.29 identification card issued by the United States Department of Veterans Affairs and an
93.30 application established by the ~~Division of Medical Cannabis~~ that includes the information
93.31 identified in subdivision 2, paragraph (a), and the additional information required by the
93.32 ~~Division of Medical Cannabis~~ office to certify that the patient has been diagnosed with a
93.33 qualifying medical condition.

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

94.2 Sec. 100. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended
94.3 to read:

94.4 Subd. 4. **Enrollment; denial of enrollment; revocation.** (a) Within 30 days after the
94.5 receipt of an application and certification or other documentation of a diagnosis with a
94.6 qualifying medical condition, the ~~Division of Medical Cannabis~~ office must approve or
94.7 deny a patient's enrollment in the registry program. If the ~~Division of Medical Cannabis~~
94.8 office approves a patient's enrollment in the registry program, the office must provide notice
94.9 to the patient and to the patient's health care practitioner.

94.10 (b) The office may deny a patient's enrollment in the registry program ~~must only be~~
94.11 ~~denied~~ only if the patient:

94.12 (1) does not submit a certification from a health care practitioner or, if the patient is a
94.13 veteran, the documentation required under subdivision 3 that the patient has been diagnosed
94.14 with a qualifying medical condition;

94.15 (2) has not signed the disclosure required in subdivision 2;

94.16 (3) does not provide the information required by the ~~Division of Medical Cannabis~~
94.17 office;

94.18 (4) provided false information on the application; or

94.19 (5) at the time of application, is also enrolled in a federally approved clinical trial for
94.20 the treatment of a qualifying medical condition with medical cannabis.

94.21 (c) If the ~~Division of Medical Cannabis~~ office denies a patient's enrollment in the registry
94.22 program, the ~~Division of Medical Cannabis~~ office must provide written notice to a patient
94.23 of all reasons for denying enrollment. Denial of enrollment in the registry program is
94.24 considered a final decision of the office and is subject to judicial review under chapter 14.

94.25 (d) The office may revoke a patient's enrollment in the registry program ~~may be revoked~~
94.26 only:

94.27 (1) pursuant to subdivision 2, paragraph (c);

94.28 (2) upon the death of the patient;

94.29 (3) if the patient's certifying health care practitioner has filed a declaration under
94.30 subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the
94.31 patient does not submit another certification within 30 days;

95.1 (4) if the patient does not comply with subdivision 6; or

95.2 (5) if the patient intentionally sells or diverts ~~medical~~ cannabis flower or ~~medical~~
95.3 cannabinoid products in violation of this chapter.

95.4 (e) If the office has revoked a patient's enrollment in the registry program ~~has been~~
95.5 ~~revoked~~ due to a violation of subdivision 6, the patient may apply for enrollment 12 months
95.6 after the date on which the patient's enrollment was revoked. The office must process such
95.7 an application in accordance with this subdivision.

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

95.9 Sec. 101. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 5, is amended
95.10 to read:

95.11 Subd. 5. **Registry verification.** When a patient is enrolled in the registry program, the
95.12 ~~Division of Medical Cannabis~~ office must assign the patient a patient registry number and
95.13 must issue the patient and the patient's registered designated caregiver, parent, legal guardian,
95.14 or spouse, if applicable, a registry verification. The ~~Division of Medical Cannabis~~ office
95.15 must also make the registry verification available to ~~medical cannabis retailers~~ businesses
95.16 with a medical cannabis retail endorsement. The registry verification must include:

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

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

95.19 (3) the name and date of birth of the patient's registered designated caregiver, if any, or
95.20 the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or
95.21 spouse will act as a caregiver.

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

95.23 Sec. 102. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 9, is amended
95.24 to read:

95.25 Subd. 9. **Registered designated caregiver.** (a) The ~~Division of Medical Cannabis~~ office
95.26 must register a designated caregiver for a patient if the patient requires assistance in
95.27 administering ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products or in obtaining
95.28 ~~medical~~ cannabis flower, ~~medical~~ cannabinoid products, or ~~medical~~ cannabis paraphernalia
95.29 from a ~~medical~~ cannabis ~~retailer~~ business with a medical cannabis retail endorsement under
95.30 section 342.51.

95.31 (b) In order to serve as a designated caregiver, a person must:

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

96.2 (2) agree to only possess ~~the patient's medical cannabis flower and medical cannabinoid~~
96.3 products purchased under section 342.51 for purposes of assisting the patient; and

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

96.7 ~~(e) The office shall conduct a criminal background check on the designated caregiver~~
96.8 ~~prior to registration to ensure that the person does not have a conviction for a disqualifying~~
96.9 ~~felony offense. Any cost of the background check shall be paid by the person seeking~~
96.10 ~~registration as a designated caregiver. A designated caregiver must have the criminal~~
96.11 ~~background check renewed every two years.~~

96.12 ~~(d)~~ (c) Nothing in this section shall be construed to prevent a registered designated
96.13 caregiver from being enrolled in the registry program as a patient and possessing and
96.14 administering ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products as a patient.

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

96.16 Sec. 103. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended
96.17 to read:

96.18 Subd. 11. **Notice of change of name or address.** Patients and registered designated
96.19 caregivers must notify the ~~Division of Medical Cannabis~~ office of any address or name
96.20 change within 30 days of the change having occurred. A patient or registered designated
96.21 caregiver is subject to a \$100 fine for failure to notify the office of the change.

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

96.23 Sec. 104. Minnesota Statutes 2023 Supplement, section 342.53, is amended to read:

96.24 **342.53 DUTIES OF OFFICE OF CANNABIS MANAGEMENT; REGISTRY**
96.25 **PROGRAM ADDING OR MODIFYING QUALIFYING MEDICAL CONDITIONS.**

96.26 The office may ~~add an allowable form of medical cannabinoid product, and may add or~~
96.27 ~~modify a qualifying medical condition upon its~~ the office's own initiative, upon a petition
96.28 from a member of the public or from the Cannabis Advisory Council, or as directed by law.
96.29 The office must evaluate all petitions and must make the addition or modification if the
96.30 office determines that the addition or modification is warranted by the best available evidence
96.31 and research. If the office wishes to ~~add an allowable form or~~ add or modify a qualifying

97.1 medical condition, the office must notify the chairs and ranking minority members of the
97.2 legislative committees and divisions with jurisdiction over health finance and policy by
97.3 January 15 of the year in which the change becomes effective. In this notification, the office
97.4 must specify the proposed addition or modification, the reasons for the addition or
97.5 modification, any written comments received by the office from the public about the addition
97.6 or modification, and any guidance received from the Cannabis Advisory Council. An addition
97.7 or modification by the office under this subdivision becomes effective on August 1 of that
97.8 year unless the legislature by law provides otherwise.

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

97.10 Sec. 105. Minnesota Statutes 2023 Supplement, section 342.54, is amended to read:

97.11 **342.54 DUTIES OF ~~DIVISION OF MEDICAL CANNABIS~~ OFFICE OF**
97.12 **CANNABIS MANAGEMENT; MEDICAL CANNABIS PATIENT REGISTRY**
97.13 **PROGRAM.**

97.14 Subdivision 1. **Duties related to health care practitioners.** The ~~Division of Medical~~
97.15 ~~Cannabis~~ office must:

97.16 (1) provide notice of the registry program to health care practitioners in the state;

97.17 (2) allow health care practitioners to participate in the registry program if they request
97.18 to participate and meet the program's requirements;

97.19 (3) provide explanatory information and assistance to health care practitioners to
97.20 understand the nature of the therapeutic use of ~~medical~~ cannabis flower and ~~medical~~
97.21 cannabinoid products within program requirements;

97.22 (4) make available to participating health care practitioners a certification form in which
97.23 a health care practitioner certifies that a patient has a qualifying medical condition; and

97.24 (5) supervise the participation of health care practitioners in the registry reporting system
97.25 in which health care practitioners report patient treatment and health records information
97.26 to the office in a manner that ensures stringent security and record keeping requirements
97.27 and that prevents the unauthorized release of private data on individuals as defined in section
97.28 13.02.

97.29 Subd. 2. **Duties related to the medical registry program.** The ~~Division of Medical~~
97.30 ~~Cannabis~~ office must:

97.31 (1) administer the registry program according to section 342.52;

98.1 (2) provide information to patients enrolled in the registry program on the existence of
98.2 federally approved clinical trials for the treatment of the patient's qualifying medical condition
98.3 with ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products as an alternative to enrollment
98.4 in the registry program;

98.5 (3) maintain safety criteria with which patients must comply as a condition of participation
98.6 in the registry program to prevent patients from undertaking any task under the influence
98.7 of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products that would constitute negligence
98.8 or professional malpractice;

98.9 (4) review and publicly report on existing medical and scientific literature regarding the
98.10 range of recommended dosages for each qualifying medical condition, the range of chemical
98.11 compositions of ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products that will likely
98.12 be medically beneficial for each qualifying medical condition, and any risks of noncannabis
98.13 drug interactions. This information must be updated by December 1 ~~of each year~~ every three
98.14 years. The office may consult with an independent laboratory under contract with the office
98.15 or other experts in reporting and updating this information; and

98.16 (5) annually consult with cannabis businesses about medical cannabis that the businesses
98.17 cultivate, manufacture, and offer for sale and post on the ~~Division of Medical Cannabis~~
98.18 office website a list of the ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products offered
98.19 for sale by each ~~medical~~ cannabis retailer.

98.20 Subd. 3. **Research.** (a) The ~~Division of Medical Cannabis~~ office must conduct or contract
98.21 with a third party to conduct research and studies using data from health records submitted
98.22 to the registry program under section 342.55, subdivision 2, and data submitted to the registry
98.23 program under section 342.52, subdivisions 2 and 3. If the ~~division~~ office contracts with a
98.24 third party for research and studies, the third party must provide the ~~division~~ office with
98.25 access to all research and study results. The ~~division~~ office must submit reports on
98.26 intermediate or final research results to the legislature and major scientific journals. All
98.27 data used by the ~~division~~ office or a third party under this subdivision must be used or
98.28 reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed
98.29 publication of research or in the creation of summary data, as defined in section 13.02,
98.30 subdivision 19.

98.31 (b) The ~~Division of Medical Cannabis~~ office may submit medical research based on the
98.32 data collected under sections 342.55, subdivision 2, and data collected through the statewide
98.33 monitoring system to any federal agency with regulatory or enforcement authority over
98.34 ~~medical~~ cannabis flower and ~~medical~~ cannabinoid products to demonstrate the effectiveness

99.1 of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products for treating or alleviating the
99.2 symptoms of a qualifying medical condition.

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

99.4 Sec. 106. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 1, is amended
99.5 to read:

99.6 Subdivision 1. **Health care practitioner duties before patient enrollment.** Before a
99.7 patient's enrollment in the registry program, a health care practitioner must:

99.8 (1) determine, in the health care practitioner's medical judgment, whether a patient has
99.9 a qualifying medical condition and, if so determined, provide the patient with a certification
99.10 of that diagnosis;

99.11 (2) advise patients, registered designated caregivers, and parents, legal guardians, and
99.12 spouses acting as caregivers of any nonprofit patient support groups or organizations;

99.13 (3) provide to patients explanatory information from the ~~Division of Medical Cannabis~~
99.14 office, including information about the experimental nature of the therapeutic use of ~~medical~~
99.15 cannabis flower and ~~medical~~ cannabinoid products; the possible risks, benefits, and side
99.16 effects of the proposed treatment; and the application and other materials from the office;

99.17 (4) provide to patients a Tennessee warning as required under section 13.04, subdivision
99.18 2; and

99.19 (5) agree to continue treatment of the patient's qualifying medical condition and to report
99.20 findings to the ~~Division of Medical Cannabis~~ office.

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

99.22 Sec. 107. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 2, is amended
99.23 to read:

99.24 Subd. 2. **Duties upon patient's enrollment in registry program.** Upon receiving
99.25 notification from the ~~Division of Medical Cannabis~~ office of the patient's enrollment in the
99.26 registry program, a health care practitioner must:

99.27 (1) participate in the patient registry reporting system under the guidance and supervision
99.28 of the ~~Division of Medical Cannabis~~ office;

99.29 (2) report to the ~~Division of Medical Cannabis~~ office patient health records throughout
99.30 the patient's ongoing treatment in a manner determined by the office and in accordance with
99.31 subdivision 4;

100.1 (3) determine ~~on a yearly basis~~ every three years if the patient continues to have a
100.2 qualifying medical condition and, if so, issue the patient a new certification of that diagnosis.
100.3 The patient assessment conducted under this clause may be conducted via telehealth, as
100.4 defined in section 62A.673, subdivision 2; and

100.5 (4) otherwise comply with requirements established by the office of Cannabis
100.6 Management and the ~~Division of Medical Cannabis~~.

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

100.8 Sec. 108. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 1, is amended
100.9 to read:

100.10 Subdivision 1. **Limitations on consumption; locations of consumption.** (a) Nothing
100.11 in sections ~~342.47~~ 342.51 to 342.60 permits any person to engage in, and does not prevent
100.12 the imposition of any civil, criminal, or other penalties for:

100.13 (1) undertaking a task under the influence of ~~medical~~ cannabis flower or ~~medical~~
100.14 cannabinoid products that would constitute negligence or professional malpractice;

100.15 (2) possessing or consuming ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products:

100.16 (i) on a school bus or van;

100.17 (ii) in a correctional facility;

100.18 (iii) in a state-operated treatment program, including the Minnesota sex offender program;

100.19 or

100.20 (iv) on the grounds of a child care facility or family or group family day care program;

100.21 (3) vaporizing or smoking medical cannabis:

100.22 (i) on any form of public transportation;

100.23 (ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would
100.24 be inhaled by a minor; or

100.25 (iii) in any public place, including any indoor or outdoor area used by or open to the
100.26 general public or a place of employment, as defined in section 144.413, subdivision 1b; and

100.27 (4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,
100.28 train, or motorboat or working on transportation property, equipment, or facilities while
100.29 under the influence of ~~medical~~ cannabis flower or a ~~medical~~ cannabinoid product.

101.1 (b) Except for the use of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products by
101.2 a patient enrolled in the patient registry program under section 342.52, the vaporizing or
101.3 smoking of cannabis flower, cannabis products, artificially derived cannabinoids, or
101.4 hemp-derived consumer products is prohibited in a multifamily housing building, including
101.5 balconies and patios appurtenant thereto. A violation of this paragraph is punishable through
101.6 a civil administrative fine in an amount of \$250.

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

101.8 Sec. 109. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 2, is amended
101.9 to read:

101.10 Subd. 2. **Health care facilities.** (a) Health care facilities licensed under chapter 144A;
101.11 hospice providers licensed under chapter 144A; boarding care homes or supervised living
101.12 facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities
101.13 owned, controlled, managed, or under common control with hospitals licensed under chapter
101.14 144; and other health care facilities licensed by the commissioner of health or the
101.15 commissioner of human services may adopt reasonable restrictions on the use of ~~medical~~
101.16 cannabis flower or ~~medical~~ cannabinoid products by a patient enrolled in the registry program
101.17 who resides at or is actively receiving treatment or care at the facility. The restrictions may
101.18 include a provision that the facility must not store or maintain a patient's supply of ~~medical~~
101.19 cannabis flower or ~~medical~~ cannabinoid products on behalf of the patient; that a patient
101.20 store the patient's supply of ~~medical~~ cannabis flower or medicinal cannabinoid products in
101.21 a locked container accessible only to the patient, the patient's designated caregiver, or the
101.22 patient's parent, legal guardian, or spouse; that the facility is not responsible for providing
101.23 medical cannabis for patients; and that ~~medical~~ cannabis flower or ~~medical~~ cannabinoid
101.24 products are used only in a location specified by the facility or provider. Nothing in this
101.25 subdivision requires facilities and providers listed in this subdivision to adopt such
101.26 restrictions.

101.27 (b) No facility or provider listed in this subdivision may unreasonably limit a patient's
101.28 access to or use of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products to the extent
101.29 that such use is authorized under sections ~~342.47~~ 342.51 to 342.59. No facility or provider
101.30 listed in this subdivision may prohibit a patient access to or use of ~~medical~~ cannabis flower
101.31 or ~~medical~~ cannabinoid products due solely to the fact that cannabis is a Schedule I drug
101.32 pursuant to the federal Uniform Controlled Substances Act. If a federal regulatory agency,
101.33 the United States Department of Justice, or the federal Centers for Medicare and Medicaid
101.34 Services takes one of the following actions, a facility or provider may suspend compliance

102.1 with this paragraph until the regulatory agency, the United States Department of Justice, or
102.2 the federal Centers for Medicare and Medicaid Services notifies the facility or provider that
102.3 it may resume permitting the use of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products
102.4 within the facility or in the provider's service setting:

102.5 (1) a federal regulatory agency or the United States Department of Justice initiates
102.6 enforcement action against a facility or provider related to the facility's compliance with
102.7 the medical cannabis program; or

102.8 (2) a federal regulatory agency, the United States Department of Justice, or the federal
102.9 Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
102.10 to the facility or provider that expressly prohibits the use of medical cannabis in health care
102.11 facilities or otherwise prohibits compliance with the medical cannabis program.

102.12 (c) An employee or agent of a facility or provider listed in this subdivision or a person
102.13 licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
102.14 of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products while carrying out employment
102.15 duties, including providing or supervising care to a patient enrolled in the registry program,
102.16 or distribution of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products to a patient
102.17 enrolled in the registry program who resides at or is actively receiving treatment or care at
102.18 the facility or from the provider with which the employee or agent is affiliated.

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

102.20 Sec. 110. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 1, is amended
102.21 to read:

102.22 Subdivision 1. **Presumption.** There is a presumption that a patient or other person
102.23 enrolled in the registry program is engaged in the authorized use or possession of ~~medical~~
102.24 cannabis flower and ~~medical~~ cannabinoid products. This presumption may be rebutted by
102.25 evidence that the ~~patient's use of medical cannabis flower or medical cannabinoid products~~
102.26 use or possession of cannabis flower or cannabinoid products by a patient or other person
102.27 enrolled in the registry program was not for the purpose of assisting with, treating, or
102.28 alleviating the patient's or other person's qualifying medical condition or symptoms associated
102.29 with the patient's or other person's qualifying medical condition.

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

103.1 Sec. 111. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 2, is amended
103.2 to read:

103.3 Subd. 2. **Criminal and civil protections.** (a) Subject to section 342.56, the use or
103.4 possession of cannabis flower, cannabinoid products, or cannabis paraphernalia by the
103.5 following are persons is not violations a violation of this chapter ~~or chapter 152~~:

103.6 (1) ~~use or possession of medical cannabis flower, medical cannabinoid products, or~~
103.7 ~~medical cannabis paraphernalia~~ by a patient or person enrolled in the registry program or
103.8 by a visiting patient to whom ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products are
103.9 distributed under section 342.51, subdivision 5;

103.10 (2) ~~possession of medical cannabis flower, medical cannabinoid products, or medical~~
103.11 ~~cannabis paraphernalia~~ by a registered designated caregiver or a parent, legal guardian, or
103.12 spouse of a patient or person enrolled in the registry program; or

103.13 (3) ~~possession of medical cannabis flower, medical cannabinoid products, or medical~~
103.14 ~~cannabis paraphernalia~~ by any person while that person is carrying out duties required under
103.15 sections ~~342.47~~ 342.51 to 342.60.

103.16 (b) The office ~~of Cannabis Management~~, members of the Cannabis Advisory Council,
103.17 ~~office of Cannabis Management~~ employees, agents or contractors of the office ~~of Cannabis~~
103.18 ~~Management~~, and health care practitioners participating in the registry program are not
103.19 subject to any civil penalties or disciplinary action by the Board of Medical Practice, the
103.20 Board of Nursing, or any business, occupational, or professional licensing board or entity
103.21 solely for participating in the registry program either in a professional capacity or as a
103.22 patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or
103.23 disciplinary action by the Board of Pharmacy when acting in accordance with sections
103.24 ~~342.47~~ 342.51 to 342.60 either in a professional capacity or as a patient. Nothing in this
103.25 section prohibits a professional licensing board from taking action in response to a violation
103.26 of law.

103.27 (c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the
103.28 governor, or an employee of a state agency must not be held civilly or criminally liable for
103.29 any injury, loss of property, personal injury, or death caused by any act or omission while
103.30 acting within the scope of office or employment under sections ~~342.47~~ 342.51 to 342.60.

103.31 (d) Federal, state, and local law enforcement authorities are prohibited from accessing
103.32 the registry except when acting pursuant to a valid search warrant. Notwithstanding section
103.33 13.09, a violation of this paragraph is a gross misdemeanor.

104.1 (e) Notwithstanding any law to the contrary, the office and employees of the office must
104.2 not release data or information about an individual contained in any report or document or
104.3 in the registry and must not release data or information obtained about a patient enrolled in
104.4 the registry program, except as provided in sections ~~342.47~~ 342.51 to 342.60.

104.5 Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.

104.6 (f) No information contained in a report or document, contained in the registry, or
104.7 obtained from a patient under sections ~~342.47~~ 342.51 to 342.60 may be admitted as evidence
104.8 in a criminal proceeding, unless:

104.9 (1) the information is independently obtained; or

104.10 (2) admission of the information is sought in a criminal proceeding involving a criminal
104.11 violation of sections ~~342.47~~ 342.51 to 342.60.

104.12 (g) Possession of a registry verification or an application for enrollment in the registry
104.13 program:

104.14 (1) does not constitute probable cause or reasonable suspicion;

104.15 (2) must not be used to support a search of the person or property of the person with a
104.16 registry verification or application to enroll in the registry program; and

104.17 (3) must not subject the person or the property of the person to inspection by any
104.18 government agency.

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

104.20 Sec. 112. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 3, is amended
104.21 to read:

104.22 Subd. 3. **School enrollment; rental property.** (a) No school may refuse to enroll or
104.23 otherwise penalize a patient or person enrolled in the registry program as a pupil ~~or otherwise~~
104.24 ~~penalize a patient~~ solely because the patient or person is enrolled in the registry program,
104.25 unless failing to do so would violate federal law or regulations or cause the school to lose
104.26 a monetary or licensing-related benefit under federal law or regulations.

104.27 (b) No landlord may refuse to lease to a patient or person enrolled in the registry program
104.28 or otherwise penalize a patient or person enrolled in the registry program solely because
104.29 the patient or person is enrolled in the registry program, unless failing to do so would violate
104.30 federal law or regulations or cause the landlord to lose a monetary or licensing-related
104.31 benefit under federal law or regulations.

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

105.1 Sec. 113. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 4, is amended
105.2 to read:

105.3 Subd. 4. **Medical care.** For purposes of medical care, including organ transplants, a
105.4 patient's use of ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products according to
105.5 sections ~~342.47~~ 342.51 to 342.60 is considered the equivalent of the authorized use of a
105.6 medication used at the discretion of a health care practitioner and does not disqualify a
105.7 patient from needed medical care.

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

105.9 Sec. 114. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 5, is amended
105.10 to read:

105.11 Subd. 5. **Employment.** (a) Unless a failure to do so would violate federal or state law
105.12 or regulations or cause an employer to lose a monetary or licensing-related benefit under
105.13 federal law or regulations, an employer may not discriminate against a person in hiring,
105.14 termination, or any term or condition of employment, or otherwise penalize a person, if the
105.15 discrimination is based on:

105.16 (1) the person's status as a patient or person enrolled in the registry program; or

105.17 (2) a patient's positive drug test for cannabis components or metabolites, unless the
105.18 patient used, possessed, sold, transported, or was impaired by ~~medical~~ cannabis flower or
105.19 a ~~medical~~ cannabinoid product on work premises, during working hours, or while operating
105.20 an employer's machinery, vehicle, or equipment.

105.21 (b) An employee who is a patient and whose employer requires the employee to undergo
105.22 drug testing according to section 181.953 may present the employee's registry verification
105.23 as part of the employee's explanation under section 181.953, subdivision 6.

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

105.25 Sec. 115. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 6, is amended
105.26 to read:

105.27 Subd. 6. **Custody; visitation; parenting time.** A person must not be denied custody of
105.28 a minor child or visitation rights or parenting time with a minor child based solely on the
105.29 person's status as a patient or person enrolled in the registry program. There must be no
105.30 presumption of neglect or child endangerment for conduct allowed under sections ~~342.47~~
105.31 342.51 to 342.60, unless the person's behavior creates an unreasonable danger to the safety
105.32 of the minor as established by clear and convincing evidence.

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

106.2 Sec. 116. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 7, is amended
106.3 to read:

106.4 Subd. 7. **Action for damages.** In addition to any other remedy provided by law, a patient
106.5 or person enrolled in the registry program may bring an action for damages against any
106.6 person who violates subdivision 3, 4, or 5. A person who violates subdivision 3, 4, or 5 is
106.7 liable to a patient or person enrolled in the registry program injured by the violation for the
106.8 greater of the person's actual damages or a civil penalty of \$100 and reasonable attorney
106.9 fees.

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

106.11 Sec. 117. Minnesota Statutes 2023 Supplement, section 342.58, is amended to read:

106.12 **342.58 VIOLATION BY HEALTH CARE PRACTITIONER; CRIMINAL**
106.13 **PENALTY.**

106.14 A health care practitioner who knowingly refers patients to a medical cannabis business
106.15 or to a designated caregiver, who advertises as a retailer or producer of ~~medical~~ cannabis
106.16 flower or ~~medical~~ cannabinoid products, or who issues certifications while holding a financial
106.17 interest in a cannabis retailer or medical cannabis business is guilty of a misdemeanor and
106.18 may be sentenced to imprisonment for not more than 90 days or to payment of not more
106.19 than \$1,000, or both.

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

106.21 Sec. 118. Minnesota Statutes 2023 Supplement, section 342.60, is amended to read:

106.22 **342.60 APPLIED RESEARCH.**

106.23 The ~~Division of Medical Cannabis~~ office may conduct, or award grants to health care
106.24 providers or research organizations to conduct, applied research on the safety and efficacy
106.25 of using ~~medical~~ cannabis flower or ~~medical~~ cannabinoid products to treat a specific health
106.26 condition. A health care provider or research organization receiving a grant under this section
106.27 must provide the office with access to all data collected in applied research funded under
106.28 this section. The office may use data from applied research conducted or funded under this
106.29 section as evidence to approve additional qualifying medical conditions ~~or additional~~
106.30 ~~allowable forms of medical cannabis.~~

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

107.1 Sec. 119. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 4, is amended
107.2 to read:

107.3 Subd. 4. **Testing of samples; disclosures.** (a) On a schedule determined by the office,
107.4 every cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
107.5 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
107.6 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
107.7 medical cannabis combination business shall make each batch of cannabis flower, cannabis
107.8 products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived
107.9 consumer products grown, manufactured, or imported by the cannabis business or hemp
107.10 business available to a cannabis testing facility.

107.11 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
107.12 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
107.13 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
107.14 medical cannabis combination business must disclose all known information regarding
107.15 pesticides, fertilizers, solvents, or other foreign materials, including but not limited to
107.16 catalysts used in creating artificially derived cannabinoids, applied or added to the batch of
107.17 cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp
107.18 edibles, or hemp-derived consumer products subject to testing. Disclosure must be made
107.19 to the cannabis testing facility and must include information about all applications by any
107.20 person, whether intentional or accidental.

107.21 (c) The cannabis testing facility shall select one or more representative samples from
107.22 each batch, test the samples for the presence of contaminants, and test the samples for
107.23 potency and homogeneity and to allow the cannabis flower, cannabis product, artificially
107.24 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product to be
107.25 accurately labeled with its cannabinoid profile. Testing for contaminants must include testing
107.26 for residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide
107.27 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include
107.28 testing for other contaminants. A cannabis testing facility must destroy or return to the
107.29 cannabis business or hemp business any part of the sample that remains after testing.

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

107.31 Sec. 120. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 5, is amended
107.32 to read:

107.33 Subd. 5. **Test results.** (a) If a sample meets the applicable testing standards, a cannabis
107.34 testing facility shall issue a certification to a cannabis microbusiness, cannabis

108.1 mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an
108.2 endorsement to import products, lower-potency hemp edible manufacturer, ~~medical cannabis~~
108.3 ~~cultivator, medical cannabis processor~~, or medical cannabis combination business and the
108.4 cannabis business or hemp business may then sell or transfer the batch of cannabis flower,
108.5 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
108.6 hemp-derived consumer products from which the sample was taken to another cannabis
108.7 business or hemp business, or offer the cannabis flower, cannabis products, lower-potency
108.8 hemp edibles, or hemp-derived consumer products for sale to customers or patients. If a
108.9 sample does not meet the applicable testing standards or if the testing facility is unable to
108.10 test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from which
108.11 the sample was taken shall be subject to procedures established by the office for such batches,
108.12 including destruction, remediation, or retesting.

108.13 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
108.14 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
108.15 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor~~, or
108.16 medical cannabis combination business must maintain the test results for cannabis flower,
108.17 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
108.18 hemp-derived consumer products grown, manufactured, or imported by that cannabis
108.19 business or hemp business for at least five years after the date of testing.

108.20 (c) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
108.21 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
108.22 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor~~, or
108.23 medical cannabis combination business shall make test results maintained by that cannabis
108.24 business or hemp business available for review by any member of the public, upon request.
108.25 Test results made available to the public must be in plain language.

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

108.27 Sec. 121. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a
108.28 subdivision to read:

108.29 Subd. 1a. **Appeal to individuals under 21 years of age.** For the purposes of this section
108.30 and section 342.64, "appeal to individuals under 21 years of age" means any of the following:

108.31 (1) the use of images, including but not limited to any of the following:

108.32 (i) images depicting cartoons, toys, or robots;

108.33 (ii) images depicting any real or fictional humans; and

- 109.1 (iii) images depicting any fictional animals or creatures;
- 109.2 (2) the use of images depicting fruits or vegetables, except when used to accurately
109.3 describe ingredients or flavors contained in a product;
- 109.4 (3) the use of any images bearing a likeness to images, characters, or phrases that are
109.5 popularly used to advertise to children;
- 109.6 (4) the use of any image imitating candy packaging or labeling, or imitating other
109.7 packaging or labeling of cereals, sweets, chips, or other food products typically marketed
109.8 to children;
- 109.9 (5) the use of terms "candy" or "candies" or variants in spelling of the term "candy,"
109.10 such as "kandy" or "kandee";
- 109.11 (6) the use of brand names or close imitations of brand names of candies, cereals, sweets,
109.12 chips, or other food products typically marketed to children; and
- 109.13 (7) the use of any other image or packaging that could be easily confused with
109.14 commercially available foods that do not contain cannabis and are typically marketed to
109.15 children.

109.16 Sec. 122. Minnesota Statutes 2023 Supplement, section 342.62, subdivision 3, is amended
109.17 to read:

109.18 Subd. 3. **Packaging prohibitions.** (a) Cannabis flower, cannabis products, lower-potency
109.19 hemp edibles, or hemp-derived consumer products sold to customers or patients must not
109.20 be packaged in a manner that:

109.21 (1) bears a reasonable resemblance to any commercially available product that does not
109.22 contain cannabinoids, whether the manufacturer of the product holds a registered trademark
109.23 or has registered the trade dress; or

109.24 (2) is designed to appeal to ~~persons~~ individuals under 21 years of age.

109.25 (b) Packaging for cannabis flower, cannabis products, lower-potency hemp edibles, and
109.26 hemp-derived consumer products must not contain or be coated with any perfluoroalkyl
109.27 substance.

109.28 (c) Edible cannabis products and lower-potency hemp edibles must not be packaged in
109.29 a material that is not approved by the United States Food and Drug Administration for use
109.30 in packaging food.

110.1 Sec. 123. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a
110.2 subdivision to read:

110.3 Subd. 4. **Prohibition of the sale of certain empty packaging.** No person shall sell,
110.4 offer for sale, or facilitate the sale of empty packaging that, if used, would be a violation of
110.5 any provision of this section. Enforcement of this subdivision is subject to section 8.31.

110.6 Sec. 124. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 2, is amended
110.7 to read:

110.8 Subd. 2. **Content of label; cannabis.** All cannabis flower and hemp-derived consumer
110.9 products that consist of hemp plant parts sold to customers or patients must have affixed
110.10 on the packaging or container of the cannabis flower or hemp-derived consumer product a
110.11 label that contains at least the following information:

110.12 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
110.13 cannabis cultivator, ~~medical cannabis cultivator~~, or industrial hemp grower where the
110.14 cannabis flower or hemp plant part was cultivated;

110.15 (2) the net weight or volume of cannabis flower or hemp plant parts in the package or
110.16 container;

110.17 (3) the batch number;

110.18 (4) the cannabinoid profile;

110.19 (5) a universal symbol established by the office indicating that the package or container
110.20 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
110.21 hemp-derived consumer product;

110.22 (6) verification that the cannabis flower or hemp plant part was tested according to
110.23 section 342.61 and that the cannabis flower or hemp plant part complies with the applicable
110.24 standards;

110.25 ~~(7) the maximum dose, quantity, or consumption that may be considered medically safe~~
110.26 ~~within a 24-hour period;~~

110.27 (7) information on the usage of the cannabis flower or hemp-derived consumer product;

110.28 (8) the following statement: "Keep this product out of reach of children."; and

110.29 (9) any other statements or information required by the office.

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

111.1 Sec. 125. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 3, is amended
111.2 to read:

111.3 Subd. 3. **Content of label; cannabinoid products.** (a) All cannabis products,
111.4 lower-potency hemp edibles, hemp-derived consumer products other than products subject
111.5 to the requirements under subdivision 2, ~~medical~~ cannabinoid products, and hemp-derived
111.6 topical products sold to customers or patients must have affixed to the packaging or container
111.7 of the cannabis product a label that contains at least the following information:

111.8 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
111.9 cannabis cultivator, ~~medical-cannabis cultivator~~, or industrial hemp grower that cultivated
111.10 the cannabis flower or hemp plant parts used in the cannabis product, lower-potency hemp
111.11 edible, hemp-derived consumer product, or ~~medical~~ cannabinoid product;

111.12 (2) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
111.13 cannabis manufacturer, lower-potency hemp edible manufacturer, ~~medical-cannabis~~
111.14 ~~processor~~, or industrial hemp grower that manufactured the cannabis concentrate, hemp
111.15 concentrate, or artificially derived cannabinoid and, if different, the name and license number
111.16 of the cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, or
111.17 lower-potency hemp edible manufacturer, ~~or medical-cannabis processor~~ that manufactured
111.18 the product;

111.19 (3) the net weight or volume of the cannabis product, lower-potency hemp edible, or
111.20 hemp-derived consumer product in the package or container;

111.21 (4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer
111.22 product;

111.23 (5) the batch number;

111.24 (6) the serving size;

111.25 (7) the cannabinoid profile per serving and in total;

111.26 (8) a list of ingredients;

111.27 (9) a universal symbol established by the office indicating that the package or container
111.28 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
111.29 hemp-derived consumer product;

111.30 (10) a warning symbol developed by the office in consultation with the commissioner
111.31 of health and the Minnesota Poison Control System that:

111.32 (i) is at least three-quarters of an inch tall and six-tenths of an inch wide;

- 112.1 (ii) is in a highly visible color;
- 112.2 (iii) includes a visual element that is commonly understood to mean a person should
112.3 stop;
- 112.4 (iv) indicates that the product is not for children; and
- 112.5 (v) includes the phone number of the Minnesota Poison Control System;
- 112.6 (11) verification that the cannabis product, lower-potency hemp edible, hemp-derived
112.7 consumer product, or ~~medical~~ cannabinoid product was tested according to section 342.61
112.8 and that the cannabis product, lower-potency hemp edible, hemp-derived consumer product,
112.9 or ~~medical~~ cannabinoid product complies with the applicable standards;
- 112.10 ~~(12) the maximum dose, quantity, or consumption that may be considered medically~~
112.11 ~~safe within a 24-hour period;~~
- 112.12 (12) information on the usage of the product;
- 112.13 (13) the following statement: "Keep this product out of reach of children."; and
- 112.14 (14) any other statements or information required by the office.
- 112.15 (b) The office may by rule establish alternative labeling requirements for lower-potency
112.16 hemp edibles that are imported into the state provided that those requirements provide
112.17 consumers with information that is substantially similar to the information described in
112.18 paragraph (a).
- 112.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 112.20 Sec. 126. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 4, is amended
112.21 to read:
- 112.22 Subd. 4. **Additional content of label; ~~medical~~ cannabis flower and ~~medical~~**
112.23 **cannabinoid products.** In addition to the applicable requirements for labeling under
112.24 subdivision 2 or 3, all ~~medical~~ cannabis flower sold to patients and ~~medical~~ cannabinoid
112.25 products sold to patients must include at least the following information on the label affixed
112.26 to the packaging or container of the ~~medical~~ cannabis flower or ~~medical~~ cannabinoid product:
- 112.27 (1) the patient's name and date of birth;
- 112.28 (2) the name and date of birth of the patient's registered designated caregiver or, if listed
112.29 on the registry verification, the name of the patient's parent, legal guardian, or spouse, if
112.30 applicable; and
- 112.31 (3) the patient's registry identification number.

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

113.2 Sec. 127. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 6, is amended
113.3 to read:

113.4 Subd. 6. **Additional information.** (a) A cannabis microbusiness, cannabis mezzobusiness,
113.5 cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination business must
113.6 provide customers and patients with the following information:

113.7 (1) factual information specified by the office about impairment effects and the expected
113.8 timing of impairment effects, side effects, adverse effects, risks to mental health, risks to
113.9 the developing brain, contraindications during pregnancy and breastfeeding, addiction
113.10 potential, medication interactions, interactions with preexisting medical conditions, and
113.11 other health risks supported by science of cannabis flower, cannabis products, lower-potency
113.12 hemp edibles, and hemp-derived consumer products;

113.13 (2) a statement specified by the office that customers and patients must not operate a
113.14 motor vehicle or heavy machinery ~~while under the influence of cannabis flower, cannabis~~
113.15 ~~products, lower-potency~~ for ten hours after consuming edible THC-containing products or
113.16 for four hours after smoking or vaping THC-containing products ~~hemp edibles, and~~
113.17 ~~hemp-derived consumer products~~;

113.18 (3) resources specified by the office that customers and patients may consult to answer
113.19 questions about cannabis flower, cannabis products, lower-potency hemp edibles, and
113.20 hemp-derived consumer products, and any side effects and adverse effects;

113.21 (4) contact information for the poison control center and a safety hotline or website for
113.22 customers to report and obtain advice about side effects and adverse effects of cannabis
113.23 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer
113.24 products;

113.25 (5) substance use disorder treatment options; and

113.26 (6) any other information specified by the office.

113.27 (b) A cannabis microbusiness, cannabis mezzobusiness, or ~~cannabis retailer, or medical~~
113.28 ~~cannabis retailer~~ may include the information described in paragraph (a) on the label affixed
113.29 to the packaging or container of cannabis flower, cannabis products, lower-potency hemp
113.30 edibles, and hemp-derived consumer products by:

114.1 ~~(1) posting the information in the premises of the cannabis microbusiness, cannabis~~
114.2 ~~mezzobusiness, cannabis retailer, medical cannabis retailer, or medical cannabis combination~~
114.3 ~~business; or~~

114.4 ~~(2) providing the information on a separate document or pamphlet provided to customers~~
114.5 ~~or patients when the customer purchases cannabis flower, a cannabis product, a lower-potency~~
114.6 ~~hemp edible, or a hemp-derived consumer product.~~

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

114.8 Sec. 128. Minnesota Statutes 2023 Supplement, section 342.64, subdivision 1, is amended
114.9 to read:

114.10 Subdivision 1. **Limitations applicable to all advertisements.** Cannabis businesses,
114.11 hemp businesses, and other persons shall not publish or cause to be published an
114.12 advertisement for a cannabis business, a hemp business, cannabis flower, a cannabis product,
114.13 a lower-potency hemp edible, or a hemp-derived consumer product in a manner that:

114.14 (1) contains false or misleading statements;

114.15 (2) contains ~~unverified~~ claims about the health or therapeutic benefits or effects of
114.16 consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a
114.17 hemp-derived consumer product;

114.18 (3) promotes the overconsumption of cannabis flower, a cannabis product, a
114.19 lower-potency hemp edible, or a hemp-derived consumer product;

114.20 (4) depicts a person under 21 years of age consuming cannabis flower, a cannabis product,
114.21 a lower-potency hemp edible, or a hemp-derived consumer product; or

114.22 (5) includes an image designed or likely to appeal to individuals under 21 years of age,
114.23 including cartoons, toys, animals, candy, dessert, or children, or any other likeness to images,
114.24 characters, or phrases that is designed to be appealing to individuals under 21 years of age
114.25 or encourage consumption by individuals under 21 years of age; ~~and~~

114.26 (6) contains an image of alcohol or a person or persons consuming alcohol; and

114.27 (7) does not contain a warning as specified by the office regarding impairment and health
114.28 risks.

115.1 Sec. 129. Minnesota Statutes 2023 Supplement, section 342.70, subdivision 3, is amended
115.2 to read:

115.3 Subd. 3. **Grants to organizations.** (a) The Division of Social Equity must award grants
115.4 to eligible organizations through a competitive grant process.

115.5 (b) To receive grant money, an eligible organization must submit a written application
115.6 to the office, using a form developed by the office, explaining the community investment
115.7 the organization wants to make in an eligible community.

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

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

115.10 (2) a description of the positive impact that the proposed investment is expected to
115.11 generate for that community;

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

115.13 (4) any evidence of the organization's past success in making similar community
115.14 investments;

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

115.16 (6) the sources and amounts of any nonstate funds or in-kind contributions that will
115.17 supplement grant money; ~~and~~

115.18 (7) a description of the organization's engagement with youth-centered, community-based
115.19 organizations working with youth who are 14 to 24 years of age; and

115.20 (8) any additional information requested by the office.

115.21 (d) In awarding grants under this subdivision, the office shall give weight to the following:

115.22 (1) applications from organizations that demonstrate a history of successful community
115.23 investments, particularly in geographic areas that are now eligible communities. ~~The office~~
115.24 ~~shall also give weight to;~~

115.25 (2) applications that support youth civic engagement, leadership, and youth-led health
115.26 education opportunities, with preference for communities that have been most impacted by
115.27 cannabis-related usage, criminalization, or incarceration; and

115.28 (3) applications where there is demonstrated community support for the proposed
115.29 investment.

115.30 (e) The office shall fund investments in eligible communities throughout the state.

116.1 Sec. 130. Laws 2023, chapter 63, article 1, section 2, the effective date, is amended to
116.2 read:

116.3 **EFFECTIVE DATE.** This section is effective July 1, 2023, except for subdivision 3,
116.4 which is effective ~~March 1, 2025~~ July 1, 2024.

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

116.6 Sec. 131. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to
116.7 read:

116.8 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final
116.9 enactment.

116.10 Sec. 132. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to
116.11 read:

116.12 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final
116.13 enactment.

116.14 Sec. 133. Laws 2023, chapter 63, article 1, section 53, the effective date, is amended to
116.15 read:

116.16 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

116.18 Sec. 134. Laws 2023, chapter 63, article 1, section 54, the effective date, is amended to
116.19 read:

116.20 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

116.22 Sec. 135. Laws 2023, chapter 63, article 1, section 55, the effective date, is amended to
116.23 read:

116.24 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.1 Sec. 136. Laws 2023, chapter 63, article 1, section 56, the effective date, is amended to
117.2 read:

117.3 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.5 Sec. 137. Laws 2023, chapter 63, article 1, section 57, the effective date, is amended to
117.6 read:

117.7 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.9 Sec. 138. Laws 2023, chapter 63, article 1, section 58, the effective date, is amended to
117.10 read:

117.11 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.13 Sec. 139. Laws 2023, chapter 63, article 1, section 59, the effective date, is amended to
117.14 read:

117.15 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.17 Sec. 140. Laws 2023, chapter 63, article 1, section 61, the effective date, is amended to
117.18 read:

117.19 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

117.21 Sec. 141. Laws 2023, chapter 63, article 6, section 10, the effective date, is amended to
117.22 read:

117.23 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025 2024.

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

118.1 Sec. 142. Laws 2023, chapter 63, article 6, section 73, the effective date, is amended to
118.2 read:

118.3 **EFFECTIVE DATE.** Paragraph (a) is effective ~~March~~ December 1, 2025. Paragraph
118.4 (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

118.6 Sec. 143. **EMPLOYEE TRANSFER.**

118.7 (a) The powers, duties, rights, obligations, and other authority imposed by law on the
118.8 Department of Health with respect to the sale of certain cannabinoid products under
118.9 Minnesota Statutes, section 151.72, are transferred to the Office of Cannabis Management
118.10 under Minnesota Statutes, section 15.039.

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

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

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

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

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

118.24 (5) for an employee in a temporary unclassified position transferred to the Office of
118.25 Cannabis Management, the total length of time that the employee has served in the
118.26 appointment shall include all time served in the appointment at the transferring agency and
118.27 the time served in the appointment at the Office of Cannabis Management. An employee
118.28 in a temporary unclassified position who was hired by a transferring agency through an
118.29 open competitive selection process in accordance with a policy enacted by Minnesota
118.30 Management and Budget shall be considered to have been hired through such process after
118.31 the transfer.

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

119.1 **Sec. 144. LICENSE PREAPPROVAL.**

119.2 **Subdivision 1. Establishment.** Prior to the adoption of initial rules pursuant to Minnesota
119.3 Statutes, section 342.02, subdivision 5, the Office of Cannabis Management may issue
119.4 license preapprovals to social equity applicants and local units of government as described
119.5 in this section. For purposes of this section, "office" means the Office of Cannabis
119.6 Management.

119.7 **Subd. 2. Notice.** The office must announce the commencement of a license preapproval
119.8 application period by July 15, 2024, and must begin accepting applications on August 1,
119.9 2024. The announcement must include:

119.10 (1) the types of license preapprovals that are available;

119.11 (2) the number of license preapprovals available by license type;

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

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

119.14 **Subd. 3. Application requirements.** Only a social equity applicant as described in
119.15 Minnesota Statutes, section 342.17, or a local unit of government is eligible for a license
119.16 preapproval. The office shall not require an applicant to have legal control of a premises to
119.17 operate a cannabis business at the time of the initial application. An applicant for license
119.18 preapproval must complete an initial application according to Minnesota Statutes, section
119.19 342.14, subdivision 1, on a form approved by the office and pay the application fee required
119.20 by Minnesota Statutes, section 342.11, paragraph (b), to the office.

119.21 **Subd. 4. Application review.** (a) The office must accept applications for license
119.22 preapproval for 30 calendar days during the application period. As part of the application
119.23 process, the office must verify the applicant's status as a social equity applicant.

119.24 (b) The office may deny an application that:

119.25 (1) is incomplete;

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

119.27 (3) omits material information about the applicant;

119.28 (4) fails to meet the minimum qualifications in Minnesota Statutes, section 342.18,
119.29 subdivision 3, for a license; or

119.30 (5) is not submitted by the application deadline.

120.1 (c) The office may request additional information from an applicant if the office
120.2 determines that the information is necessary to review or process the application. If the
120.3 applicant does not provide the additional requested information within 14 calendar days,
120.4 the office may deny the application.

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

120.7 Subd. 5. **Lottery.** (a) If the number of available license preapprovals is less than the
120.8 number of qualified social equity applicants, the office must conduct a lottery. The lottery
120.9 must be impartial, random, and in a format determined by the office. The office shall issue
120.10 no more than the following number of license preapprovals per application period:

120.11 (1) cannabis microbusiness licenses, 100;

120.12 (2) cannabis mezzobusiness licenses, 15;

120.13 (3) cannabis cultivator licenses, 11;

120.14 (4) cannabis manufacturer licenses, six;

120.15 (5) cannabis retailer licenses, 50;

120.16 (6) cannabis wholesaler licenses, 20;

120.17 (7) cannabis transporter licenses, 20;

120.18 (8) cannabis testing facility licenses, 25;

120.19 (9) cannabis event organizer licenses, ten; and

120.20 (10) cannabis delivery service licenses, ten.

120.21 (b) Of the available license preapprovals listed in paragraph (a), the following number
120.22 of license preapprovals will be available for applicants that notify the office they will apply
120.23 for a medical retail endorsement and serve the medical registry market for at least three
120.24 years:

120.25 (1) cannabis microbusiness, 20;

120.26 (2) cannabis mezzobusiness, three; and

120.27 (3) cannabis retailer, ten.

120.28 Failure to receive a medical retail endorsement or to serve the medical registry market for
120.29 at least three years will result in a revocation of license.

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

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

121.10 **Subd. 6. Preapproval authority and restrictions.** (a) Once the office issues a license
121.11 preapproval to an applicant, the license preapproval is effective for 18 months after the date
121.12 of issuance or until it is converted to a full license, whichever is shorter. The holder of a
121.13 license preapproval may take the necessary steps to prepare for business operations,
121.14 including:

121.15 (1) establishing legal control of the site of the cannabis business;

121.16 (2) gaining zoning or planning approval for the site of the cannabis business from a local
121.17 unit of government; and

121.18 (3) raising capital for the license holder's business operations.

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

121.20 (1) engage in purchasing, possessing, cultivating, manufacturing, or selling cannabis or
121.21 cannabis products;

121.22 (2) grow, process, distribute, dispense, or otherwise handle cannabis;

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

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

121.28 **Subd. 7. Conversion to a full license.** The office must convert a license preapproval
121.29 into a full license at no cost to the applicant after the office adopts initial rules pursuant to
121.30 Minnesota Statutes, section 342.02, subdivision 5, unless the cannabis business does not
121.31 meet local zoning and land use laws. A license that is converted from a license preapproval

122.1 according to this subdivision expires 18 months after the date of the conversion to a full
122.2 license.

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

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

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

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

122.8 (b) The office may revoke a license preapproval if the holder of the license preapproval
122.9 or, if the license holder is a business entity, any cooperative member or director, manager,
122.10 or general partner of the business entity:

122.11 (1) fraudulently or deceptively obtained the license preapproval;

122.12 (2) fails to reveal any material fact pertaining to the licensee's qualification for a license;

122.13 (3) violates this chapter;

122.14 (4) is not registered or in good standing with the Office of the Secretary of State; or

122.15 (5) is in arrears on property, business, or personal taxes.

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

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

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

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

122.26 Subd. 10. **Retention of applications.** The office must retain an application that was not
122.27 selected in a lottery for one year. The retained application may be entered into subsequent
122.28 lotteries during that time.

122.29 Subd. 11. **Expiration.** This section expires when the office adopts initial rules pursuant
122.30 to Minnesota Statutes, section 342.02, subdivision 5.

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

123.2 Sec. 145. **EARLY CULTIVATION.**

123.3 (a) The Office of Cannabis Management must authorize a social equity applicant with
123.4 a license preapproval for a cannabis microbusiness license, cannabis mezzobusiness license,
123.5 or cannabis cultivator license, who has provided a certificate from the applicable local unit
123.6 of government that states the social equity applicant is in compliance with local zoning
123.7 ordinances and state fire and building codes, to grow cannabis plants within the approved
123.8 amount of space from seed or immature plant.

123.9 (b) The office shall require a person cultivating cannabis plants under this section to
123.10 comply with any relevant portions of Minnesota Rules, parts 4770.0100 to 4770.4030.

123.11 (c) The office shall establish temporary guidelines through agency policy. Temporary
123.12 guidelines expire when the office adopts initial rules pursuant to Minnesota Statutes, section
123.13 342.02, subdivision 5.

123.14 Sec. 146. **TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.**

123.15 The Department of Health shall transfer all data, including not public data as defined in
123.16 Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive
123.17 complaints involving alleged violations of Minnesota Statutes 2022, section 151.72, as well
123.18 as registration data collected under Minnesota Statutes 2022, section 151.72, subdivision
123.19 5b, to the Office of Cannabis Management. The Department of Health and the Office of
123.20 Cannabis Management shall ensure that the transfer takes place in a manner and on a schedule
123.21 that prioritizes public health.

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

123.23 Sec. 147. **TRANSFER OF MEDICAL PROGRAM.**

123.24 (a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the
123.25 Office of Cannabis Management may access data maintained by the commissioner of health
123.26 related to the responsibilities transferred under Minnesota Statutes, section 342.02,
123.27 subdivision 3. Data sharing authorized by this subdivision includes nonpublic data as defined
123.28 in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive
123.29 complaints involving any alleged violation of Minnesota Statutes, sections 152.22 to 152.37,
123.30 by a medical cannabis manufacturer. Data sharing under this paragraph further includes
123.31 data in patient files maintained by the commissioner and the health care practitioner and
123.32 data submitted to or by a medical cannabis manufacturer classified as private data on

124.1 individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic
124.2 data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data shared under
124.3 this section retain the data's classification from the agency holding the data.

124.4 (b) All rules adopted by the commissioner of health pursuant to Minnesota Statutes,
124.5 sections 152.22 to 152.37, including but not limited to Minnesota Rules, chapter 4770,
124.6 remain effective and shall be enforced until amended or repealed consistent with Minnesota
124.7 Statutes, section 15.039, subdivision 3.

124.8 (c) The director of the Office of Cannabis Management may use the good cause exempt
124.9 rulemaking process under Minnesota Statutes, section 14.388, subdivision 1, clauses (3)
124.10 and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030,
124.11 that are necessary to effectuate the transfer of authority granted under Minnesota Statutes,
124.12 section 342.02, subdivision 3. The commissioner may make technical changes and any
124.13 changes necessary to conform with the transfer of authority. Any change to the rules that
124.14 is not authorized under this paragraph must be adopted according to Minnesota Statutes,
124.15 sections 14.001 to 14.366.

124.16 (d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02,
124.17 subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed
124.18 by law on the Department of Health with respect to the medical cannabis program under
124.19 Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management
124.20 is subject to Minnesota Statutes, section 15.039.

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

124.22 Sec. 148. **REPEALER.**

124.23 (a) Minnesota Statutes 2023 Supplement, sections 342.01, subdivisions 28, 52, 53, 54,
124.24 and 55; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

124.25 (b) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; 342.50; and
124.26 342.52, subdivision 8, are repealed.

124.27 (c) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

124.28 (d) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.

124.29 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final
124.30 enactment. Paragraphs (c) and (d) are effective July 1, 2024.

152.22 DEFINITIONS.

Subd. 3. **Disqualifying felony offense.** "Disqualifying felony offense" means a violation of a state or federal controlled substance law that is a felony under Minnesota law, or would be a felony if committed in Minnesota, regardless of the sentence imposed, unless the commissioner determines that the person's conviction was for the medical use of cannabis or assisting with the medical use of cannabis.

152.36 IMPACT ASSESSMENT OF MEDICAL CANNABIS THERAPEUTIC RESEARCH.

Subdivision 1. **Task force on medical cannabis therapeutic research.** (a) A 23-member task force on medical cannabis therapeutic research is created to conduct an impact assessment of medical cannabis therapeutic research. The task force shall consist of the following members:

(1) two members of the house of representatives, one selected by the speaker of the house, the other selected by the minority leader;

(2) two members of the senate, one selected by the majority leader, the other selected by the minority leader;

(3) four members representing consumers or patients enrolled in the registry program, including at least two parents of patients under age 18;

(4) four members representing health care providers, including one licensed pharmacist;

(5) four members representing law enforcement, one from the Minnesota Chiefs of Police Association, one from the Minnesota Sheriff's Association, one from the Minnesota Police and Peace Officers Association, and one from the Minnesota County Attorneys Association;

(6) four members representing substance use disorder treatment providers; and

(7) the commissioners of health, human services, and public safety.

(b) Task force members listed under paragraph (a), clauses (3), (4), (5), and (6), shall be appointed by the governor under the appointment process in section 15.0597. Members shall serve on the task force at the pleasure of the appointing authority. All members must be appointed by July 15, 2014, and the commissioner of health shall convene the first meeting of the task force by August 1, 2014.

(c) There shall be two cochairs of the task force chosen from the members listed under paragraph (a). One cochair shall be selected by the speaker of the house and the other cochair shall be selected by the majority leader of the senate. The authority to convene meetings shall alternate between the cochairs.

(d) Members of the task force other than those in paragraph (a), clauses (1), (2), and (7), shall receive expenses as provided in section 15.059, subdivision 6.

Subd. 1a. **Administration.** The commissioner of health shall provide administrative and technical support to the task force.

Subd. 2. **Impact assessment.** The task force shall hold hearings to evaluate the impact of the use of medical cannabis and hemp and Minnesota's activities involving medical cannabis and hemp, including, but not limited to:

(1) program design and implementation;

(2) the impact on the health care provider community;

(3) patient experiences;

(4) the impact on the incidence of substance abuse;

(5) access to and quality of medical cannabis, hemp, and medical cannabis products;

(6) the impact on law enforcement and prosecutions;

(7) public awareness and perception; and

(8) any unintended consequences.

Subd. 3. **Cost assessment.** By January 15 of each year, beginning January 15, 2015, and ending January 15, 2019, the commissioners of state departments impacted by the medical cannabis therapeutic research study shall report to the cochairs of the task force on the costs incurred by each

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department on implementing sections 152.22 to 152.37. The reports must compare actual costs to the estimated costs of implementing these sections and must be submitted to the task force on medical cannabis therapeutic research.

Subd. 4. **Reports to the legislature.** (a) The cochairs of the task force shall submit the following reports to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services, public safety, judiciary, and civil law:

(1) by February 1, 2015, a report on the design and implementation of the registry program; and every two years thereafter, a complete impact assessment report; and

(2) upon receipt of a cost assessment from a commissioner of a state agency, the completed cost assessment.

(b) The task force may make recommendations to the legislature on whether to add or remove conditions from the list of qualifying medical conditions.

Subd. 5. **No expiration.** The task force on medical cannabis therapeutic research does not expire.

342.01 DEFINITIONS.

Subd. 28. **Division of Medical Cannabis.** "Division of Medical Cannabis" means a division housed in the Office of Cannabis Management that operates the medical cannabis program.

Subd. 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 cannabis retailer or medical cannabis retailer 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, gum, 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.

Subd. 53. **Medical cannabis business.** "Medical cannabis business" means an entity licensed under this chapter to engage in one or more of the following:

(1) the cultivation of cannabis plants for medical cannabis flower;

(2) the manufacture of medical cannabinoid products; and

(3) the retail sale of medical cannabis flower and medical cannabinoid products.

Subd. 54. **Medical cannabis flower.** "Medical cannabis flower" means cannabis flower 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 cannabis retailer or medical cannabis business to treat or alleviate the symptoms of a qualifying medical condition. Medical cannabis flower does not include adult-use cannabis flower.

Subd. 55. **Medical cannabis paraphernalia.** "Medical cannabis paraphernalia" means a delivery device, related supply, or educational material used by a patient enrolled in the registry program to administer medical cannabis and medical cannabinoid products.

342.27 RETAIL SALE OF CANNABIS FLOWER AND PRODUCTS; GENERAL REQUIREMENTS.

Subd. 13. **Adult-use and medical cannabis; colocation.** (a) A cannabis business with a license or endorsement authorizing the retail sale of adult-use cannabis flower or adult-use cannabis products that is also a licensed medical cannabis retailer may sell medical cannabis flower and medical cannabinoid products on a portion of the business's premises.

(b) The premises must provide an appropriate space for a pharmacist employee of the medical cannabis retailer to consult with a patient to determine the proper type of medical cannabis flower and medical cannabinoid products and proper dosage for the patient.

342.29 CANNABIS MEZZOBUSINESS LICENSING AND OPERATIONS.

Subd. 9. **Medical cannabis endorsement.** A cannabis mezzobusiness that cultivates cannabis plants for use as medical cannabis flower or for use in medical cannabinoid products, processes medical cannabinoid products, or both, must comply with sections 342.49, paragraph (d); 342.50, paragraph (c), and any additional requirements established by the office.

342.47 MEDICAL CANNABIS BUSINESS LICENSES.

Subdivision 1. **License types.** (a) The office shall issue the following types of medical cannabis business licenses:

- (1) medical cannabis cultivator;
- (2) medical cannabis processor;
- (3) medical cannabis retailer; and
- (4) medical cannabis combination business license.

(b) The Division of Medical Cannabis may oversee the licensing and regulation of medical cannabis businesses.

Subd. 2. **Multiple licenses; limits.** (a) Except as provided in subdivision 3, a person, cooperative, or business holding:

(1) a medical cannabis cultivator license may also hold a medical cannabis processor license, a cannabis cultivator license, a cannabis manufacturer license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses;

(2) a medical cannabis processor license may also hold a medical cannabis cultivator license, a cannabis cultivator license, a cannabis manufacturer license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses; or

(3) a medical cannabis retailer license may also hold a cannabis mezzobusiness license, a cannabis retailer license, a cannabis delivery service license, and a cannabis event organizer license subject to the ownership limitations that apply to those licenses.

(b) Except as provided in paragraph (a), no person, cooperative, or business holding a medical cannabis license may own or operate any other cannabis business or hemp business.

(c) The office by rule may limit the number of medical cannabis business licenses that a person or business may hold.

(d) For purposes of this subdivision, a restriction on the number of licenses or type of license that a business may hold applies to every cooperative member or every director, manager, and general partner of a medical cannabis business.

Subd. 3. **Medical cannabis combination business license.** (a) A person, cooperative, or business holding a medical cannabis combination license is prohibited from owning or operating any other cannabis business or hemp business.

(b) A person or business may only hold one medical cannabis combination license.

342.48 MEDICAL CANNABIS BUSINESS APPLICATIONS.

In addition to the information required to be submitted under section 342.14, subdivision 1, and rules adopted pursuant to that section, a person, cooperative, or business seeking a medical cannabis business license must submit the following information in a form approved by the office:

- (1) for medical cannabis cultivator license applicants:

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(i) an operating plan demonstrating the proposed size and layout of the cultivation facility; plans for wastewater and waste disposal for the cultivation facility; plans for providing electricity, water, and other utilities necessary for the normal operation of the cultivation facility; and plans for compliance with applicable building code and federal and state environmental and workplace safety requirements;

(ii) a cultivation plan demonstrating the proposed size and layout of the cultivation facility that will be used exclusively for cultivation for medical cannabis, including the total amount of plant canopy; and

(iii) evidence that the business will comply with the applicable operation requirements for the license being sought;

(2) for medical cannabis processor license applicants:

(i) an operating plan demonstrating the proposed layout of the facility, including a diagram of ventilation and filtration systems; plans for wastewater and waste disposal for the manufacturing facility; plans for providing electricity, water, and other utilities necessary for the normal operation of the manufacturing facility; and plans for compliance with applicable building code and federal and state environmental and workplace safety requirements;

(ii) all methods of extraction and concentration that the applicant intends to use and the volatile chemicals, if any, that are involved in extraction or concentration;

(iii) if the applicant is seeking an endorsement to manufacture products infused with cannabinoids for consumption by patients enrolled in the registry program, proof of an edible cannabinoid product handler endorsement from the office; and

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

(3) for medical cannabis retailer license applicants:

(i) a list of every retail license held by the applicant and, if the applicant is a business, every retail license held, either as an individual or as part of another business, by each officer, director, manager, and general partner of the cannabis business;

(ii) an operating plan demonstrating the proposed layout of the facility, including a diagram of ventilation and filtration systems, policies to avoid sales to individuals who are not authorized to receive the distribution of medical cannabis flower or medical cannabinoid products, identification of a restricted area for storage, and plans to prevent the visibility of cannabis flower and cannabinoid products; and

(iii) evidence that the applicant will comply with the applicable operation requirements for the license being sought; or

(4) for medical cannabis combination license applicants:

(i) the information required under clauses (1) to (3); and

(ii) any additional information required under sections 342.30, subdivision 3; 342.31, subdivision 3; and 342.32, subdivision 3.

342.49 MEDICAL CANNABIS CULTIVATORS.

(a) A medical cannabis cultivator license entitles the license holder to grow cannabis plants within the approved amount of space up to 60,000 square feet of plant canopy from seed or immature plant to mature plant, harvest cannabis flower from a mature plant, package and label cannabis flower as medical cannabis flower, sell medical cannabis flower to medical cannabis processors and medical cannabis retailers, transport medical cannabis flower to a medical cannabis processor located on the same premises, and perform other actions approved by the office.

(b) A medical cannabis cultivator license holder must comply with all requirements of section 342.25.

(c) A medical cannabis cultivator license holder must verify that every batch of medical cannabis flower has passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for the testing of medical cannabis flower before the medical cannabis cultivator may package, label, or sell the medical cannabis flower to any other entity.

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(d) A medical cannabis cultivator may exceed the limit of 60,000 square feet of plant canopy if it was legally cultivating medical cannabis with a greater plant canopy as of April 1, 2023.

342.50 MEDICAL CANNABIS PROCESSORS.

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

(1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts, and hemp concentrate from medical cannabis cultivators and other medical cannabis processors;

(2) purchase hemp plant parts from industrial hemp growers;

(3) make cannabis concentrate from medical cannabis flower;

(4) make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

(5) manufacture medical cannabinoid products;

(6) package and label medical cannabinoid products for sale to other medical cannabis processors and to medical cannabis retailers; and

(7) perform other actions approved by the office.

(b) A medical cannabis processor license holder must comply with all requirements of section 342.26, including requirements to obtain specific license endorsements.

(c) A medical cannabis processor license holder must verify that every batch of medical cannabinoid product has passed safety, potency, and consistency testing at a cannabis testing facility approved by the office for the testing of medical cannabinoid products before the medical cannabis processor may package, label, or sell the medical cannabinoid product to any other entity.

342.52 PATIENT REGISTRY PROGRAM.

Subd. 8. **Allowable delivery methods.** A patient in the registry program may receive medical cannabis flower and medical cannabinoid products. The office may approve additional delivery methods to expand the types of products that qualify as medical cannabinoid products.

Laws 2023, chapter 63, article 7, section 4

Sec. 4. **EDIBLE CANNABINOID PRODUCTS; ENFORCEMENT.**

(a) The Department of Health shall enforce the provisions of Minnesota Statutes, section 151.72, and all rules, orders, stipulation agreements, settlements, compliance agreements, and registrations related to that section adopted or issued by the Office of Medical Cannabis or the Department of Health pursuant to the Health Enforcement Consolidation Act of 1993 contained in Minnesota Statutes, sections 144.989 to 144.993, and the authority to embargo products described in paragraph (b). The commissioner of health may assign enforcement responsibilities to the Office of Medical Cannabis.

(b) Whenever a duly authorized agent of the Department of Health finds or has probable cause to believe that any product is being sold in violation of the provisions of Minnesota Statutes, section 151.72, the agent shall affix thereto an appropriate marking, giving notice that the article is, or is suspected of being in violation of Minnesota Statutes, section 151.72, has been embargoed, and warning that it is unlawful for any person to remove or dispose of the embargoed article by sale or otherwise without permission from the agent or the court. When an agent of the Department of Health has embargoed an article, the Department of Health shall, within 30 days, petition the district court in whose jurisdiction the article is embargoed for an order of condemnation. When an embargoed article is not so found by the agent, the agent shall remove the marking. If the court finds that an embargoed article is being sold in violation of the provisions of Minnesota Statutes, section 151.72, the article shall be destroyed at the expense of the claimant thereof, who shall also pay all court costs and fees, storage, and other proper expenses. If the violation can be corrected by proper labeling or processing of the article, or by filing the proper documents with the court, the court, after the costs, fees, and expenses have been paid and a sufficient bond has been executed, may order that the article be delivered to the claimant for labeling, processing, or filing under supervision of an agent of the board. The expense of the supervision shall be paid by the claimant. The bond shall be returned to the claimant on the representation to the court by the board that the article is no longer in violation of this chapter and that the expenses of supervision have been paid.

(c) The enforcement authority under paragraphs (a) and (b) shall transfer to the Office of Cannabis Management at any such time that the powers and duties of the Department of Health with respect to the medical cannabis program under Minnesota Statutes, sections 152.22 to 152.37, are transferred to the Office of Cannabis Management. The director of the Office of Cannabis Management may assign enforcement responsibilities to the Division of Medical Cannabis.

(d) This section shall expire on March 1, 2025.

EFFECTIVE DATE. This section is effective the day following final enactment.
Laws 2023, chapter 63, article 7, section 6

Sec. 6. **REPEALER.**

Minnesota Statutes 2022, section 151.72, is repealed.

EFFECTIVE DATE. This section is effective March 1, 2025.