

HOUSE RESEARCH

Bill Summary

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Subject: Medical marijuana production and export

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Overview

This bill creates a state regulatory structure for medical marijuana that is grown as an agricultural crop exclusively for export to states and countries where medical marijuana is legal.

- 1 to 16** **Sections 1 to 16.** These sections direct the Minnesota Department of Agriculture (MDA) to regulate medical marijuana in the same manner in which it currently regulates plants and nursery stock. This includes authorizing the MDA to enter a site where medical marijuana is manufactured, distributed, used, handled, or transported in order to inspect, sample, and analyze the product.
- 17** **Controlled substance offenses.** Clarifies that a person charged with a violation by the MDA may also be charged with a controlled substance violation if they are accused of possessing marijuana that does not satisfy the definition of medical marijuana.
- 18** **Short title.** States that the new chapter may be referred to as the "Medical Marijuana Production and Export Act."
- 19** **Purpose.** States the legislative purpose of the act.
- 20** **Definitions.** Puts the MDA in charge of medical marijuana regulation and defines "medical marijuana."
- 21** **Medical marijuana authorized as an agricultural crop.** States that medical marijuana is an agricultural crop if produced, processed, and transported in accordance with state law.
- 22** **Licensing.** Requires a person wishing to grow medical marijuana to first obtain a license. The person must submit the location of their operation(s) and proof that they've satisfied relevant federal requirements. First-time applicants must submit to and pay for a criminal background check.
- 23** **Medical marijuana production; notification.** Requires a license holder to submit an annual report to the MDA and to notify the MDA of any sale or distribution of medical marijuana.
- 24** **Rulemaking.** Requires the MDA to issue rules that address several specified topics as well as any

other topic MDA deems necessary to properly administer the law.

- 25** **Fees.** Creates a medical marijuana account in the state treasury to hold all fees raised under this section. Money in the account is appropriated to the MDA to carry out its duties.
- 26** **Defense for possession of marijuana.** Creates a defense against a charge of possession of marijuana if the person is a licensed medical marijuana grower in possession of medical marijuana.