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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4195

02/22/2024 Authored by Hanson, J., The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to cannabis; establishing a pilot project for sale of cannabis by medical
1.3 cannabis manufacturers to Tribal governments and Tribal cannabis businesses.

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

1.5 Section 1. CANNABIS WHOLESALE PILOT PROJECT.

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

1.8 (b) "Adult-use cannabis flower" has the meaning given in Minnesota Statutes, section
1.9 342.01, subdivision 3.

1.10 (c) "Adult-use cannabis product" has the meaning given in Minnesota Statutes, section
1.11 342.01, subdivision 4.

1.12 (d) "Cannabis flower" has the meaning given in Minnesota Statutes, section 342.01,
1.13 subdivision 16.

1.14 (e) "Cannabis plant" has the meaning given in Minnesota Statutes, section 342.01,
1.15 subdivision 19.

1.16 (f) "Cannabis product" has the meaning given in Minnesota Statutes, section 342.01,
1.17 subdivision 20.

1.18 (g) "Cultivation" has the meaning given in Minnesota Statutes, section 342.01, subdivision
1.19 27.

1.20 (h) "Medical cannabinoid product" has the meaning given in Minnesota Statutes, section
1.21 342.01, subdivision 52.

2.1 (i) "Medical cannabis flower" has the meaning given in Minnesota Statutes, section
2.2 342.01, subdivision 54.

2.3 (j) "Medical cannabis manufacturer" has the meaning given in Minnesota Statutes,
2.4 section 152.22, subdivision 7.

2.5 (k) "Minnesota Tribal government" means any of the following federally recognized
2.6 Indian Tribes located in Minnesota:

2.7 (1) Bois Forte Band;

2.8 (2) Fond Du Lac Band;

2.9 (3) Grand Portage Band;

2.10 (4) Leech Lake Band;

2.11 (5) Mille Lacs Band;

2.12 (6) White Earth Band;

2.13 (7) Red Lake Nation;

2.14 (8) Lower Sioux Indian Community;

2.15 (9) Prairie Island Indian Community;

2.16 (10) Shakopee Mdewakanton Sioux Community; and

2.17 (11) Upper Sioux Indian Community.

2.18 (l) "Tribal cannabis business" has the meaning given in Minnesota Statutes, section
2.19 3.9228, subdivision 1, paragraph (h).

2.20 (m) "Tribal medical cannabis business" has the meaning given in Minnesota Statutes,
2.21 section 3.9224, subdivision 1, paragraph (i).

2.22 (n) "Tribally regulated land" has the meaning given in Minnesota Statutes, section 3.9228,
2.23 subdivision 1, paragraph (i).

2.24 Subd. 2. **Exemptions.** (a) Except as otherwise provided in this section, the requirements
2.25 and penalties described in Minnesota Statutes, chapter 342, and Minnesota Statutes, sections
2.26 152.22 to 152.37, do not apply to the pilot project authorized under this section.

2.27 (b) Criminal penalties for the cultivation, possession, or sale of cannabis plants, cannabis
2.28 flower, and cannabis products do not apply to a medical cannabis manufacturer or any
2.29 employee of a medical cannabis manufacturer performing any actions authorized in this
2.30 section.

3.1 Subd. 3. **Pilot project.** (a) For the duration of the pilot project, a medical cannabis
3.2 manufacturer may:

3.3 (1) grow cannabis plants from seed or immature plant to mature plant;

3.4 (2) harvest cannabis flower from a mature plant;

3.5 (3) package and label immature cannabis plants and seedlings, adult-use cannabis flower,
3.6 and medical cannabis flower for sale to a Minnesota Tribal government, Tribal cannabis
3.7 business, or Tribal medical cannabis business;

3.8 (4) manufacture cannabis products;

3.9 (5) package and label adult-use cannabis products and medical cannabinoid products
3.10 for sale to a Minnesota Tribal government, Tribal cannabis business, or Tribal medical
3.11 cannabis business; and

3.12 (6) transport immature cannabis plants and seedlings, adult-use cannabis flower, medical
3.13 cannabis flower, adult-use cannabis products, and medical cannabinoid products to Tribally
3.14 regulated land for delivery to a Minnesota Tribal government, Tribal cannabis business, or
3.15 Tribal medical cannabis business.

3.16 (b) A medical cannabis manufacturer may only sell or deliver immature cannabis plants
3.17 and seedlings, adult-use cannabis flower, medical cannabis flower, adult-use cannabis
3.18 products, and medical cannabinoid products to a Tribal cannabis business or Tribal medical
3.19 cannabis business after receiving explicit authorization to make the sale or delivery from
3.20 the Minnesota Tribal government that licenses the business.

3.21 (c) Sale by a Minnesota Tribal government, Tribal cannabis business, or Tribal medical
3.22 cannabis business of immature cannabis plants and seedlings, adult-use cannabis flower,
3.23 medical cannabis flower, adult-use cannabis products, and medical cannabinoid products
3.24 received from a medical cannabis manufacturer is subject to the terms of any compact
3.25 negotiated pursuant to Minnesota Statutes, sections 3.9224 and 3.9228, and any laws, rules,
3.26 or other regulations adopted by the relevant Minnesota Tribal government.

3.27 Subd. 4. **Sunset.** This section expires March 1, 2025.

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