

1.1 moves to amend H.F. No. 4757, the third engrossment, as follows:

1.2 Delete everything after the enacting clause and insert:

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

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

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

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

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

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

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

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

1.23 (1) cannabis concentrate;

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

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

2.5 (h) "Minnesota Tribal governments" means the following federally recognized Indian
2.6 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 (i) "Tribal medical cannabis business" means a medical cannabis business licensed by
2.19 a Minnesota Tribal government, including the business categories identified in paragraph
2.20 (e), as well as any others that may be provided under the law of a Minnesota Tribal
2.21 government.

2.22 (j) "Tribally regulated land" means:

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

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

2.26 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal
2.27 government that is subject to the civil regulatory jurisdiction of the Tribal government. For
2.28 the purposes of this section, land that is subject to the civil regulatory jurisdiction of the
2.29 Tribal government includes:

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

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

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

3.7 Sec. 2. Minnesota Statutes 2023 Supplement, section 15A.0815, subdivision 2, is amended
3.8 to read:

3.9 Subd. 2. **Agency head salaries.** The salary for a position listed in this subdivision shall
3.10 be determined by the Compensation Council under section 15A.082. The commissioner of
3.11 management and budget must publish the salaries on the department's website. This
3.12 subdivision applies to the following positions:

3.13 Commissioner of administration;

3.14 Commissioner of agriculture;

3.15 Commissioner of education;

3.16 Commissioner of children, youth, and families;

3.17 Commissioner of commerce;

3.18 Commissioner of corrections;

3.19 Commissioner of health;

3.20 Commissioner, Minnesota Office of Higher Education;

3.21 Commissioner, Minnesota IT Services;

3.22 Commissioner, Housing Finance Agency;

3.23 Commissioner of human rights;

3.24 Commissioner of human services;

3.25 Commissioner of labor and industry;

3.26 Commissioner of management and budget;

3.27 Commissioner of natural resources;

3.28 Commissioner, Pollution Control Agency;

3.29 Commissioner of public safety;

- 4.1 Commissioner of revenue;
- 4.2 Commissioner of employment and economic development;
- 4.3 Commissioner of transportation;
- 4.4 Commissioner of veterans affairs;
- 4.5 Executive director of the Gambling Control Board;
- 4.6 Executive director of the Minnesota State Lottery;
- 4.7 Executive director of the Office of Cannabis Management;
- 4.8 Commissioner of Iron Range resources and rehabilitation;
- 4.9 Commissioner, Bureau of Mediation Services;
- 4.10 Ombudsman for mental health and developmental disabilities;
- 4.11 Ombudsperson for corrections;
- 4.12 Chair, Metropolitan Council;
- 4.13 Chair, Metropolitan Airports Commission;
- 4.14 School trust lands director;
- 4.15 Executive director of pari-mutuel racing; and
- 4.16 Commissioner, Public Utilities Commission.

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

4.18 Sec. 3. Minnesota Statutes 2022, section 17.133, subdivision 1, is amended to read:

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

4.21 (b) "Eligible farmer" means an individual who at the time that the grant is awarded:

4.22 (1) is a resident of Minnesota who intends to acquire farmland located within the state
4.23 and provide the majority of the day-to-day physical labor and management of the farm;

4.24 (2) grosses no more than \$250,000 per year from the sale of farm products; and

4.25 (3) has not, and whose spouse has not, at any time had a direct or indirect ownership
4.26 interest in farmland.

4.27 (c) "Emerging farmer" means a farmer who has participated in the business operation
4.28 of a farm for at least three years and currently provides the majority of the day-to-day

5.1 physical labor and management of a farm that had gross farm sales of at least \$5,000 but
 5.2 not more than \$100,000 in the previous year.

5.3 ~~(e)~~ (d) "Farm down payment" means an initial, partial payment required by a lender or
 5.4 seller to purchase farmland.

5.5 (e) "Limited land access" means farming (1) under a lease or other rental arrangement
 5.6 of no more than three years in duration when the person leasing or renting the land to the
 5.7 farmer is not related to the farmer by blood or marriage, or (2) by renting land from an
 5.8 incubator farm.

5.9 (f) "Limited market access" means the majority of a farmer's annual farm product sales
 5.10 are direct sales to the consumer.

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

5.12 Sec. 4. Minnesota Statutes 2022, section 18K.03, is amended by adding a subdivision to
 5.13 read:

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

5.17 (b) An industrial hemp processor licensed under this chapter may sell hemp concentrate
 5.18 to a cannabis business or hemp business licensed under chapter 342.

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

5.20 Sec. 5. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 1, is amended
 5.21 to read:

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

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

5.29 (b) "Batch" means a specific quantity of a specific product containing cannabinoids
 5.30 derived from hemp, including an edible cannabinoid product, that is manufactured at the
 5.31 same time and using the same methods, equipment, and ingredients that is uniform and

6.1 intended to meet specifications for identity, strength, purity, and composition, and that is
6.2 manufactured, packaged, and labeled according to a single batch production record executed
6.3 and documented.

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

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

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

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

6.14 ~~(g)~~ (f) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision
6.15 3.

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

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

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

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

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

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

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

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

6.30 (l) "Synthetic cannabinoid" means a substance with a similar chemical structure and
6.31 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp

7.1 plants, or hemp plant parts and is instead created or produced by chemical or biochemical
7.2 synthesis.

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

7.4 Sec. 6. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 2, is amended
7.5 to read:

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

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

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

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

7.15 Sec. 7. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 3, is amended
7.16 to read:

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

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

7.28 (1) by combustion or vaporization of the product and inhalation of smoke, aerosol, or
7.29 vapor from the product;

7.30 (2) through chewing, drinking, or swallowing; or

7.31 (3) through injection or application to a mucous membrane or nonintact skin.

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

8.3 (1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
8.4 of disease in humans or other animals; or

8.5 (2) to affect the structure or any function of the bodies of humans or other animals.

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

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

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

8.12 (1) the retailer must also hold an on-sale license issued under chapter 340A;

8.13 (2) products, other than products that are intended to be consumed as a beverage, must
8.14 be served in original packaging, but may be removed from the products' packaging by
8.15 customers and consumed on site;

8.16 (3) products must not be sold to a customer who the retailer knows or reasonably should
8.17 know is intoxicated;

8.18 (4) products must not be permitted to be mixed with an alcoholic beverage; and

8.19 (5) products that have been removed from packaging must not be removed from the
8.20 premises.

8.21 (g) Edible cannabinoid products that are intended to be consumed as a beverage may be
8.22 served outside of the products' packaging if the information that is required to be contained
8.23 on the label of an edible cannabinoid product is posted or otherwise displayed by the retailer.

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

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

8.27 Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this
8.28 section must submit representative samples of each batch of the product to an independent,
8.29 accredited laboratory in order to certify that the product complies with the standards ~~adopted~~
8.30 ~~by the board on or before July 1, 2023, or the standards adopted by the commissioner~~ office.

9.1 Testing must be consistent with generally accepted industry standards for herbal and botanical
 9.2 substances, and, at a minimum, the testing must confirm that the product:

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

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

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

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

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

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

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

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

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

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

9.32 (b) An edible cannabinoid product must not:

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

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

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

10.6 (4) be substantively similar to a meat food product; poultry food product as defined in
10.7 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
10.8 7;

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

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

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

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

10.21 (d) If an edible cannabinoid product, other than a product that is intended to be consumed
10.22 as a beverage, is intended for more than a single use or contains multiple servings, each
10.23 serving must be indicated by scoring, wrapping, or other indicators designating the individual
10.24 serving size that appear on the edible cannabinoid product. If it is not possible to indicate
10.25 a single serving by scoring or use of another indicator that appears on the product, the edible
10.26 cannabinoid product may not be packaged in a manner that includes more than a single
10.27 serving in each container, except that a calibrated dropper, measuring spoon, or similar
10.28 device for measuring a single serving, when sold with the product, may be used for any
10.29 edible cannabinoid products that are intended to be combined with food or beverage products
10.30 prior to consumption.

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

10.33 (1) the serving size;

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

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

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

11.5 (f) An edible cannabinoid product must not contain more than five milligrams of any
11.6 tetrahydrocannabinol in a single serving. An edible cannabinoid product, other than a product
11.7 that is intended to be consumed as a beverage, may not contain more than a total of 50
11.8 milligrams of any tetrahydrocannabinol per package. An edible cannabinoid product that
11.9 is intended to be consumed as a beverage may not contain more than two servings per
11.10 container.

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

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

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

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

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

11.29 (a) Every person selling an edible cannabinoid product to a consumer must be registered
11.30 with the office. Existing registrations through the Department of Health must be transferred
11.31 to the office by July 1, 2024. All other persons required to register must register in a form
11.32 and manner established by the office. The sale of edible cannabinoid products by a person
11.33 who is not registered with the office is prohibited and subject to the penalties in section

12.1 342.09, subdivision 6; any applicable criminal penalty; and any other applicable civil or
 12.2 administrative penalty.

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

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

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

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

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

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

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

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

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

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

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

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

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

13.4 (c) The ~~commissioner~~ office may assume that any product regulated under this section
 13.5 that is present in the state, other than a product lawfully possessed for personal use, has
 13.6 been manufactured, imported, distributed, or stored with the intent to be offered for sale in
 13.7 this state if a product of the same type and brand was sold in the state on or after July 1,
 13.8 2023, or if the product is in the possession of a person who has sold any product in violation
 13.9 of this section.

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

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

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

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

13.20 Subd. 7. **Violations; criminal penalties.** (a) ~~Notwithstanding section 144.99, subdivision~~
 13.21 ~~11,~~ A person who does any of the following regarding a product regulated under this section
 13.22 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than
 13.23 364 days or to payment of a fine of not more than \$3,000, or both:

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

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

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

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

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

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

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

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

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

14.11 Subd. 11. **Registered designated caregiver.** "Registered designated caregiver" means
 14.12 a person who:

14.13 (1) is at least 18 years old;

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

14.15 ~~(3)~~ (2) has been approved by the ~~commissioner~~ office to assist a patient who requires
 14.16 assistance in administering medical cannabis or obtaining medical cannabis from a
 14.17 distribution facility; and

14.18 ~~(4)~~ (3) is authorized by the ~~commissioner~~ office to assist the patient with the use of
 14.19 medical cannabis.

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

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

14.22 Subd. 14. **Qualifying medical condition.** "Qualifying medical condition" means either
 14.23 a medical condition for which an individual's health care practitioner has recommended,
 14.24 approved, or authorized the use of cannabis by that individual to treat the condition, or a
 14.25 diagnosis of any of the following conditions:

14.26 (1) Alzheimer's disease;

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

15.1 ~~(4)~~ (3) cancer, if the underlying condition or treatment produces one or more of the
 15.2 following:

15.3 (i) severe or chronic pain;

15.4 (ii) nausea or severe vomiting; or

15.5 (iii) cachexia or severe wasting;

15.6 (4) chronic motor or vocal tic disorder;

15.7 (5) chronic pain;

15.8 ~~(2)~~ (6) glaucoma;

15.9 ~~(3)~~ (7) human immunodeficiency virus or acquired immune deficiency syndrome;

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

15.11 (9) obstructive sleep apnea;

15.12 (10) post-traumatic stress disorder;

15.13 ~~(4)~~ (11) Tourette's syndrome;

15.14 ~~(5)~~ (12) amyotrophic lateral sclerosis;

15.15 ~~(6)~~ (13) seizures, including those characteristic of epilepsy;

15.16 ~~(7)~~ (14) severe and persistent muscle spasms, including those characteristic of multiple
 15.17 sclerosis;

15.18 ~~(8)~~ (15) inflammatory bowel disease, including Crohn's disease;

15.19 (16) irritable bowel syndrome;

15.20 (17) obsessive-compulsive disorder;

15.21 (18) sickle cell disease; or

15.22 ~~(9)~~ (19) terminal illness, with a probable life expectancy of under one year, if the illness
 15.23 or its treatment produces one or more of the following:

15.24 (i) severe or chronic pain;

15.25 (ii) nausea or severe vomiting; or

15.26 (iii) cachexia or severe wasting; ~~or~~

15.27 ~~(10) any other medical condition or its treatment approved by the commissioner.~~

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

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

16.3 Subd. 19. **Veteran.** "Veteran" means an individual who satisfies the requirements in
 16.4 section 197.447.

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

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

16.7 Subd. 2. **Range of compounds and dosages; report.** The ~~commissioner~~ office shall
 16.8 review and publicly report the existing medical and scientific literature regarding the range
 16.9 of recommended dosages for each qualifying condition and the range of chemical
 16.10 compositions of any plant of the genus cannabis that will likely be medically beneficial for
 16.11 each of the qualifying medical conditions. The ~~commissioner~~ office shall make this
 16.12 information available to patients with qualifying medical conditions beginning December
 16.13 1, 2014, and update the information ~~annually~~ every three years. The ~~commissioner~~ office
 16.14 may consult with the independent laboratory under contract with the manufacturer or other
 16.15 experts in reporting the range of recommended dosages for each qualifying medical condition,
 16.16 the range of chemical compositions that will likely be medically beneficial, and any risks
 16.17 of noncannabis drug interactions. The ~~commissioner~~ office shall consult with each
 16.18 manufacturer on an annual basis on medical cannabis offered by the manufacturer. The list
 16.19 of medical cannabis offered by a manufacturer shall be published on the ~~Department of~~
 16.20 Health Office of Cannabis Management website.

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

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

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

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

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

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

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

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

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

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

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

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

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

17.25 (7) conduct research and studies based on data from health records submitted to the
17.26 registry program and submit reports on intermediate or final research results to the legislature
17.27 and major scientific journals. The ~~commissioner~~ office may contract with a third party to
17.28 complete the requirements of this clause. Any reports submitted must comply with section
17.29 152.28, subdivision 2.

17.30 (b) The ~~commissioner~~ office may add a delivery method under section 152.22, subdivision
17.31 6, ~~or add, remove, or modify a qualifying medical condition under section 152.22, subdivision~~
17.32 ~~14,~~ upon a petition from a member of the public or the ~~task force on medical cannabis~~
17.33 ~~therapeutic research~~ Cannabis Advisory Council under section 342.03 or as directed by law.

18.1 ~~The commissioner shall evaluate all petitions to add a qualifying medical condition or to~~
 18.2 ~~remove or modify an existing qualifying medical condition submitted by the task force on~~
 18.3 ~~medical cannabis therapeutic research or as directed by law and may make the addition,~~
 18.4 ~~removal, or modification if the commissioner determines the addition, removal, or~~
 18.5 ~~modification is warranted based on the best available evidence and research. If the~~
 18.6 ~~commissioner~~ office wishes to add a delivery method under section 152.22, subdivision 6,
 18.7 ~~or add or remove a qualifying medical condition under section 152.22, subdivision 14, the~~
 18.8 ~~commissioner~~ office must notify the chairs and ranking minority members of the legislative
 18.9 policy committees having jurisdiction over health and public safety of the addition ~~or removal~~
 18.10 and the reasons for its addition ~~or removal~~, including any written comments received by
 18.11 the ~~commissioner~~ office from the public and any guidance received from the ~~task force on~~
 18.12 ~~medical cannabis research~~ Cannabis Advisory Council under section 342.03, by January
 18.13 15 of the year in which the ~~commissioner~~ office wishes to make the change. The change
 18.14 shall be effective on August 1 of that year, unless the legislature by law provides otherwise.

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

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

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

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

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

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

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

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

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

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

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

19.10 (2) the patient's acknowledgment that enrollment in the patient registry program is
 19.11 conditional on the patient's agreement to meet all of the requirements of sections 152.22 to
 19.12 152.37.

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

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

19.16 **Subd. 3a. Application procedure for veterans.** (a) Beginning July 1, 2024, the office
 19.17 shall establish an alternative certification procedure for veterans to enroll in the registry
 19.18 program.

19.19 (b) A patient who is a veteran and is seeking to enroll in the registry program must
 19.20 submit a copy of the patient's veteran identification card and an attestation that the veteran
 19.21 has been diagnosed with a qualifying medical condition listed in section 152.22, subdivision
 19.22 14, clauses (1) to (19).

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

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

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

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

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

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

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

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

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

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

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

20.25 (1) does not have certification from a health care practitioner or, if the patient is a veteran,
20.26 does not have the documentation required under subdivision 3a that the patient has been
20.27 diagnosed with a qualifying medical condition;

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

20.30 (3) does not provide the information required;

20.31 (4) has previously been removed from the registry program for violations of section
20.32 152.30 or 152.33; or

21.1 (5) provides false information.

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

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

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

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

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

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

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

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

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

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

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

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

21.28 (3) provide explanatory information from the ~~commissioner~~ office to patients with
21.29 qualifying medical conditions, including disclosure to all patients about the experimental
21.30 nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects
21.31 of the proposed treatment; the application and other materials from the ~~commissioner~~ office;

22.1 and provide patients with the Tennessee warning as required by section 13.04, subdivision
22.2 2; and

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

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

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

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

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

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

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

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

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

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

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

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

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

23.2 Subd. 3. **Manufacturer; distribution.** (a) A manufacturer shall require that employees
23.3 licensed as pharmacists pursuant to chapter 151 be the only employees to give final approval
23.4 for the distribution of medical cannabis to a patient. A manufacturer may transport medical
23.5 cannabis or medical cannabis products that have been cultivated, harvested, manufactured,
23.6 packaged, and processed by that manufacturer to another registered manufacturer for the
23.7 other manufacturer to distribute.

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

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

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

23.13 (2) verify that the person requesting the distribution of medical cannabis is the patient,
23.14 the patient's registered designated caregiver, or the patient's parent, legal guardian, or spouse
23.15 listed in the registry verification using the procedures described in section 152.11, subdivision
23.16 2d;

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

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

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

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

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

24.6 (iv) upon the request of the patient; and

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

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

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

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

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

24.16 (v) the dosage; ~~and~~

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

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

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

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

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

24.28 **152.30 PATIENT DUTIES.**

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

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

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

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

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

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

25.9 Sec. 27. Minnesota Statutes 2022, section 181.950, subdivision 10, is amended to read:

25.10 Subd. 10. **Positive test result.** "Positive test result" means a finding of the presence of
25.11 drugs, cannabis, alcohol, or their metabolites in the sample tested in levels at or above the
25.12 threshold detection levels contained in the standards of one of the programs listed in section
25.13 181.953, subdivision 1.

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

25.15 Sec. 28. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 4, is amended
25.16 to read:

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

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

25.23 Sec. 29. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 5, is amended
25.24 to read:

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

25.28 (1) is under the influence of drugs, cannabis, or alcohol;

25.29 (2) has violated the employer's written work rules prohibiting the use, possession,
25.30 impairment, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products,

26.1 lower-potency hemp edibles, or hemp-derived consumer products while the employee is
 26.2 working or while the employee is on the employer's premises or operating the employer's
 26.3 vehicle, machinery, or equipment, ~~provided~~ if the work rules are in writing and contained
 26.4 in the employer's written cannabis testing or drug and alcohol testing policy;

26.5 (3) has sustained a personal injury, as that term is defined in section 176.011, subdivision
 26.6 16, or has caused another employee to sustain a personal injury; or

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

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

26.10 Sec. 30. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 8, is amended
 26.11 to read:

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

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

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

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

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

26.25 Sec. 31. Minnesota Statutes 2022, section 181.952, as amended by Laws 2023, chapter
 26.26 63, article 6, section 38, is amended to read:

26.27 **181.952 POLICY CONTENTS; PRIOR WRITTEN NOTICE.**

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

26.30 (1) the employees or job applicants subject to testing under the policy;

27.1 (2) the circumstances under which drug or alcohol and cannabis testing may be requested
27.2 or required;

27.3 (3) the right of an employee or job applicant to refuse to undergo drug and alcohol and
27.4 cannabis testing and the consequences of refusal;

27.5 (4) any disciplinary or other adverse personnel action that may be taken based on a
27.6 confirmatory test verifying a positive test result on an initial screening test;

27.7 (5) the right of an employee or job applicant to explain a positive test result on a
27.8 confirmatory test or request and pay for a confirmatory retest; and

27.9 (6) any other appeal procedures available.

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

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

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

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

28.1 Sec. 32. Minnesota Statutes 2023 Supplement, section 181.954, subdivision 1, is amended
28.2 to read:

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

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

28.7 Sec. 33. Minnesota Statutes 2023 Supplement, section 290.0132, subdivision 29, is amended
28.8 to read:

28.9 Subd. 29. **Disallowed section 280E expenses; cannabis licensees.** The amount of
28.10 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
28.11 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~
28.12 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
28.13 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under
28.14 section 280E of the Internal Revenue Code is a subtraction.

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

28.16 Sec. 34. Minnesota Statutes 2023 Supplement, section 290.0134, subdivision 19, is amended
28.17 to read:

28.18 Subd. 19. **Disallowed section 280E expenses; cannabis licensees.** The amount of
28.19 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
28.20 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~
28.21 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
28.22 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under
28.23 section 280E of the Internal Revenue Code is a subtraction.

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

28.25 Sec. 35. Minnesota Statutes 2023 Supplement, section 295.81, subdivision 1, is amended
28.26 to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

29.24 (l) "Lower-potency hemp edible" has the meaning given in section 342.01, subdivision
29.25 50.

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

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

29.29 ~~(o) "Medical cannabinoid product" has the meaning given in section 342.01, subdivision~~
29.30 ~~52.~~

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

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

30.4 ~~(r)~~ (o) "Taxable cannabis product" means cannabis flower, cannabis product, cannabis
 30.5 solution product, hemp-derived consumer product, lower-potency hemp edible, and any
 30.6 substantially similar item, and does not include items exempt from tax under subdivision
 30.7 4, paragraph (b).

30.8 ~~(s)~~ (p) "Taxable cannabis product retailer" means a retailer that sells any taxable cannabis
 30.9 product, and includes a cannabis retailer, cannabis microbusiness, cannabis mezzobusiness,
 30.10 medical cannabis combination business, and lower-potency hemp edible retailer. Taxable
 30.11 cannabis product retailer includes but is not limited to a:

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

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

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

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

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

30.19 Sec. 36. Minnesota Statutes 2023 Supplement, section 297A.70, subdivision 2, is amended
 30.20 to read:

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

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

30.25 (2) school districts, local governments, the University of Minnesota, state universities,
 30.26 community colleges, technical colleges, state academies, the Perpich Minnesota Center for
 30.27 Arts Education, and an instrumentality of a political subdivision that is accredited as an
 30.28 optional/special function school by the North Central Association of Colleges and Schools;

30.29 (3) hospitals and nursing homes owned and operated by political subdivisions of the
 30.30 state of tangible personal property and taxable services used at or by hospitals and nursing
 30.31 homes;

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

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

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

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

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

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

31.16 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
31.17 prepared food, candy, soft drinks, alcoholic beverages as defined in section 297A.67,
31.18 subdivision 2, and taxable cannabis products as defined under section 295.81, subdivision
31.19 1, paragraph (r), except for lodging, prepared food, candy, soft drinks, alcoholic beverages,
31.20 and taxable cannabis products purchased directly by the United States or its agencies or
31.21 instrumentalities; or

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

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

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

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

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

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

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

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

32.10 (1) cannabis microbusiness;

32.11 (2) cannabis mezzobusiness;

32.12 (3) cannabis cultivator;

32.13 (4) cannabis manufacturer;

32.14 (5) cannabis retailer;

32.15 (6) cannabis wholesaler;

32.16 (7) cannabis transporter;

32.17 (8) cannabis testing facility;

32.18 (9) cannabis event organizer;

32.19 (10) cannabis delivery service; and

32.20 ~~(11) medical cannabis cultivator;~~

32.21 ~~(12) medical cannabis processor;~~

32.22 ~~(13) medical cannabis retailer; and~~

32.23 ~~(14)~~ (11) medical cannabis combination business.

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

33.1 Sec. 38. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 17, is amended
33.2 to read:

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

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

33.7 Sec. 39. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended
33.8 to read:

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

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

33.15 Sec. 40. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
33.16 subdivision to read:

33.17 Subd. 31a. **Endorsement.** "Endorsement" means an authorization from the office to
33.18 conduct a specified operation activity.

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

33.20 Sec. 41. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 48, is amended
33.21 to read:

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

33.24 (1) cannabis microbusiness;

33.25 (2) cannabis mezzobusiness;

33.26 (3) cannabis cultivator;

33.27 (4) cannabis manufacturer;

33.28 (5) cannabis retailer;

33.29 (6) cannabis wholesaler;

- 34.1 (7) cannabis transporter;
- 34.2 (8) cannabis testing facility;
- 34.3 (9) cannabis event organizer;
- 34.4 (10) cannabis delivery service;
- 34.5 (11) lower-potency hemp edible manufacturer;
- 34.6 (12) lower-potency hemp edible retailer; or
- 34.7 ~~(13) medical cannabis cultivator;~~
- 34.8 ~~(14) medical cannabis processor;~~
- 34.9 ~~(15) medical cannabis retailer; or~~
- 34.10 ~~(16)~~ (13) medical cannabis combination business.

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

34.12 Sec. 42. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 50, is amended
34.13 to read:

34.14 Subd. 50. **Lower-potency hemp edible.** (a) "Lower-potency hemp edible" means any
34.15 product that:

34.16 (1) is intended to be eaten or consumed as a beverage by humans;

34.17 (2) contains hemp concentrate or an artificially derived cannabinoid, in combination
34.18 with food ingredients;

34.19 (3) is not a drug;

34.20 ~~(4) consists of servings that contain no more than five milligrams of delta-9~~
34.21 ~~tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any~~
34.22 ~~combination of those cannabinoids that does not exceed the identified amounts;~~

34.23 ~~(5) does not contain more than a combined total of 0.5 milligrams of all other~~
34.24 ~~cannabinoids per serving;~~

34.25 ~~(6) does not contain an artificially derived cannabinoid other than delta-9~~
34.26 ~~tetrahydrocannabinol;~~

34.27 ~~(7)~~ (4) does not contain a cannabinoid derived from cannabis plants or cannabis flower;
34.28 **and**

35.1 ~~(8)~~ (5) is a type of product approved for sale by the office or is substantially similar to
 35.2 a product approved by the office, including but not limited to products that resemble
 35.3 nonalcoholic beverages, candy, and baked goods; and

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

35.5 (b) A lower-potency hemp edible includes:

35.6 (1) a product that:

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

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

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

35.19 (2) a product that:

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

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

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

35.27 Sec. 43. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 52, is amended
 35.28 to read:

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

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

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

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

36.9 (1) liquid, including but not limited to oil;

36.10 (2) pill;

36.11 (3) liquid or oil for use with a vaporized delivery method;

36.12 (4) water-soluble cannabinoid multiparticulate, including granules, powder, and sprinkles;

36.13 (5) orally dissolvable product, including lozenges, gum, mints, buccal tablets, and
 36.14 sublingual tablets;

36.15 (6) edible products in the form of gummies and chews;

36.16 (7) topical formulation; or

36.17 (8) any allowable form or delivery method approved by the office.

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

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

36.21 Sec. 44. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 54, is amended
 36.22 to read:

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

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

37.1 Sec. 45. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 57, is amended
37.2 to read:

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

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

37.5 Sec. 46. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 63, is amended
37.6 to read:

37.7 Subd. 63. **Qualifying medical condition.** "Qualifying medical condition" means either
37.8 a medical condition for which an individual's health care practitioner has recommended,
37.9 approved, or authorized the use of cannabis by that individual to treat the condition, or a
37.10 diagnosis of any of the following conditions:

37.11 (1) Alzheimer's disease;

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

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

37.16 (i) severe or chronic pain;

37.17 (ii) nausea or severe vomiting; or

37.18 (iii) cachexia or severe wasting;

37.19 (4) chronic motor or vocal tic disorder;

37.20 (5) chronic pain;

37.21 (6) glaucoma;

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

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

37.24 (9) obstructive sleep apnea;

37.25 (10) post-traumatic stress disorder;

37.26 (11) Tourette's syndrome;

37.27 (12) amyotrophic lateral sclerosis;

37.28 (13) seizures, including those characteristic of epilepsy;

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

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

38.4 (16) irritable bowel syndrome;

38.5 (17) obsessive-compulsive disorder;

38.6 (18) sickle cell disease; or

38.7 (19) terminal illness, with a probable life expectancy of under one year, if the illness or
38.8 its treatment produces one or more of the following:

38.9 (i) severe or chronic pain;

38.10 (ii) nausea or severe vomiting; or

38.11 (iii) cachexia or severe wasting; ~~or~~

38.12 ~~(20) any other medical condition or its treatment approved by the office.~~

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

38.14 Sec. 47. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 64, is amended
38.15 to read:

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

38.18 (1) is at least 18 years old;

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

38.21 ~~(3)~~ (2) has been approved by the ~~Division of Medical Cannabis~~ office to assist a patient
38.22 with obtaining medical cannabis flower and medical cannabinoid products from a cannabis
38.23 ~~retailer or medical cannabis retailer~~ business with a medical cannabis retail endorsement
38.24 and with administering medical cannabis flower and medical cannabinoid products; and

38.25 ~~(4)~~ (3) is authorized by the ~~Division of Medical Cannabis~~ office to assist a patient with
38.26 the use of medical cannabis flower and medical cannabinoid products.

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

39.1 Sec. 48. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 65, is amended
39.2 to read:

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

39.7 (1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis
39.8 paraphernalia from a cannabis retailers and medical cannabis retailers business with a
39.9 medical cannabis retail endorsement; and

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

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

39.12 Sec. 49. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 66, is amended
39.13 to read:

39.14 Subd. 66. **Registry verification.** "Registry verification" means the verification provided
39.15 by the ~~Division of Medical Cannabis~~ office that a patient is enrolled in the registry program
39.16 and that includes the patient's name, patient registry number, and, if applicable, the name
39.17 of the patient's registered designated caregiver or parent, legal guardian, or spouse.

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

39.19 Sec. 50. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
39.20 subdivision to read:

39.21 Subd. 69b. **Total THC.** "Total THC" means the sum of the percentage by weight of
39.22 tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all
39.23 tetrahydrocannabinols.

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

39.25 Sec. 51. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 2, is amended
39.26 to read:

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

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

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

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

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

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

40.10 (6) to issue and renew licenses;

40.11 (7) to require fingerprints from individuals determined to be subject to fingerprinting,
40.12 including the submission of fingerprints to the Federal Bureau of Investigation where
40.13 required by law and to obtain criminal conviction data for individuals seeking a license
40.14 from the office on the individual's behalf or as a cooperative member or director, manager,
40.15 or general partner of a business entity;

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

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

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

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

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

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

40.30 (14) to provide reports as required by law;

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

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

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

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

41.16 (19) to order a person or business that cultivates cannabis flower or manufactures or
41.17 produces cannabis products, medical cannabinoid products, artificially derived cannabinoids,
41.18 lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical
41.19 products to recall any cannabis flower, product, or ingredient containing cannabinoids that
41.20 is used in a product if the office determines that the flower, product, or ingredient represents
41.21 a risk of causing a serious adverse incident; and

41.22 ~~(19)~~ (20) to exercise other powers and authority and perform other duties required by
41.23 law.

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

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

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

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

42.2 Sec. 52. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 3, is amended
42.3 to read:

42.4 Subd. 3. **Medical cannabis program.** (a) The powers and duties of the Department of
42.5 Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections
42.6 152.22 to 152.37, are transferred to the Office of Cannabis Management under section
42.7 15.039.

42.8 (b) The following protections shall apply to employees who are transferred from the
42.9 Department of Health to the Office of Cannabis Management:

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

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

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

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

42.21 (5) for an employee in a temporary unclassified position transferred to the Office of
42.22 Cannabis Management, the total length of time that the employee has served in the
42.23 appointment shall include all time served in the appointment and the transferring agency
42.24 and the time served in the appointment at the Office of Cannabis Management. An employee
42.25 in a temporary unclassified position who was hired by a transferring agency through an
42.26 open competitive selection process in accordance with a policy enacted by Minnesota
42.27 Management and Budget shall be considered to have been hired through such process after
42.28 the transfer.

42.29 (c) This subdivision is effective July 1, 2024.

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

43.1 Sec. 53. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 5, is amended
43.2 to read:

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

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

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

43.9 Sec. 54. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 6, is amended
43.10 to read:

43.11 Subd. 6. **Director.** (a) The governor shall appoint a director of the office with the advice
43.12 and consent of the senate. The director must be in the unclassified service and must serve
43.13 at the pleasure of the governor.

43.14 (b) The salary of the director must ~~not exceed the salary limit~~ be established by the
43.15 Compensation Council under section ~~15A.0815, subdivision 3~~ 15A.082.

43.16 (c) The director may appoint and employ no more than two deputy directors.

43.17 (d) The director has administrative control of the office. The director has the powers
43.18 described in section 15.06, subdivision 6.

43.19 (e) The director may apply for and accept on behalf of the state any grants, bequests,
43.20 gifts, or contributions for the purpose of carrying out the duties and responsibilities of the
43.21 director.

43.22 (f) Pursuant to state law, the director may apply for and receive money made available
43.23 from federal sources for the purpose of carrying out the duties and responsibilities of the
43.24 director.

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

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

44.1 Sec. 55. Minnesota Statutes 2023 Supplement, section 342.03, subdivision 1, is amended
44.2 to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44.20 (15) a representative from the Association of Minnesota Counties appointed by the
44.21 association;

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

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

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

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

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

- 45.1 (21) an expert in municipal law enforcement with advanced training in impairment
45.2 detection and evaluation appointed by the governor;
- 45.3 (22) an expert in social welfare or social justice appointed by the governor;
- 45.4 (23) an expert in criminal justice reform to mitigate the disproportionate impact of drug
45.5 prosecutions on communities of color appointed by the governor;
- 45.6 (24) an expert in prevention, treatment, and recovery related to substance use disorders
45.7 appointed by the governor;
- 45.8 (25) an expert in minority business ownership appointed by the governor;
- 45.9 (26) an expert in women-owned businesses appointed by the governor;
- 45.10 (27) an expert in cannabis retailing appointed by the governor;
- 45.11 (28) an expert in cannabis product manufacturing appointed by the governor;
- 45.12 (29) an expert in laboratory sciences and toxicology appointed by the governor;
- 45.13 (30) an expert in providing legal services to cannabis businesses appointed by the
45.14 governor;
- 45.15 (31) an expert in cannabis cultivation appointed by the governor;
- 45.16 (32) an expert in pediatric medicine appointed by the governor;
- 45.17 (33) an expert in adult medicine appointed by the governor;
- 45.18 (34) an expert in clinical pharmacy appointed by the governor;
- 45.19 (35) three patient advocates, one who is a patient enrolled in the medical cannabis
45.20 program; one who is a parent or caregiver of a patient in the medical cannabis program;
45.21 and one patient with experience in the mental health system or substance use disorder
45.22 treatment system appointed by the governor;
- 45.23 ~~(35)~~ (36) two licensed mental health professionals appointed by the governor;
- 45.24 ~~(36)~~ (37) a veteran appointed by the governor;
- 45.25 ~~(37)~~ (38) one member of each of the following federally recognized Tribes, designated
45.26 by the elected Tribal president or chairperson of the governing bodies of:
- 45.27 (i) the Fond du Lac Band;
- 45.28 (ii) the Grand Portage Band;
- 45.29 (iii) the Mille Lacs Band;

- 46.1 (iv) the White Earth Band;
- 46.2 (v) the Bois Forte Band;
- 46.3 (vi) the Leech Lake Band;
- 46.4 (vii) the Red Lake Nation;
- 46.5 (viii) the Upper Sioux Community;
- 46.6 (ix) the Lower Sioux Indian Community;
- 46.7 (x) the Shakopee Mdewakanton Sioux Community; and
- 46.8 (xi) the Prairie Island Indian Community; ~~and~~
- 46.9 ~~(38)~~ (39) a representative from the Local Public Health Association of Minnesota
- 46.10 appointed by the association; and
- 46.11 (40) one youth from outside the seven-county metropolitan area as defined in section
- 46.12 473.121, subdivision 4, and one youth from the seven-county metropolitan area who are
- 46.13 both appointed by the governor. The youths must have been disproportionately affected by
- 46.14 cannabis or cannabis use or have an immediate family member who was negatively affected
- 46.15 by cannabis use. The youths must be between the ages of 18 and 24 years old.
- 46.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 46.17 Sec. 56. Minnesota Statutes 2023 Supplement, section 342.03, subdivision 4, is amended
- 46.18 to read:
- 46.19 Subd. 4. **Duties.** (a) The duties of the advisory council shall include:
- 46.20 (1) reviewing national cannabis policy;
- 46.21 (2) examining the effectiveness of state cannabis policy;
- 46.22 (3) reviewing developments in the cannabis industry and hemp consumer industry;
- 46.23 (4) reviewing developments in the study of cannabis flower, cannabis products, artificially
- 46.24 derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products;
- 46.25 (5) taking public testimony; ~~and~~
- 46.26 (6) considering the impact of legalized adult-use cannabis on the rate of cannabis use
- 46.27 by minors; and
- 46.28 ~~(6)~~ (7) making recommendations to the Office of Cannabis Management.

47.1 (b) At its discretion, the advisory council may examine other related issues consistent
47.2 with this section.

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

47.4 Sec. 57. Minnesota Statutes 2023 Supplement, section 342.06, is amended to read:

47.5 **342.06 APPROVAL OF CANNABIS FLOWER, PRODUCTS, AND**
47.6 **CANNABINOIDS.**

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

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

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

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

47.21 (1) is or appears to be a lollipop or ice cream;

47.22 (2) bears the likeness or contains characteristics of a real or fictional person, animal, or
47.23 fruit;

47.24 (3) is modeled after a type or brand of products primarily consumed by or marketed to
47.25 children;

47.26 (4) is substantively similar to a meat food product; poultry food product as defined in
47.27 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
47.28 7;

47.29 (5) contains a synthetic cannabinoid;

48.1 (6) is made by applying a cannabinoid, including but not limited to an artificially derived
48.2 cannabinoid, to a finished food product that does not contain cannabinoids and is sold to
48.3 consumers, including but not limited to a candy or snack food; or

48.4 (7) if the product is an edible cannabis product or lower-potency hemp edible, contains
48.5 an ingredient, other than a cannabinoid, that is not approved by the United States Food and
48.6 Drug Administration for use in food.

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

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

48.15 (1) specify the cannabinoid that is the subject of the petition;

48.16 (2) indicate whether the petition seeks to have the cannabinoid designated as
48.17 nonintoxicating or approved for use in lower-potency hemp edibles;

48.18 (3) indicate whether the cannabinoid has been identified in cannabis plants, cannabis
48.19 extract, hemp plant parts, or hemp extract; and

48.20 (4) include verified data, validated studies, or other evidence that is generally relied
48.21 upon in the scientific community to support the petition.

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

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

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

48.28 Sec. 58. Minnesota Statutes 2023 Supplement, section 342.07, subdivision 3, is amended
48.29 to read:

48.30 Subd. 3. **Edible cannabinoid product handler endorsement.** (a) Any person seeking
48.31 to manufacture, process, sell, handle, or store an edible cannabis product or lower-potency
48.32 hemp edible, other than an edible cannabis product or lower-potency hemp edible that has

49.1 been placed in its final packaging, must first obtain an edible cannabinoid product handler
49.2 endorsement.

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

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

49.9 (1) the office must issue an edible cannabinoid product handler endorsement, rather than
49.10 a license;

49.11 (2) eligibility for an edible cannabinoid product handler endorsement is limited to persons
49.12 who possess a valid license issued by the office;

49.13 (3) the office may not charge a fee for issuing or renewing the endorsement;

49.14 (4) the office must align the term and renewal period for edible cannabinoid product
49.15 handler endorsements with the term and renewal period of the license issued by the office;
49.16 and

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

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

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

49.27 Sec. 59. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 1, is amended
49.28 to read:

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

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

- 50.1 (2) possess or transport two ounces or less of adult-use cannabis flower in a public place;
- 50.2 (3) possess two pounds or less of adult-use cannabis flower in the individual's private
50.3 residence;
- 50.4 (4) possess or transport eight grams or less of adult-use cannabis concentrate;
- 50.5 (5) possess or transport edible cannabis products or lower-potency hemp edibles infused
50.6 with a combined total of 800 milligrams or less of tetrahydrocannabinol;
- 50.7 (6) give for no remuneration to an individual who is at least 21 years of age:
- 50.8 (i) two ounces or less of adult-use cannabis flower;
- 50.9 (ii) eight grams or less of adult-use cannabis concentrate; or
- 50.10 (iii) an edible cannabis product or lower-potency hemp edible infused with 800 milligrams
50.11 or less of tetrahydrocannabinol; and
- 50.12 (7) use adult-use cannabis flower and adult-use cannabis products in the following
50.13 locations:
- 50.14 (i) a private residence, including the individual's curtilage or yard;
- 50.15 (ii) on private property, not generally accessible by the public, unless the individual is
50.16 explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency
50.17 hemp edibles, or hemp-derived consumer products on the property by the owner of the
50.18 property; or
- 50.19 (iii) on the premises of an establishment or event licensed to permit on-site consumption.
- 50.20 (b) Except as provided in paragraph (c), an individual may not:
- 50.21 (1) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp
50.22 edibles, or hemp-derived consumer products if the individual is under 21 years of age;
- 50.23 (2) use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived
50.24 consumer products in a motor vehicle as defined in section 169A.03, subdivision 15;
- 50.25 (3) use cannabis flower, cannabis products, or hemp-derived consumer products in a
50.26 manner that involves the inhalation of smoke, aerosol, or vapor at any location where
50.27 smoking is prohibited under section 144.414;
- 50.28 (4) use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or
50.29 hemp-derived consumer products in a public school, as defined in section 120A.05,
50.30 subdivisions 9, 11, and 13, or in a charter school governed by chapter 124E, including all

51.1 facilities, whether owned, rented, or leased, and all vehicles that a school district owns,
51.2 leases, rents, contracts for, or controls;

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

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

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

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

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

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

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

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

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

52.1 Sec. 60. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 3, is amended
52.2 to read:

52.3 Subd. 3. **Home extraction of cannabis concentrate by use of volatile solvent**
52.4 **prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate
52.5 or hemp concentrate without a cannabis microbusiness, cannabis mezzobusiness, cannabis
52.6 manufacturer, medical cannabis ~~processor~~ combination business, or lower-potency hemp
52.7 edible manufacturer license issued under this chapter.

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

52.9 Sec. 61. Minnesota Statutes 2023 Supplement, section 342.10, is amended to read:

52.10 **342.10 LICENSES; TYPES.**

52.11 The office shall issue the following types of license:

- 52.12 (1) cannabis microbusiness;
- 52.13 (2) cannabis mezzobusiness;
- 52.14 (3) cannabis cultivator;
- 52.15 (4) cannabis manufacturer;
- 52.16 (5) cannabis retailer;
- 52.17 (6) cannabis wholesaler;
- 52.18 (7) cannabis transporter;
- 52.19 (8) cannabis testing facility;
- 52.20 (9) cannabis event organizer;
- 52.21 (10) cannabis delivery service;
- 52.22 (11) lower-potency hemp edible manufacturer;
- 52.23 (12) lower-potency hemp edible retailer; and
- 52.24 ~~(13) medical cannabis cultivator;~~
- 52.25 ~~(14) medical cannabis processor;~~
- 52.26 ~~(15) medical cannabis retailer; or~~
- 52.27 ~~(16)~~ (13) medical cannabis combination business.

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

53.1 Sec. 62. Minnesota Statutes 2023 Supplement, section 342.11, is amended to read:

53.2 **342.11 LICENSES; FEES.**

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

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

53.11 (1) for a cannabis microbusiness:

53.12 (i) an application fee of \$500;

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

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

53.15 (2) for a cannabis mezzobusiness:

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

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

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

53.19 (3) for a cannabis cultivator:

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

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

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

53.23 (4) for a cannabis manufacturer:

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

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

53.26 (iii) a renewal license fee of \$20,000;

53.27 (5) for a cannabis retailer:

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

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

- 54.1 (iii) a renewal license fee of \$5,000;
- 54.2 (6) for a cannabis wholesaler:
- 54.3 (i) an application fee of \$5,000;
- 54.4 (ii) an initial license fee of \$5,000; and
- 54.5 (iii) a renewal license fee of \$10,000;
- 54.6 (7) for a cannabis transporter:
- 54.7 (i) an application fee of \$250;
- 54.8 (ii) an initial license fee of \$500; and
- 54.9 (iii) a renewal license fee of \$1,000;
- 54.10 (8) for a cannabis testing facility:
- 54.11 (i) an application fee of \$5,000;
- 54.12 (ii) an initial license fee of \$5,000; and
- 54.13 (iii) a renewal license fee of \$10,000;
- 54.14 (9) for a cannabis delivery service:
- 54.15 (i) an application fee of \$250;
- 54.16 (ii) an initial license fee of \$500; and
- 54.17 (iii) a renewal license fee of \$1,000;
- 54.18 (10) for a cannabis event organizer:
- 54.19 (i) an application fee of \$750; and
- 54.20 (ii) an initial license fee of \$750;
- 54.21 (11) for a lower-potency hemp edible manufacturer:
- 54.22 (i) an application fee of \$250;
- 54.23 (ii) an initial license fee of \$1,000; and
- 54.24 (iii) a renewal license fee of \$1,000;
- 54.25 (12) for a lower-potency hemp edible retailer:
- 54.26 (i) an application fee of \$250 per retail location;
- 54.27 (ii) an initial license fee of \$250 per retail location; and

55.1 (iii) a renewal license fee of \$250 per retail location; and

55.2 ~~(13) for a medical cannabis cultivator:~~

55.3 ~~(i) an application fee of \$250;~~

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

55.5 ~~(iii) a renewal license fee of \$0;~~

55.6 ~~(14) for a medical cannabis processor:~~

55.7 ~~(i) an application fee of \$250;~~

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

55.9 ~~(iii) a renewal license fee of \$0;~~

55.10 ~~(15) for a medical cannabis retailer:~~

55.11 ~~(i) an application fee of \$250;~~

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

55.13 ~~(iii) a renewal license fee of \$0; and~~

55.14 ~~(16)~~ (13) for a medical cannabis combination business:

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

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

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

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

55.19 Sec. 63. Minnesota Statutes 2023 Supplement, section 342.12, is amended to read:

55.20 **342.12 LICENSES; TRANSFERS; ADJUSTMENTS.**

55.21 (a) Licenses issued under this chapter that are available to all applicants pursuant to
 55.22 section 342.14, subdivision 1b, paragraph (c), may be freely transferred subject to the prior
 55.23 written approval of the office, ~~which approval may be given or withheld in the office's sole~~
 55.24 ~~discretion, provided that a social equity applicant may only transfer the applicant's license~~
 55.25 ~~to another social equity applicant~~ unless the license holder has not received a final site
 55.26 inspection or the license holder is a social equity applicant.

55.27 (b) Licenses issued as social equity licenses pursuant to either section 342.14, subdivision
 55.28 1b, paragraph (b), or section 342.175, paragraph (b), may only be transferred to another
 55.29 social equity applicant for three years after the date on which the office issues the license.

56.1 Three years after the date of issuance, a license holder may transfer a license to any entity.
 56.2 Transfer of a license that was issued as a social equity license must be reviewed by the
 56.3 Division of Social Equity and is subject to the prior written approval of the office.

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

56.5 (d) A new license must be obtained when:

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

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

56.11 ~~(b) Transfers between social equity applicants must be reviewed by the Division of~~
 56.12 ~~Social Equity.~~

56.13 ~~(e)~~ (e) Licenses must be renewed annually.

56.14 ~~(d)~~ (f) License holders may petition the office to adjust the tier of a license issued within
 56.15 a license category provided that if the license holder meets all applicable requirements.

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

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

56.24 Sec. 64. Minnesota Statutes 2023 Supplement, section 342.13, is amended to read:

56.25 **342.13 LOCAL CONTROL.**

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

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

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

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

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

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

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

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

57.23 (f) Within 30 days of receiving a copy of an application from the office, a local unit of
57.24 government shall certify on a form provided by the office whether a proposed cannabis
57.25 business complies with local zoning ordinances and, if applicable, whether the proposed
57.26 business complies with the state fire code and building code. The office may not issue a
57.27 license if a the local unit of government informs the office that the cannabis business does
57.28 not meet local zoning and land use laws. If the local unit of government does not provide
57.29 the certification to the office within 30 days of receiving a copy of an application from the
57.30 office, the office may issue a license.

57.31 ~~(g) Upon receipt of an application for a license issued under this chapter, the office shall~~
57.32 ~~contact the local unit of government in which the business would be located and provide~~
57.33 ~~the local unit of government with 30 days in which to provide input on the application. The~~
57.34 ~~local unit of government may provide the office with any additional information it believes~~

58.1 ~~is relevant to the office's decision on whether to issue a license, including but not limited~~
 58.2 ~~to identifying concerns about the proposed location of a cannabis business or sharing public~~
 58.3 ~~information about an applicant.~~

58.4 ~~(h)~~ (g) The office by rule shall establish an expedited complaint process to receive,
 58.5 review, and respond to complaints made by a local unit of government about a cannabis
 58.6 business. ~~Complaints may include alleged violations of local ordinances or other alleged~~
 58.7 ~~violations.~~ At a minimum, the expedited complaint process shall require the office to provide
 58.8 an initial response to the complaint within seven days and perform any necessary inspections
 58.9 within 30 days. Nothing in this paragraph prohibits a local unit of government from enforcing
 58.10 a local ordinance. If a local unit of government notifies the office that a cannabis business
 58.11 other than a cannabis retailer, cannabis microbusiness or cannabis mezzobusiness with a
 58.12 retail operations endorsement, ~~cannabis mezzobusiness~~, lower-potency hemp edible retailer,
 58.13 ~~medical cannabis retailer~~, or medical cannabis combination business operating a retail
 58.14 location poses an immediate threat to the health or safety of the public, the office must
 58.15 respond within one business day and may take any action described in section 342.19 or
 58.16 342.21.

58.17 ~~(h)~~ (h) A local government unit that issues a cannabis retailer registration under section
 58.18 342.22 may, by ordinance, limit the number of licensed cannabis retailers, cannabis
 58.19 mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with
 58.20 a retail operations endorsement to no fewer than one registration for every 12,500 residents.

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

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

58.25 ~~(k)~~ (k) Notwithstanding the foregoing provisions, the state shall not issue a license to
 58.26 any cannabis business to operate in Indian country, as defined in United States Code, title
 58.27 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal
 58.28 government.

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

58.30 Sec. 65. Minnesota Statutes 2023 Supplement, section 342.14, is amended to read:

58.31 **342.14 CANNABIS LICENSE APPLICATION AND RENEWAL; PROCEDURE.**

58.32 Subdivision 1. **Application; contents.** (a) The office ~~by rule~~ shall establish ~~forms and~~
 58.33 procedures for the processing of cannabis licenses issued under this chapter. At a minimum,

59.1 any application to obtain or renew a cannabis license shall include the following information,
59.2 if applicable:

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

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

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

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

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

59.13 (6) a copy of the security plan, including security monitoring, security equipment, and
59.14 facility maps if applicable, except an applicant is not required to secure a physical premises
59.15 for the business at the time of application;

59.16 (7) proof of trade name registration;

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

59.21 (9) standard operating procedures for:

59.22 (i) quality assurance;

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

59.24 (iii) accounting and tax compliance;

59.25 ~~(9)~~ (10) an attestation signed by a bona fide labor organization stating that the applicant
59.26 has entered into a labor peace agreement;

59.27 (11) a description of any training and education that the applicant will provide to
59.28 employees of the business;

59.29 (12) a disclosure of any violation of a license agreement or a federal, state, or local law
59.30 or regulation committed by the applicant or any true party of interest in the applicant's
59.31 business that is relevant to business and working conditions;

60.1 ~~(10)~~ (13) certification that the applicant will comply with the requirements of this chapter
 60.2 ~~relating to the ownership and operation of a cannabis business;~~

60.3 ~~(11)~~ (14) identification of one or more controlling persons or managerial employees as
 60.4 agents who shall be responsible for dealing with the office on all matters; ~~and~~

60.5 ~~(12)~~ (15) a statement that the applicant agrees to respond to the office's supplemental
 60.6 requests for information; and

60.7 (16) a release of information for the applicant and every true party of interest in the
 60.8 applicant's business license for the office to perform the background checks required under
 60.9 section 342.15.

60.10 (b) An applicant must file and update as necessary a disclosure of ownership and control
 60.11 identifying any true party of interest as defined in section 342.185, subdivision 1, paragraph
 60.12 (g). The office ~~by rule~~ shall establish the contents ~~and form~~ of the disclosure. Except as
 60.13 provided in paragraph (f), the disclosure shall, at a minimum, include the following:

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

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

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

60.26 (4) copies of any partnership agreement, operating agreement, or shareholder agreement;

60.27 (5) copies of any promissory notes, security instruments, or other similar agreements;

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

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

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

61.1 (c) An application may include:

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

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

61.4 or

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

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

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

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

61.15 Subd. 1a. **Market stability.** Subject to the limits under subdivision 1b, paragraphs (a)
61.16 to (d), the office shall issue the necessary number of licenses in order to ensure that there
61.17 is a sufficient supply of cannabis flower and cannabis products to meet demand, provide
61.18 market stability, ensure that there is a competitive market, and limit the sale of unregulated
61.19 cannabis flower and cannabis products.

61.20 Subd. 1b. **Maximum number of licenses.** (a) Before July 1, 2026, the office may issue
61.21 up to the maximum total number of licenses in each license category listed in paragraphs
61.22 (b) and (c).

61.23 (b) For licenses that are available to social equity applicants, the maximum number of
61.24 licenses that the office may issue are:

61.25 (1) cannabis cultivator licenses, 25;

61.26 (2) cannabis manufacturer licenses, 12;

61.27 (3) cannabis retailer licenses, 75; and

61.28 (4) cannabis mezzobusiness licenses, 50.

61.29 (c) For licenses that are available to all applicants, the maximum number of licenses
61.30 that the office may issue are:

61.31 (1) cannabis cultivator licenses, 25;

62.1 (2) cannabis manufacturer licenses, 12;

62.2 (3) cannabis retailer licenses, 75; and

62.3 (4) cannabis mezzobusiness licenses, 50.

62.4 (d) Beginning July 1, 2026, the office must determine the number of cannabis cultivator
 62.5 licenses, cannabis manufacturer licenses, cannabis retailer licenses, and cannabis
 62.6 mezzobusiness licenses that the office will issue consistent with the goals identified in
 62.7 subdivision 1a. If the office makes any of those types of licenses available, the number of
 62.8 licenses available to social equity applicants must be equal to or greater than the number
 62.9 of licenses available to all applicants.

62.10 (e) The office may issue as many licenses as the office deems necessary of a license
 62.11 type that is not listed in this subdivision. If the office limits the number of license types not
 62.12 listed in this subdivision available in any licensing period, the office must identify the
 62.13 number of licenses available to social equity applicants and the number of licenses available
 62.14 to all applicants. The number of licenses available to social equity applicants must be equal
 62.15 to or greater than the number of licenses available to all applicants. The office is not required
 62.16 to issue a license for a license type that is not listed in this subdivision.

62.17 (f) The office is not required to issue licenses to meet the maximum number of licenses
 62.18 that may be issued under paragraphs (b) and (c).

62.19 Subd. 1c. **Social equity applicant verification.** (a) The office must establish a procedure
 62.20 to verify that an individual seeking to apply for a cannabis business license as a social equity
 62.21 applicant, either as an individual or as a true party of interest who must be identified on an
 62.22 application, meets the requirements of section 342.17. As used in this paragraph, "true party
 62.23 of interest" has the meaning given in section 342.185, subdivision 1, paragraph (g).

62.24 (b) The office may announce social equity applicant verification periods and may require
 62.25 verification that an individual seeking to apply for a cannabis business license as a social
 62.26 equity applicant meets the requirements of section 342.17 before the office accepts an
 62.27 application from the individual.

62.28 (c) A person seeking to be verified as a social equity applicant must submit all required
 62.29 information on the forms and in the manner prescribed by the office.

62.30 (d) The office must issue a notice to an individual seeking to be verified as a social
 62.31 equity applicant stating that the office has verified the individual's status as a social equity
 62.32 applicant or that the office has been unable to verify the individual's status as a social equity
 62.33 applicant.

63.1 (e) Data collected, created, or maintained by the office pursuant to this subdivision, other
 63.2 than data listed in section 342.20, subdivision 2, are classified as nonpublic data, as defined
 63.3 by section 13.02, subdivision 9, or as private data on individuals, as defined by section
 63.4 13.02, subdivision 12.

63.5 Subd. 2. Licensing periods; initial application; process. (a) The office must announce
 63.6 the commencement of a licensing period in advance of accepting applications for cannabis
 63.7 business licenses. At a minimum, the announcement must include:

63.8 (1) the types of licenses that will be available during the licensing period;

63.9 (2) if the office limits the number of a type of license that will be available, the number
 63.10 of that type of license available in the licensing period;

63.11 (3) the date on which the office will begin accepting applications; and

63.12 (4) the date on which the office will no longer accept applications.

63.13 ~~(a)~~ (b) An applicant must submit all required information and the applicable application
 63.14 fee to the office on the forms and in the manner prescribed by the office.

63.15 ~~(b)~~ (c) If the office receives an application that fails to provide the required information
 63.16 or pay the applicable application fee, the office shall issue a deficiency notice to the applicant.
 63.17 The applicant shall have ten business days to submit the required information or pay the required
 63.18 application fee within 14 calendar days from the date of the deficiency notice to submit the
 63.19 required information.

63.20 ~~(c)~~ (d) Failure by an applicant to submit all required information or pay the application
 63.21 fee to the office will result in the application being rejected.

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

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

63.30 Subd. 3. Review. (a) After an applicant submits an application that contains all required
 63.31 information and pays the applicable licensing fee, the office must review the application.

63.32 (b) The office may deny an application if:

- 64.1 (1) the application is incomplete;
- 64.2 (2) the application contains a materially false statement about the applicant or omits
64.3 information required under subdivision 1;
- 64.4 (3) the applicant does not meet the qualifications under section 342.16;
- 64.5 (4) the applicant is prohibited from holding the license under section 342.18, subdivision
64.6 2;
- 64.7 (5) the application does not meet the minimum requirements under section 342.18,
64.8 subdivision 3;
- 64.9 (6) the applicant fails to pay the applicable application fee;
- 64.10 (7) the application was not submitted by the application deadline;
- 64.11 (8) the applicant submitted more than one application for a license type; or
- 64.12 (9) the office determines that the applicant would be prohibited from holding a license
64.13 for any other reason.
- 64.14 (c) If the office denies an application, the office must notify the applicant of the denial
64.15 and the basis for the denial.
- 64.16 (d) The office may request additional information from any applicant if the office
64.17 determines that the information is necessary to review or process the application. If the
64.18 applicant does not provide the additional requested information within 14 calendar days of
64.19 the office's request for information, the office may deny the application.
- 64.20 (e) An applicant whose application is not denied under this subdivision is a qualified
64.21 applicant.
- 64.22 **Subd. 4. Lottery.** (a) If the number of qualified applicants who are verified social equity
64.23 applicants seeking a type of license exceeds the number of licenses of that type that are
64.24 made available for social equity applicants, the office must first conduct a lottery consisting
64.25 of verified social equity applicants to select qualified applicants for preliminary license
64.26 approval. If a social equity applicant is not selected in a lottery conducted under this
64.27 paragraph, the office must include the social equity applicant in the pool of applicants for
64.28 licenses of that type that are made available to all applicants.
- 64.29 (b) If the number of qualified applicants seeking a type of license exceeds the number
64.30 of licenses of that type that are made available to all applicants, the office must conduct a
64.31 lottery to select applicants for preliminary license approval.

65.1 (c) A lottery conducted under this section must be impartial, random, and in a format
65.2 determined by the office.

65.3 (d) Following the completion of any lottery conducted pursuant to paragraphs (a) or (b),
65.4 the office must notify each applicant entered in the lottery that the applicant was either
65.5 selected or not selected in the lottery.

65.6 Subd. 5. **Background check; preliminary license approval.** (a) Before granting
65.7 preliminary license approval, the office may conduct a background check of qualified
65.8 applicants consistent with section 342.15.

65.9 (b) The office must issue preliminary license approval to a qualified applicant if the
65.10 applicant is not disqualified under section 342.15, and:

65.11 (1) there are a sufficient number of licenses of the type the applicant is seeking for all
65.12 qualified applicants to receive preliminary license approval; or

65.13 (2) the qualified applicant is selected in the lottery conducted under subdivision 4.

65.14 (c) The office must notify an applicant of the results of any background check and
65.15 whether the office has granted preliminary license approval. If the office does not grant
65.16 preliminary license approval, the notice must state the specific reasons for the office's
65.17 decision.

65.18 Subd. 6. **Completed application; final authorization; issuance of license.** (a) Within
65.19 18 months of receiving notice of preliminary license approval, an applicant must provide:

65.20 (1) the address and legal property description of the location where the business will
65.21 operate;

65.22 (2) the name of the local unit of government where the business will be located; and

65.23 (3) if applicable, an updated description of the location where the business will operate,
65.24 an updated security plan, and any other additional information required by the office.

65.25 (b) Upon receipt of the information required under paragraph (a) from an applicant that
65.26 has received preliminary license approval, the office must:

65.27 (1) forward a copy of the application to the local unit of government in which the business
65.28 operates or intends to operate with a form for certification as to whether a proposed cannabis
65.29 business complies with local zoning ordinances and, if applicable, whether the proposed
65.30 business complies with the state fire code and building code;

65.31 (2) schedule a site inspection; and

66.1 (3) require the applicant to pay the applicable license fee.

66.2 (c) The office may deny final authorization if:

66.3 (1) an applicant fails to submit any required information;

66.4 (2) the applicant submits a materially false statement about the applicant or fails to
66.5 provide any required information;

66.6 (3) the office confirms that the cannabis business for which the office granted a license
66.7 preapproval does not meet local zoning and land use laws;

66.8 (4) the applicant fails to pay the applicable license fee; or

66.9 (5) the office determines that the applicant is disqualified from holding the license or
66.10 would operate in violation of the provisions of this chapter.

66.11 (d) Within 90 days of receiving the information required under paragraph (a) and the
66.12 results of any required background check, the office shall grant final authorization and issue
66.13 the appropriate license or send the applicant a notice of rejection setting forth specific
66.14 reasons that the office did not approve the application.

66.15 Subd. 7. Local units of government. (a) Except as provided in paragraph (d), the office
66.16 must issue a license to a city or county seeking to establish, own, or operate a single
66.17 municipal cannabis store authorized under section 342.32, subdivision 5, if the city or
66.18 county:

66.19 (1) submits all information required by the office;

66.20 (2) meets the minimum requirements under section 342.18, subdivision 3; and

66.21 (3) pays the applicable application and license fee.

66.22 (b) A license issued to a city or county must not be counted against the maximum number
66.23 of licenses made available in a licensing period.

66.24 (c) A municipal cannabis store established, owned, or operated by a city or county must
66.25 not be included in any limitation on the number of licensed cannabis retailers, cannabis
66.26 mezzobusinesses with a retail operations endorsement, or cannabis microbusinesses with a
66.27 retail operations endorsement that a local unit of government imposes or adopts pursuant
66.28 to section 342.13, paragraph (i) or (j).

66.29 (d) The office may refuse to issue a license to a city or county if the office determines
66.30 that the issuance of the license would be inconsistent with the goals in subdivision 1a.

67.1 (e) Nothing in this subdivision prohibits a city or county from applying for a cannabis
67.2 retail license subject to the requirements and procedure applicable to all other applicants.

67.3 Subd. 8. **Reconsideration.** If the office denies an application or denies final authorization
67.4 and does not issue a license after granting preliminary license approval, the applicant may
67.5 seek reconsideration from the office. A decision by the office on a request for reconsideration
67.6 is final.

67.7 Subd. 9. **Retention.** (a) If the office holds a lottery as provided in subdivision 4, the
67.8 office must retain the applications of any applicant not selected in the lottery for one year.
67.9 The office must consider a retained application during any licensing periods that begin
67.10 within the year and, except as otherwise provided in this subdivision, the office must treat
67.11 a retained application as if the application were submitted during the licensing period.

67.12 (b) At the beginning of a subsequent licensing period, the applicant may amend an
67.13 application or provide additional information to the office. The office may request additional
67.14 information from any applicant whose application is retained to determine if the applicant
67.15 meets the requirements for a subsequent licensing period. If the applicant does not provide
67.16 the requested information to the office within 14 calendar days of the office's request, the
67.17 office may deny the application.

67.18 (c) The office must not charge an additional application fee to an applicant whose
67.19 application was retained by the office.

67.20 (d) An applicant may withdraw a retained application at any time. If the applicant
67.21 withdraws a retained application, the applicant may submit a new application during a
67.22 licensing period. An applicant who submits a new application must pay the applicable
67.23 application fee.

67.24 (e) The office may disqualify an application from retention if the office could deny the
67.25 application under subdivision 3, paragraph (a).

67.26 Subd. 10. **Revocation or expiration of preliminary approval.** (a) A preliminary license
67.27 approval expires after 18 months unless the office revokes the preliminary license approval
67.28 or grants an extension. The office may grant a onetime extension of up to six months if an
67.29 applicant has made good faith efforts to convert a preliminary license approval into a license.
67.30 The office must not issue a license to an applicant whose preliminary license approval has
67.31 expired.

67.32 (b) If the office determines that an applicant is not eligible for a license, the office may
67.33 revoke a preliminary license approval.

68.1 (c) The office must notify an applicant if the office revokes the applicant's preliminary
 68.2 license approval or if the applicant's preliminary license approval expires.

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

68.4 Sec. 66. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 1, is amended
 68.5 to read:

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

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

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

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

68.29 Sec. 67. Minnesota Statutes 2023 Supplement, section 342.15, subdivision 2, is amended
 68.30 to read:

68.31 Subd. 2. **Criminal offenses; disqualifications.** (a) The office may by rule determine
 68.32 whether any felony convictions ~~shall~~, including but not limited to convictions for noncannabis

69.1 controlled substance crimes in the first or second degree, human trafficking, labor trafficking,
 69.2 fraud, or financial crimes, disqualify a person an individual from holding or receiving a
 69.3 cannabis business license issued under this chapter or working for a cannabis business, and
 69.4 the length of any such disqualification. In adopting rules pursuant to this subdivision, the
 69.5 office shall not disqualify a person an individual for a violation of section 152.025.

69.6 (b) The office must not issue a cannabis business license to any person or business who
 69.7 was convicted of illegally selling cannabis after August 1, 2023, unless five years have
 69.8 passed since the date of conviction.

69.9 (c) The office must not issue a cannabis business license to any person or business who
 69.10 violated this chapter after August 1, 2023, unless five years have passed since the date of
 69.11 violation. The office may set aside the violation if the office finds that the violation occurred
 69.12 as a result of a mistake made in good faith and the violation did not involve gross negligence,
 69.13 an illegal sale of cannabis, or cause harm to the public. The office must not issue a license
 69.14 to any person or business who the office has assessed a fine to under section 342.09,
 69.15 subdivision 6.

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

69.17 Sec. 68. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a
 69.18 subdivision to read:

69.19 **Subd. 5. Civil and regulatory offenses; disqualifications.** The office may determine
 69.20 whether any civil or regulatory violations, as determined by another state agency, local unit
 69.21 of government, or any other jurisdiction, disqualify an individual from holding or receiving
 69.22 a cannabis business license issued under this chapter or disqualify an individual from working
 69.23 for a cannabis business, and the length of the disqualification. Upon the office's request, a
 69.24 state agency, as defined in section 13.02, subdivision 17, except for the Department of
 69.25 Revenue may release civil investigative data, including data classified as protected nonpublic
 69.26 or confidential under section 13.39, subdivision 2, if the request is related to a specific
 69.27 applicant and the data is necessary to make a determination under this section.

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

69.29 Sec. 69. **[342.151] EMPLOYEES OF LICENSE HOLDERS.**

69.30 **Subdivision 1. Definitions.** For purposes of this section, a "license holder" includes a
 69.31 cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer,
 69.32 cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis

70.1 event organizer, cannabis delivery service, lower-potency hemp edible manufacturer,
70.2 lower-potency hemp edible retailer, or medical cannabis combination business.

70.3 Subd. 2. **Criminal history check.** A license holder may employ or contract with as
70.4 many unlicensed individuals as may be necessary, provided that the license holder is at all
70.5 times accountable for the good conduct of every individual employed by or contracted with
70.6 the license holder. Before hiring an individual as a cannabis worker, the license holder must
70.7 submit to the Bureau of Criminal Apprehension the individual's full set of fingerprints and
70.8 written consent for the bureau to conduct a state and national criminal history check. The
70.9 bureau may exchange an individual's fingerprints with the Federal Bureau of Investigation.
70.10 The Bureau of Criminal Apprehension must determine whether the individual is qualified
70.11 to be employed as a cannabis worker and must notify the license holder of the bureau's
70.12 determination. The license holder must not employ an individual who is disqualified from
70.13 being employed as a cannabis worker.

70.14 Subd. 3. **Disqualification.** (a) A license holder must not employ an individual as a
70.15 cannabis worker if the individual has been convicted of any of the following crimes that
70.16 would constitute a felony:

70.17 (1) human trafficking;

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

70.19 (3) labor trafficking;

70.20 (4) fraud;

70.21 (5) embezzlement;

70.22 (6) extortion;

70.23 (7) money laundering; or

70.24 (8) insider trading;

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

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

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

71.1 Sec. 70. Minnesota Statutes 2023 Supplement, section 342.16, is amended to read:

71.2 **342.16 CANNABIS BUSINESSES; GENERAL OWNERSHIP**

71.3 **DISQUALIFICATIONS AND REQUIREMENTS.**

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

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

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

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

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

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

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

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

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

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

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

71.23 (11) not be disqualified under section 342.15;

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

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

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

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

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

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

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

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

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

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

72.12 Sec. 71. Minnesota Statutes 2023 Supplement, section 342.17, is amended to read:

72.13 **342.17 SOCIAL EQUITY APPLICANTS.**

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

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

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

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

72.21 (4) is a military veteran, including a service-disabled veteran, current or former member
72.22 of the national guard, or any;

72.23 (5) is a military veteran or current or former member of the national guard who lost
72.24 honorable status due to an offense involving the possession or sale of cannabis or marijuana;

72.25 ~~(5) (6)~~ has been a resident for the last five years of one or more subareas, such as census
72.26 tracts or neighborhoods, that experienced a disproportionately large amount of cannabis
72.27 enforcement as determined by the study conducted by the office pursuant to section 342.04,
72.28 paragraph (b), and reported in the preliminary report, final report, or both or another report
72.29 based on federal or state data on arrests or convictions;

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

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

73.5 ~~(7)~~ (8) has been a resident for the last five years of one or more census tracts where, as
 73.6 reported in the most recently completed decennial census published by the United States
 73.7 Bureau of the Census, ~~either:~~

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

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

73.13 (iii) at least 20 percent of the households receive assistance through the Supplemental
 73.14 Nutrition Assistance Program; or

73.15 (iv) the population has a high level of vulnerability according to the Centers for Disease
 73.16 Control and Prevention and Agency for Toxic Substances and Disease Registry
 73.17 (CDC/ATSDR) Social Vulnerability Index.

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

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

73.22 Sec. 72. **[342.175] SOCIAL EQUITY LICENSE CLASSIFICATION.**

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

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

73.27 (2) available to all applicants.

73.28 (b) The office must classify any license issued to a social equity applicant as a social
 73.29 equity license.

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

74.1 Sec. 73. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 2, is amended
74.2 to read:

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

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

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

74.11 Sec. 74. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 3, is amended
74.12 to read:

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

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

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

74.20 ~~(3)~~ (1) security and record keeping;

74.21 ~~(4)~~ (2) employee training plan;

74.22 ~~(5)~~ (3) business plan and financial situation;

74.23 ~~(6)~~ (4) labor and employment practices;

74.24 ~~(7)~~ (5) knowledge and experience; and

74.25 ~~(8)~~ (6) environmental plan.

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

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

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

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

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

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

75.18 Sec. 75. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a
 75.19 subdivision to read:

75.20 **Subd. 5. Conversion to hemp business license.** (a) After the office adopts initial rules
 75.21 pursuant to section 342.02, subdivision 5, the office may permit a person selling edible
 75.22 cannabinoid products who has registered pursuant to section 151.72, subdivision 5b, to
 75.23 convert the registration to a comparable hemp business license if:

75.24 (1) the registration was active before the office adopted initial rules;

75.25 (2) the person submits documentation to the office sufficient to meet the minimum
 75.26 requirements in section 342.44;

75.27 (3) the person pays the applicable application and licensing fee as required by section
 75.28 342.11; and

75.29 (4) the person is in good standing with the state.

75.30 (b) A person selling edible cannabinoid products who has registered pursuant to section
 75.31 151.72, subdivision 5b, and remains in good standing with the state may continue operations
 75.32 under an active registration for the longer of:

76.1 (1) 30 days after the date that the office begins accepting applications for hemp business
76.2 licenses; or

76.3 (2) if the person submits an application for a hemp business license, until the office
76.4 makes a determination regarding the registrant's application.

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

76.6 **Sec. 76. [342.185] TRUE PARTY OF INTEREST.**

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

76.9 (b) "Control" means the power to independently order or direct the management,
76.10 managers, or policies of a cannabis business.

76.11 (c) "Financial institution" means any bank, mutual savings bank, consumer loan company,
76.12 credit union, savings and loan association, trust company, or other lending institution under
76.13 the jurisdiction of the Minnesota Department of Commerce, the United States Department
76.14 of Commerce, or both.

76.15 (d) "Financier" means any person that:

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

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

76.19 (3) expects to be repaid for the money provided, with or without reasonable interest.

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

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

76.23 (g) "True party of interest" means an individual who as an individual or as part of another
76.24 business:

76.25 (1) is a sole proprietor of a sole proprietorship;

76.26 (2) is a partner in a general partnership;

76.27 (3) is a general partner or limited partner in a limited partnership, a limited liability
76.28 partnership, or a limited liability limited partnership;

76.29 (4) is a member of a limited liability company or a manager in a limited liability company;

77.1 (5) is a corporate officer or director or holds an equivalent title in a privately held
 77.2 corporation;

77.3 (6) is a stockholder in a privately held corporation;

77.4 (7) is part of a multilevel ownership structure;

77.5 (8) has membership rights to a nonprofit corporation in accordance with the provisions
 77.6 of the articles of incorporation or bylaws for the nonprofit corporation;

77.7 (9) has the right to receive some or all of the revenue, gross profit, or net profit from a
 77.8 cannabis business during any full or partial calendar or fiscal year; or

77.9 (10) has the right to exercise control over a cannabis business.

77.10 True party of interest does not include:

77.11 (1) an individual receiving payment for rent on a fixed basis under a lease or rental
 77.12 agreement;

77.13 (2) an employee of a cannabis business who receives a salary or hourly rate compensation
 77.14 if the employee does not otherwise hold an ownership interest in the cannabis business or
 77.15 have the right to exercise control over the cannabis business;

77.16 (3) an individual who receives a bonus or commission based on the individual's sales,
 77.17 if the bonus or commission does not exceed ten percent of the individual's sales in any given
 77.18 bonus or commission period and the terms of the bonus or commission-based compensation
 77.19 agreement is in writing;

77.20 (4) an individual with an ownership interest held or acquired solely for the purpose of
 77.21 passive investment as described in Code of Federal Regulations, title 31, section 800.243;

77.22 (5) an individual contracting with a cannabis business to receive a commission for the
 77.23 sale of a business or real property;

77.24 (6) a consultant receiving a flat or hourly rate compensation under a written contractual
 77.25 agreement;

77.26 (7) any person with a contract or an agreement for services with a cannabis business,
 77.27 such as a branding or staffing company, as long as that person does not obtain any ownership
 77.28 or control of the cannabis business; or

77.29 (8) a financial institution.

77.30 Subd. 2. **Application number limitations.** An individual may not be a true party of
 77.31 interest for more than one application for (1) any single type of license, or (2) multiple types

78.1 of licenses if the individual would be prohibited from holding the licenses under section
78.2 342.18, subdivision 2. The limitation does not apply to an individual who holds no more
78.3 than ten percent ownership of the business entity.

78.4 Subd. 3. **License number limitations.** An individual may not be a true party of interest
78.5 for more than one license unless explicitly allowed by this chapter. The limitation does not
78.6 apply to an individual who holds ten percent or less controlling ownership of the business
78.7 entity.

78.8 Subd. 4. **Notification.** Except as otherwise provided in this subdivision, a cannabis
78.9 business has a continuing duty to disclose the source of all money that will be invested in
78.10 the cannabis business, including but not limited to all money obtained from financiers,
78.11 before investing the money in the cannabis business. The notice requirement under this
78.12 section does not apply to:

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

78.14 (2) proceeds of a revolving loan unless the source of the money has changed or the
78.15 approved loan amount has increased.

78.16 Subd. 5. **Disclosure agreements and intellectual property.** A cannabis business must
78.17 not enter into an intellectual property agreement with another cannabis business if a single
78.18 entity could not hold licenses for both types of cannabis business.

78.19 Subd. 6. **Financiers.** A financier may not receive an ownership interest, control of a
78.20 business, a share of revenue, gross profits or net profits, a profit sharing interest, or a
78.21 percentage of the profits in exchange for a loan or gift of money, unless the financier, if
78.22 directly involved in the loaning of money, has been disclosed to the office as a true party
78.23 of interest.

78.24 Subd. 7. **Disclosure requirements.** An applicant for a cannabis business license and
78.25 cannabis business license holders must disclose all true parties of interest. Applicants and
78.26 license holders have a continuing duty to notify the office of any change in true parties of
78.27 interest in the form and manner specified by the office.

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

78.29 Sec. 77. Minnesota Statutes 2023 Supplement, section 342.19, is amended by adding a
78.30 subdivision to read:

78.31 Subd. 6. **Inspection of unlicensed businesses and facilities.** (a) The office may inspect
78.32 any commercial premises that is not licensed under this chapter where cultivation,

79.1 manufacturing, processing, or sale of cannabis plants, cannabis flower, cannabis concentrate,
79.2 artificially derived cannabinoids, hemp-derived consumer products, or edible cannabinoid
79.3 products is taking place.

79.4 (b) A representative of the office performing an inspection under this subdivision must
79.5 present appropriate credentials to the owner, operator, or agent in charge and clearly state
79.6 the purpose of the inspection.

79.7 (c) After providing the notice required under paragraph (b), a representative of the office
79.8 may enter the commercial premises and perform any of the following to determine if any
79.9 person is engaging in activities that are regulated by this chapter and not authorized without
79.10 the possession of a license and to determine the appropriate penalty under section 342.09,
79.11 subdivision 6:

79.12 (1) inspect and investigate the commercial premises;

79.13 (2) inspect and copy records; and

79.14 (3) question privately any employer, owner, operator, agent, or employee of the
79.15 commercial operation.

79.16 (d) Entry of a commercial premises must take place during regular working hours or at
79.17 other reasonable times.

79.18 (e) If the office finds any cannabis plant, cannabis flower, cannabis product, artificially
79.19 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product on
79.20 the inspected commercial premises, the office may either immediately seize the item or
79.21 affix to the item a tag, withdrawal from distribution order, or other appropriate marking
79.22 providing notice that the cannabis plant, cannabis flower, cannabis product, artificially
79.23 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product is, or
79.24 is suspected of being, possessed or distributed in violation of this chapter, and has been
79.25 detained or embargoed, and warning all persons not to remove or dispose of the item by
79.26 sale or otherwise until permission for removal or disposal is given by the office or the court.
79.27 It is unlawful for a person to remove or dispose of a detained or embargoed cannabis plant,
79.28 cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp
79.29 edible, or hemp-derived consumer product by sale or otherwise without the office's or a
79.30 court's permission and each transaction may be treated as a sale for the purposes of imposing
79.31 a penalty pursuant to section 342.09, subdivision 6.

79.32 (f) If the office has seized, detained, or embargoed any item pursuant to paragraph (e),
79.33 the office must:

80.1 (1) petition the district court in the county in which the item was found for an order
 80.2 authorizing destruction of the product; and

80.3 (2) notify the county attorney in the county where the item was found of the office's
 80.4 actions.

80.5 (g) If the court finds that the seized, detained, or embargoed cannabis plant, cannabis
 80.6 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
 80.7 hemp-derived consumer product was possessed or distributed in violation of this chapter
 80.8 or rules adopted under this chapter, the office may destroy the cannabis plant, cannabis
 80.9 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
 80.10 hemp-derived consumer product at the expense of the person who possessed or distributed
 80.11 the item in violation of this chapter and all court costs, fees, storage, and other proper
 80.12 expenses must be assessed against the person or the person's agent.

80.13 (h) The provisions of subdivision 2, paragraph (f) apply to any analysis or examination
 80.14 performed under this subdivision.

80.15 (i) The authorization under paragraph (e) does not apply to any cannabis flower, cannabis
 80.16 product, lower-potency hemp edible, or hemp-derived consumer product lawfully purchased
 80.17 for personal use.

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

80.19 Sec. 78. Minnesota Statutes 2023 Supplement, section 342.22, is amended to read:

80.20 **342.22 RETAILERS; LOCAL REGISTRATION AND ENFORCEMENT.**

80.21 Subdivision 1. **Registration required.** Before making retail sales to customers or patients,
 80.22 a cannabis microbusiness ~~with a retail operations endorsement~~, cannabis mezzobusiness
 80.23 ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis retailer~~, medical
 80.24 cannabis combination business, or lower-potency hemp edible retailer must register with
 80.25 the city, town, or county in which the retail establishment is located. A county may issue a
 80.26 registration in cases where a city or town has provided consent for the county to issue the
 80.27 registration for the jurisdiction.

80.28 Subd. 2. **Registration fee.** (a) A local unit of government may impose an initial retail
 80.29 registration fee of \$500 or up to half the amount of the applicable initial license fee under
 80.30 section 342.11, whichever is less. The local unit of government may also impose a renewal
 80.31 retail registration fee of \$1,000 or up to half the amount of the applicable renewal license
 80.32 fee under section 342.11, whichever is less. The initial registration fee shall include the fee
 80.33 for initial registration and the first annual renewal. Any renewal fee imposed by the local

81.1 unit of government shall be charged at the time of the second renewal and each subsequent
81.2 annual renewal thereafter.

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

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

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

81.7 Subd. 3. **Issuance of registration.** (a) A local unit of government shall issue a retail
81.8 registration to a cannabis microbusiness with a retail operations endorsement, cannabis
81.9 mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis
81.10 ~~retailer~~ combination business operating a retail location, or lower-potency hemp edible
81.11 retailer that:

81.12 (1) has a valid license or license preapproval issued by the office;

81.13 (2) has paid the registration fee or renewal fee pursuant to subdivision 2;

81.14 (3) is found to be in compliance with the requirements of this chapter at any preliminary
81.15 compliance check that the local unit of government performs; and

81.16 (4) if applicable, is current on all property taxes and assessments at the location where
81.17 the retail establishment is located.

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

81.23 (c) A local unit of government shall renew the retail registration of a cannabis business
81.24 or hemp business when the office renews the license of the cannabis business or hemp
81.25 business.

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

81.27 Subd. 4. **Compliance checks.** (a) A local unit of government shall conduct compliance
81.28 checks of every cannabis business and hemp business with a retail registration issued by
81.29 the local unit of government. ~~The checks~~ During a compliance check, a local unit of
81.30 government shall assess a business's compliance with age verification requirements, the
81.31 and compliance with any applicable operation requirements, and the applicable limits on
81.32 the types of cannabis flower, cannabis products, lower-potency hemp edibles, and

82.1 ~~hemp-derived consumer products being sold~~ local ordinance established pursuant to section
 82.2 342.13.

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

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

82.15 Subd. 5. **Registration suspension and cancellation; notice to office; penalties.** (a) If
 82.16 a local unit of government determines that a cannabis business or hemp business with a
 82.17 retail registration issued by the local unit of government is not operating in compliance with
 82.18 the requirements of ~~this chapter~~ a local ordinance authorized under section 342.13 or that
 82.19 the operation of the business poses an immediate threat to the health or safety of the public,
 82.20 the local unit of government may suspend the retail registration of the cannabis business or
 82.21 hemp business. The local unit of government must immediately notify the office of the
 82.22 suspension and shall include a description of the grounds for the suspension.

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

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

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

82.31 (e) No cannabis microbusiness ~~with a retail operations endorsement~~, cannabis
 82.32 mezzobusiness ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis~~
 82.33 ~~retailer~~, medical cannabis combination business, or lower-potency hemp edible retailer may
 82.34 make any sale to a customer or patient without a valid retail registration with a local unit

83.1 of government and a valid license with any applicable endorsement from the office. A local
 83.2 unit of government may impose a civil penalty of up to \$2,000 for each violation of this
 83.3 paragraph.

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

83.5 Sec. 79. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended
 83.6 to read:

83.7 Subdivision 1. **Individuals under 21 years of age.** (a) A cannabis business may not
 83.8 employ an individual under 21 years of age and may not contract with an individual under
 83.9 21 years of age if the individual's scope of work involves the handling of cannabis plants,
 83.10 cannabis flower, artificially derived cannabinoids, or cannabinoid products.

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

83.13 (c) A cannabis business may not sell or give cannabis flower, cannabis products,
 83.14 lower-potency hemp edibles, or hemp-derived consumer products to an individual under
 83.15 21 years of age unless the individual is a ~~patient; registered designated caregiver; or a parent,~~
 83.16 ~~legal guardian, or spouse of a patient who is authorized to use, possess, or transport medical~~
 83.17 ~~cannabis flower or medical cannabinoid products~~ enrolled in the registry program and the
 83.18 cannabis business holds a medical cannabis retail endorsement.

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

83.20 Sec. 80. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 2, is amended
 83.21 to read:

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

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

83.31 (c) A cannabis business may permit an employee to use medical cannabis flower and
 83.32 medical cannabinoid products if that individual is a patient enrolled in the registry program.

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

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

84.7 Sec. 81. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
 84.8 subdivision to read:

84.9 **Subd. 1a. Cannabis research.** An institution of higher education, any department or
 84.10 program of an institution of higher education that is regionally or nationally accredited, and
 84.11 any entity working in partnership with an institution of higher education may apply for a
 84.12 cannabis microbusiness license to conduct cannabis crop research. A cannabis researcher
 84.13 with a cannabis microbusiness license may perform activities identified in subdivision 1,
 84.14 clauses (1) to (9) and (13). Cannabis plants and cannabis flower grown for research purposes
 84.15 must not be offered for sale or otherwise enter the stream of commerce. As used in this
 84.16 subdivision, "institution of higher education" has the meaning given in sections 135A.51,
 84.17 subdivision 5, and 136A.28, subdivision 6.

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

84.19 Sec. 82. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 2, is amended
 84.20 to read:

84.21 **Subd. 2. Size limitations.** (a) A cannabis microbusiness that cultivates cannabis at an
 84.22 indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust
 84.23 plant canopy limits for licensed businesses upward to meet market demand consistent with
 84.24 the goals identified in section 342.02, subdivision 1. In each licensing period, the office
 84.25 may adjust plant canopy limits upward or downward for licenses that will be issued in that
 84.26 period to meet market demand consistent with the goals identified in section 342.02,
 84.27 subdivision 1, except that the office must not impose a limit of less than 5,000 square feet
 84.28 of plant canopy.

84.29 (b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
 84.30 up to one-half acre of mature, flowering plants ~~unless the office increases that limit.~~ The
 84.31 office may increase the limit ~~to no more than one acre if the office determines that expansion~~
 84.32 ~~is~~ for licensed businesses to meet market demand consistent with the goals identified in
 84.33 section 342.02, subdivision 1. In each licensing period, the office may adjust the limit

85.1 upward or downward for licenses that will be issued in that period to meet market demand
 85.2 consistent with the goals identified in section 342.02, subdivision 1, except that the office
 85.3 must not impose a limit of less than one-half acre of mature, flowering plants.

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

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

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

85.13 Sec. 83. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 4, is amended
 85.14 to read:

85.15 Subd. 4. **Exception.** ~~The requirement of (a)~~ An attestation signed by a bona fide labor
 85.16 organization stating that the applicant has entered into a labor peace agreement is not required
 85.17 as part of an application for a cannabis microbusiness license.

85.18 (b) When renewing a cannabis microbusiness license, a cannabis microbusiness with
 85.19 ten or more full-time equivalent employees must submit an attestation signed by a bona
 85.20 fide labor organization stating that the applicant has entered into a labor peace agreement.

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

85.22 Sec. 84. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
 85.23 subdivision to read:

85.24 **Subd. 11. Transportation between facilities.** A cannabis microbusiness may transport
 85.25 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially
 85.26 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,
 85.27 and hemp-derived consumer products between facilities operated by the cannabis
 85.28 microbusiness if the cannabis microbusiness:

85.29 (1) provides the office with the information described in section 342.35, subdivision 2;
 85.30 and

85.31 (2) complies with the requirements of section 342.36.

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

86.2 Sec. 85. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended
86.3 to read:

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

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

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

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

86.14 Sec. 86. Minnesota Statutes 2023 Supplement, section 342.29, is amended by adding a
86.15 subdivision to read:

86.16 Subd. 8a. **Multiple endorsements required.** Within 18 months of receiving a cannabis
86.17 mezzobusiness license, a cannabis mezzobusiness must obtain at least two of the
86.18 endorsements identified in subdivisions 5, 6, 7, and 8. If a cannabis mezzobusiness fails to
86.19 obtain multiple endorsements within 18 months, the office may suspend, revoke, or not
86.20 renew the license as provided in section 342.21.

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

86.22 Sec. 87. Minnesota Statutes 2023 Supplement, section 342.29, is amended by adding a
86.23 subdivision to read:

86.24 Subd. 10. **Transportation between facilities.** A cannabis mezzobusiness may transport
86.25 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially
86.26 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,
86.27 and hemp-derived consumer products between facilities operated by the cannabis
86.28 mezzobusiness if the cannabis mezzobusiness:

86.29 (1) provides the office with the information described in section 342.35, subdivision 2;
86.30 and

86.31 (2) complies with the requirements of section 342.36.

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

87.2 Sec. 88. Minnesota Statutes 2023 Supplement, section 342.30, subdivision 4, is amended
87.3 to read:

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

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

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

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

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

87.19 Sec. 89. Minnesota Statutes 2023 Supplement, section 342.31, subdivision 4, is amended
87.20 to read:

87.21 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
87.22 cannabis manufacturer license may also hold a cannabis cultivator license, ~~a medical cannabis~~
87.23 ~~cultivator license~~, ~~a medical cannabis processor license~~, and a cannabis event organizer
87.24 license.

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

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

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

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

88.5 Sec. 90. Minnesota Statutes 2023 Supplement, section 342.32, subdivision 4, is amended
 88.6 to read:

88.7 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
 88.8 cannabis retailer license may also hold a cannabis delivery service license, ~~a medical cannabis~~
 88.9 ~~retailer license,~~ and a cannabis event organizer license.

88.10 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
 88.11 cannabis retailer license may own or operate any other cannabis business or hemp business.

88.12 (c) No person, cooperative, or business may hold a license to own or operate more than
 88.13 one cannabis retail business in one city and three retail businesses in one county.

88.14 (d) The office by rule may limit the number of cannabis retailer licenses a person,
 88.15 cooperative, or business may hold.

88.16 (e) For purposes of this subdivision, a restriction on the number or type of license a
 88.17 business may hold applies to every cooperative member or every director, manager, and
 88.18 general partner of a cannabis business.

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

88.20 Sec. 91. Minnesota Statutes 2023 Supplement, section 342.35, subdivision 1, is amended
 88.21 to read:

88.22 Subdivision 1. **Authorized actions.** A cannabis transporter license entitles the license
 88.23 holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis
 88.24 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate,
 88.25 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
 88.26 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
 88.27 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis retailers,~~
 88.28 ~~medical cannabis processors,~~ and industrial hemp growers to cannabis microbusinesses,
 88.29 cannabis mezzobusinesses, cannabis manufacturers, cannabis testing facilities, cannabis
 88.30 wholesalers, cannabis retailers, lower-potency hemp edible retailers, ~~medical cannabis~~
 88.31 ~~processors, medical cannabis retailers,~~ and medical cannabis combination businesses and
 88.32 perform other actions approved by the office.

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

89.2 Sec. 92. Minnesota Statutes 2023 Supplement, section 342.37, subdivision 1, is amended
89.3 to read:

89.4 Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license
89.5 holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis
89.6 products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,
89.7 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
89.8 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
89.9 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis~~
89.10 ~~cultivators, medical cannabis processors,~~ medical cannabis combination businesses, and
89.11 industrial hemp growers.

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

89.13 Sec. 93. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended
89.14 to read:

89.15 Subd. 7. **Cannabis event sales.** (a) Cannabis microbusinesses with a retail endorsement,
89.16 cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis
89.17 combination businesses operating a retail location, and lower-potency hemp edible retailers,
89.18 including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use
89.19 cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived
89.20 consumer products to customers at a cannabis event.

89.21 (b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,
89.22 lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must
89.23 take place in a retail area as designated in the premises diagram.

89.24 (c) Authorized retailers may only conduct sales within their specifically assigned area.

89.25 (d) Authorized retailers must verify the age of all customers pursuant to section 342.27,
89.26 subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis
89.27 flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
89.28 products to an individual under 21 years of age.

89.29 (e) Authorized retailers may display one sample of each type of cannabis plant, adult-use
89.30 cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived
89.31 consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis
89.32 products must be stored in a sample jar or display case and be accompanied by a label or

90.1 notice containing the information required to be affixed to the packaging or container
90.2 containing adult-use cannabis flower and adult-use cannabis products sold to customers. A
90.3 sample may not consist of more than eight grams of adult-use cannabis flower or adult-use
90.4 cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams
90.5 of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use
90.6 cannabis flower or adult-use cannabis product before purchase.

90.7 (f) The notice requirements under section 342.27, subdivision 6, apply to authorized
90.8 retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,
90.9 and hemp-derived consumer products for sale at a cannabis event.

90.10 (g) Authorized retailers may not:

90.11 (1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp
90.12 edibles, or hemp-derived consumer products to a person who is visibly intoxicated;

90.13 (2) knowingly sell more cannabis plants, adult-use cannabis flower, adult-use cannabis
90.14 products, lower-potency hemp edibles, or hemp-derived consumer products than a customer
90.15 is legally permitted to possess;

90.16 (3) sell medical cannabis flower or medical cannabinoid products;

90.17 (4) give away cannabis plants, cannabis flower, cannabis products, lower-potency hemp
90.18 edibles, or hemp-derived consumer products; or

90.19 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabis products,
90.20 lower-potency hemp edibles, or hemp-derived consumer products in vending machines.

90.21 (h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis
90.22 product, lower-potency hemp edible, and hemp-derived consumer product, all cannabis
90.23 plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles,
90.24 and hemp-derived consumer products for sale at a cannabis event must be stored in a secure,
90.25 locked container that is not accessible to the public. Such items being stored at a cannabis
90.26 event shall not be left unattended.

90.27 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products,
90.28 lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis
90.29 event must comply with this chapter and rules adopted pursuant to this chapter regarding
90.30 the testing, packaging, and labeling of those items.

90.31 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold,
90.32 damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring
90.33 system.

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

91.2 Sec. 94. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 1, is amended
91.3 to read:

91.4 Subdivision 1. **Authorized actions.** A cannabis delivery service license entitles the
91.5 license holder to purchase cannabis flower, cannabis products, lower-potency hemp edibles,
91.6 and hemp-derived consumer products from licensed cannabis microbusinesses with a retail
91.7 endorsement, cannabis mezzobusinesses with a retail endorsement, cannabis retailers,
91.8 ~~medical cannabis retailers,~~ and medical cannabis combination businesses; transport and
91.9 deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived
91.10 consumable products to customers; and perform other actions approved by the office.

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

91.12 Sec. 95. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 3, is amended
91.13 to read:

91.14 Subd. 3. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
91.15 cannabis delivery service license may also hold a cannabis retailer license, a cannabis
91.16 wholesaler license, a cannabis transporter license, and a cannabis event organizer license,
91.17 ~~and a medical cannabis retailer license~~ subject to the ownership limitations that apply to
91.18 those licenses.

91.19 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
91.20 cannabis delivery service license may own or operate any other cannabis business or hemp
91.21 business.

91.22 (c) The office by rule may limit the number of cannabis delivery service licenses that a
91.23 person or business may hold.

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

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

91.28 Sec. 96. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 6, is amended
91.29 to read:

91.30 Subd. 6. **Compliant products.** (a) A lower-potency hemp edible retailer shall ensure
91.31 that all lower-potency hemp edibles offered for sale comply with the limits on the amount

92.1 and types of cannabinoids that a lower-potency hemp edible can contain, including but not
92.2 limited to the requirement that lower-potency hemp edibles:

92.3 (1) consist of servings that contain no more than five milligrams of delta-9
92.4 tetrahydrocannabinol, no more than 25 milligrams of cannabidiol, no more than 25 milligrams
92.5 of cannabigerol, or any combination of those cannabinoids that does not exceed the identified
92.6 amounts;

92.7 (2) do not contain more than a combined total of 0.5 milligrams of all other cannabinoids
92.8 per serving; and

92.9 (3) do not contain an artificially derived cannabinoid other than delta-9
92.10 tetrahydrocannabinol.

92.11 (b) If a lower-potency hemp edible is packaged in a manner that includes more than a
92.12 single serving, the lower-potency hemp edible must indicate each serving by scoring,
92.13 wrapping, or other indicators that appear on the lower-potency hemp edible designating the
92.14 individual serving size. If it is not possible to indicate a single serving by scoring or use of
92.15 another indicator that appears on the product, the lower-potency hemp edible may not be
92.16 packaged in a manner that includes more than a single serving in each container, except
92.17 that a calibrated dropper, measuring spoon, or similar device for measuring a single serving
92.18 may be used for any edible cannabinoid products that are intended to be combined with
92.19 food or beverage products prior to consumption. If the lower-potency hemp edible is meant
92.20 to be consumed as a beverage, the beverage container may not contain more than two
92.21 servings per container.

92.22 (c) A single package containing multiple servings of a lower-potency hemp edible must
92.23 contain no more than 50 milligrams of delta-9 tetrahydrocannabinol, 250 milligrams of
92.24 cannabidiol, 250 milligrams of cannabigerol, or any combination of those cannabinoids that
92.25 does not exceed the identified amounts.

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

92.27 Sec. 97. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 8, is amended
92.28 to read:

92.29 Subd. 8. **On-site consumption.** (a) A lower-potency hemp edible retailer may permit
92.30 on-site consumption of lower-potency hemp edibles on a portion of its premises if it has an
92.31 on-site consumption endorsement.

92.32 (b) The office shall issue an on-site consumption endorsement to any lower-potency
92.33 hemp edible retailer that also holds an on-sale license issued under chapter 340A.

93.1 (c) A lower-potency hemp edible retailer must ensure that lower-potency hemp edibles
 93.2 sold for on-site consumption comply with this chapter and rules adopted pursuant to this
 93.3 chapter regarding testing.

93.4 (d) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency
 93.5 hemp edibles that are intended to be consumed as a beverage, must be served in the required
 93.6 packaging, but may be removed from the products' packaging by customers and consumed
 93.7 on site.

93.8 (e) Lower-potency hemp edibles that are intended to be consumed as a beverage may
 93.9 be served outside of ~~their~~ the edibles' packaging ~~provided that~~ if the information that is
 93.10 required to be contained on the label of a lower-potency hemp edible is posted or otherwise
 93.11 displayed by the lower-potency hemp edible retailer. Hemp workers who serve beverages
 93.12 under this paragraph are not required to obtain an edible cannabinoid product handler
 93.13 endorsement under section 342.07, subdivision 3.

93.14 (f) Food and beverages not otherwise prohibited by this subdivision may be prepared
 93.15 and sold on site ~~provided that~~ if the lower-potency hemp edible retailer complies with all
 93.16 relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

93.17 (g) A lower-potency hemp edible retailer may offer recorded or live entertainment
 93.18 ~~provided that~~ if the lower-potency hemp edible retailer complies with all relevant state and
 93.19 local laws, ordinances, licensing requirements, and zoning requirements.

93.20 (h) In addition to the prohibitions under subdivision 7, a lower-potency hemp edible
 93.21 retailer with an on-site consumption endorsement may not:

93.22 (1) sell, give, furnish, or in any way procure for another lower-potency hemp edibles ~~to~~
 93.23 ~~a customer who the lower-potency hemp edible retailer knows or reasonably should know~~
 93.24 ~~is intoxicated or has consumed alcohol within the previous five hours~~ for the use of an
 93.25 obviously intoxicated person;

93.26 (2) sell lower-potency hemp edibles that are designed or reasonably expected to be mixed
 93.27 with an alcoholic beverage; or

93.28 (3) permit lower-potency hemp edibles that have been removed from the products'
 93.29 packaging to be removed from the premises of the lower-potency hemp edible retailer.

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

94.1 Sec. 98. **[342.465] LOWER-POTENCY HEMP EDIBLES; PROHIBITED CONDUCT.**

94.2 No person may sell, give, furnish, or in any way procure for another lower-potency hemp
 94.3 edibles for the use of an obviously intoxicated person.

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

94.5 Sec. 99. Minnesota Statutes 2023 Supplement, section 342.51, is amended to read:

94.6 **342.51 MEDICAL CANNABIS ~~RETAILERS~~ ENDORSEMENTS.**

94.7 Subdivision 1. **Endorsement; authorized actions.** (a) The office may issue a medical
 94.8 cannabis endorsement to a cannabis business authorizing the business to:

94.9 (1) cultivate medical cannabis;

94.10 (2) process medical cannabinoid products; or

94.11 (3) sell or distribute medical cannabis flower and medical cannabinoid products to any
 94.12 person authorized to receive medical cannabis flower or medical cannabinoid products.

94.13 (b) The office must issue a medical cannabis cultivation endorsement to a cannabis
 94.14 license holder if the license holder:

94.15 (1) is authorized to cultivate cannabis;

94.16 (2) submits a medical cannabis endorsement application to the office; and

94.17 (3) otherwise meets all applicable requirements established by the office.

94.18 (c) A medical cannabis cultivation endorsement entitles the license holder to grow
 94.19 cannabis plants within the approved amount of space from seed or immature plant to mature
 94.20 plant, harvest cannabis flower from a mature plant, package and label cannabis flower as
 94.21 medical cannabis flower, sell medical cannabis flower to cannabis businesses with a medical
 94.22 cannabis endorsement, and perform other actions approved by the office.

94.23 (d) The office must issue a medical cannabis processor endorsement to a cannabis license
 94.24 holder if the license holder:

94.25 (1) is authorized to manufacture cannabis products;

94.26 (2) submits a medical cannabis endorsement application to the office; and

94.27 (3) otherwise meets all applicable requirements established by the office.

94.28 (e) A medical cannabis processor endorsement entitles the license holder to:

95.1 (1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts,
 95.2 and hemp concentrate from cannabis businesses with a medical cannabis cultivator
 95.3 endorsement or a medical cannabis processor endorsement;

95.4 (2) purchase hemp plant parts from industrial hemp growers;

95.5 (3) make cannabis concentrate from medical cannabis flower;

95.6 (4) make hemp concentrate, including hemp concentrate with a delta-9
 95.7 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

95.8 (5) manufacture medical cannabinoid products;

95.9 (6) package and label medical cannabinoid products for sale to cannabis businesses with
 95.10 a medical cannabis processor endorsement or a medical cannabis retailer endorsement; and

95.11 (7) perform other actions approved by the office.

95.12 (f) The office must issue a medical cannabis retailer endorsement to a cannabis license
 95.13 holder if the license holder:

95.14 (1) submits a medical cannabis retail endorsement application to the office;

95.15 (2) has at least one employee who earned a medical cannabis consultant certificate issued
 95.16 by the office and has completed the required training or has at least one employee who is
 95.17 a licensed pharmacist under chapter 151; and

95.18 (3) otherwise meets all applicable requirements established by the office.

95.19 (g) A medical cannabis ~~retailer license~~ retail endorsement entitles the license holder to
 95.20 purchase medical cannabis flower and medical cannabinoid products from ~~medical cannabis~~
 95.21 ~~cultivators and medical cannabis processors~~ cannabis businesses with medical cannabis
 95.22 cultivator endorsements and medical cannabis processor endorsements, and sell or distribute
 95.23 medical cannabis flower ~~and~~, medical cannabinoid products, and associated paraphernalia
 95.24 to any person authorized to receive medical cannabis flower or medical cannabinoid products.

95.25 ~~(b)~~ (h) A medical cannabis ~~retailer license holder~~ business with a medical cannabis retail
 95.26 endorsement must verify that all medical cannabis flower and medical cannabinoid products
 95.27 have passed safety, potency, and consistency testing at a cannabis testing facility approved
 95.28 by the office for the testing of medical cannabis flower and medical cannabinoid products
 95.29 before the ~~medical cannabis retailer~~ cannabis business with a medical cannabis retail
 95.30 endorsement may distribute the medical cannabis flower or medical cannabinoid product
 95.31 to any person ~~authorized to receive medical cannabis flower or medical cannabinoid products~~
 95.32 enrolled in the registry program.

96.1 Subd. 2. **Distribution requirements.** (a) Prior to distribution of medical cannabis flower
 96.2 or medical cannabinoid products, ~~a medical cannabis retailer licensee~~ to a person enrolled
 96.3 in the registry program, an employee with a valid medical cannabis consultant certificate
 96.4 issued by the office or a licensed pharmacist under chapter 151 must:

96.5 (1) review and confirm the patient's enrollment in the registry verification program;

96.6 (2) verify that the person requesting the distribution of medical cannabis flower or
 96.7 medical cannabinoid products is the patient, the patient's registered designated caregiver,
 96.8 or the patient's parent, legal guardian, or spouse using the procedures ~~specified in section~~
 96.9 ~~152.11, subdivision 2d~~ established by the office;

96.10 (3) ~~ensure that a pharmacist employee of the medical cannabis retailer has consulted~~
 96.11 ~~with the patient if required according to subdivision 3; and~~

96.12 (3) provide consultation to the patient to determine the proper medical cannabis flower
 96.13 or medical cannabinoid product, dosage, and paraphernalia for the patient if required under
 96.14 subdivision 3;

96.15 (4) apply a patient-specific label on the medical cannabis flower or medical cannabinoid
 96.16 product that includes recommended dosage requirements and other information as required
 96.17 ~~by rules adopted by the office;~~ and

96.18 (5) provide the patient with any other information required by the office.

96.19 (b) A cannabis business with a medical cannabis retailer retail endorsement may not
 96.20 deliver medical cannabis flower or medical cannabinoid products to a person enrolled in
 96.21 the registry program unless the cannabis business with a medical cannabis retailer retail
 96.22 endorsement also holds a cannabis delivery service license. The delivery of medical cannabis
 96.23 flower and medical cannabinoid products are subject to the provisions of section 342.42.

96.24 Subd. 3. **Final approval for distribution of medical cannabis flower and medical**
 96.25 **cannabinoid products.** (a) A cannabis worker who is employed by a cannabis business
 96.26 with a medical cannabis retailer and retail endorsement who is licensed as a pharmacist
 96.27 pursuant to chapter 151 ~~shall be~~ or certified as a medical cannabis consultant by the office
 96.28 is the only person who may give final approval for the distribution of medical cannabis
 96.29 flower and medical cannabinoid products. Prior to the distribution of medical cannabis
 96.30 flower or medical cannabinoid products, a pharmacist or certified medical cannabis consultant
 96.31 employed by the cannabis business with a medical cannabis retailer retail endorsement must
 96.32 consult with the patient to determine the proper type of medical cannabis flower, medical
 96.33 cannabinoid product, or medical cannabis paraphernalia, and the proper dosage for the

97.1 patient after reviewing the range of chemical compositions of medical cannabis flower or
 97.2 medical cannabinoid product: intended for distribution:

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

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

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

97.10 (4) upon the request of the patient.

97.11 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure
 97.12 videoconference, telephone, or other remote means, as long as:

97.13 (1) the pharmacist or consultant engaging in the consultation is able to confirm the
 97.14 identity of the patient; and

97.15 (2) the consultation adheres to patient privacy requirements that apply to health care
 97.16 services delivered through telemedicine.

97.17 ~~(b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the~~
 97.18 ~~distribution of medical cannabis flower or medical cannabinoid products when a medical~~
 97.19 ~~cannabis retailer is distributing medical cannabis flower or medical cannabinoid products~~
 97.20 ~~to a patient according to a patient-specific dosage plan established with that medical cannabis~~
 97.21 ~~retailer and is not modifying the dosage or product being distributed under that plan. Medical~~
 97.22 ~~cannabis flower or medical cannabinoid products distributed under this paragraph must be~~
 97.23 ~~distributed by a pharmacy technician employed by the medical cannabis retailer.~~

97.24 ~~Subd. 4. **90-day supply.** A medical cannabis retailer shall not distribute more than a~~
 97.25 ~~90-day supply of medical cannabis flower or medical cannabinoid products to a patient,~~
 97.26 ~~registered designated caregiver, or parent, legal guardian, or spouse of a patient according~~
 97.27 ~~to the dosages established for the individual patient.~~

97.28 **Subd. 5. Distribution to recipient in a motor vehicle.** A cannabis business with a
 97.29 medical cannabis retailer retail endorsement may distribute medical cannabis flower and
 97.30 medical cannabinoid products to a patient, registered designated caregiver, or parent, legal
 97.31 guardian, or spouse of a patient person enrolled in the registry program who is at a dispensary
 97.32 location but remains in a motor vehicle, provided that if:

98.1 (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid
98.2 products in a designated zone that is as close as feasible to the front door of the facility;

98.3 (2) the cannabis business with a medical cannabis retailer retail endorsement ensures
98.4 that the receipt of payment and distribution of medical cannabis flower and medical
98.5 cannabinoid products are visually recorded by a closed-circuit television surveillance camera
98.6 and provides any other necessary security safeguards;

98.7 (3) the cannabis business with a medical cannabis retailer retail endorsement does not
98.8 store medical cannabis flower or medical cannabinoid products outside a restricted access
98.9 area and staff transport medical cannabis flower and medical cannabinoid products from a
98.10 restricted access area to the designated zone for distribution only after confirming that the
98.11 patient, designated caregiver, or parent, guardian, or spouse person enrolled in the registry
98.12 program has arrived in the designated zone;

98.13 (4) the payment for and distribution of medical cannabis flower and medical cannabinoid
98.14 products take place only after a ~~pharmacist consultation takes place, if required under~~
98.15 ~~subdivision 3~~ meeting the requirements in subdivision 2;

98.16 (5) immediately following the distribution of medical cannabis flower or medical
98.17 cannabinoid products, staff ~~enter~~ record the transaction in the statewide monitoring system;
98.18 and

98.19 (6) immediately following the distribution of medical cannabis flower and medical
98.20 cannabinoid products, staff take the payment received into the facility.

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

98.22 Sec. 100. Minnesota Statutes 2023 Supplement, section 342.515, is amended to read:

98.23 **342.515 MEDICAL CANNABIS COMBINATION BUSINESSES.**

98.24 Subdivision 1. **Authorized actions.** (a) A person, cooperative, or business holding a
98.25 medical cannabis combination business license is prohibited from owning or operating any
98.26 other cannabis business or hemp business or holding an active registration agreement under
98.27 section 152.25, subdivision 1.

98.28 (b) A person or business may hold only one medical cannabis combination business
98.29 license.

98.30 (c) A medical cannabis combination business license entitles the license holder to perform
98.31 any or all of the following within the limits established by this section:

- 99.1 (1) grow cannabis plants from seed or immature plant to mature plant and harvest
 99.2 adult-use cannabis flower and medical cannabis flower from a mature plant;
- 99.3 (2) make cannabis concentrate;
- 99.4 (3) make hemp concentrate, including hemp concentrate with a delta-9
 99.5 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- 99.6 (4) manufacture artificially derived cannabinoids;
- 99.7 (5) manufacture medical cannabinoid products;
- 99.8 (6) manufacture adult-use cannabis products, lower-potency hemp edibles, and
 99.9 hemp-derived consumer products for public consumption;
- 99.10 (7) purchase immature cannabis plants and seedlings and cannabis flower from a cannabis
 99.11 microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler,
 99.12 ~~a medical cannabis cultivator~~, or another medical cannabis combination business;
- 99.13 (8) purchase hemp plant parts and propagules from an industrial hemp grower licensed
 99.14 under chapter 18K;
- 99.15 (9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids
 99.16 from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a
 99.17 cannabis wholesaler, ~~a medical cannabis processor~~, or another medical cannabis combination
 99.18 business;
- 99.19 (10) purchase hemp concentrate from an industrial hemp processor licensed under chapter
 99.20 18K;
- 99.21 (11) package and label medical cannabis flower and medical cannabinoid products for
 99.22 sale to cannabis businesses with a medical cannabis processors processor endorsement,
 99.23 cannabis businesses with a medical cannabis retailers retail endorsement, other medical
 99.24 cannabis combination businesses, and patients enrolled persons in the registry program;
 99.25 ~~registered designated caregivers, and parents, legal guardians, and spouses of an enrolled~~
 99.26 ~~patient~~;
- 99.27 (12) package and label adult-use cannabis flower, adult-use cannabis products,
 99.28 lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- 99.29 (13) sell medical cannabis flower and medical cannabinoid products to patients enrolled
 99.30 in the registry program, registered designated caregivers, and parents, legal guardians, and
 99.31 spouses of an enrolled patient;

100.1 (14) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use
100.2 cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and
100.3 other products authorized by law to other cannabis businesses and to customers; and

100.4 (15) perform other actions approved by the office.

100.5 (d) A medical cannabis combination business is not required to obtain a medical cannabis
100.6 endorsement to perform any actions authorized under this section.

100.7 **Subd. 2. Cultivation; size limitations.** (a) A medical cannabis combination business
100.8 may cultivate cannabis to be sold as medical cannabis flower or used in medical cannabinoid
100.9 products in an area of up to 60,000 square feet of plant canopy subject to the limits on
100.10 adult-use cannabis cultivation in paragraph (c). A medical cannabis combination business
100.11 may cultivate cannabis and manufacture cannabis in more than one location, except the
100.12 aggregate total of plant canopy in all locations must count toward the business' canopy limit.

100.13 (b) A medical cannabis combination business may cultivate cannabis to be sold as
100.14 adult-use cannabis flower or used in adult-use cannabis products in an area authorized by
100.15 the office as described in paragraph (c).

100.16 (c) The office shall authorize a medical cannabis combination business to cultivate
100.17 cannabis for sale in the adult-use market in an area of plant canopy that is equal to one-half
100.18 of the area the business used to cultivate cannabis sold in the medical market in the preceding
100.19 year. The office shall establish an annual verification and authorization procedure. The
100.20 office may increase the area of plant canopy in which a medical cannabis combination
100.21 business is authorized to cultivate cannabis for sale in the adult-use market between
100.22 authorization periods if the business demonstrates a significant increase in the sale of medical
100.23 cannabis and medical cannabis products.

100.24 **Subd. 3. Manufacturing; size limitations.** The office may establish limits on cannabis
100.25 manufacturing that are consistent with the area of plant canopy a business is authorized to
100.26 cultivate.

100.27 **Subd. 4. Retail locations.** A medical cannabis combination business may operate up to
100.28 one retail location in each congressional district. A medical cannabis combination business
100.29 must offer medical cannabis flower, medical cannabinoid products, or both at every retail
100.30 location.

100.31 **Subd. 5. Failure to participate; suspension or revocation of license.** The office may
100.32 suspend or revoke a medical cannabis combination business license if the office determines
100.33 that the business is no longer actively participating in the medical cannabis market. The

101.1 office may, by rule, establish minimum requirements related to cannabis cultivation,
 101.2 manufacturing of medical cannabinoid products, retail sales of medical cannabis flower and
 101.3 medical cannabinoid products, and other relevant criteria to demonstrate active participation
 101.4 in the medical cannabis market.

101.5 Subd. 6. **Operations.** A medical cannabis combination business must comply with the
 101.6 relevant requirements of sections 342.25, 342.26, 342.27, and 342.51, subdivisions 2 to 5.

101.7 Subd. 7. **Transportation between facilities.** A medical cannabis combination business
 101.8 may transport immature cannabis plants and seedlings, cannabis flower, cannabis products,
 101.9 artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp
 101.10 edibles, and hemp-derived consumer products between facilities operated by the medical
 101.11 cannabis combination business if the medical cannabis combination business:

101.12 (1) provides the office with the information described in section 342.35, subdivision 2;
 101.13 and

101.14 (2) complies with the requirements of section 342.36.

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

101.16 Sec. 101. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 1, is amended
 101.17 to read:

101.18 Subdivision 1. **Administration.** ~~The Division of Medical Cannabis office~~ must administer
 101.19 the medical cannabis patient registry program.

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

101.21 Sec. 102. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 2, is amended
 101.22 to read:

101.23 Subd. 2. **Application procedure for patients.** (a) A patient seeking to enroll in the
 101.24 registry program must submit to the ~~Division of Medical Cannabis office~~ an application
 101.25 established by the ~~Division of Medical Cannabis office~~ and a copy of the certification
 101.26 specified in paragraph (b) or, if the patient is a veteran who receives care from the United
 101.27 States Department of Veterans Affairs, the information required pursuant to subdivision 3.
 101.28 The patient must provide at least the following information in the application:

101.29 (1) the patient's name, mailing address, and date of birth;

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

102.1 (3) the name, mailing address, and date of birth of the patient's registered designated
 102.2 caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian,
 102.3 or spouse will be acting as the patient's caregiver;

102.4 (4) a disclosure signed by the patient that includes:

102.5 (i) a statement that, notwithstanding any law to the contrary, the office of ~~Cannabis~~
 102.6 ~~Management, the Division of Medical Cannabis,~~ or an employee of the office of ~~Cannabis~~
 102.7 ~~Management or Division of Medical Cannabis~~ may not be held civilly or criminally liable
 102.8 for any injury, loss of property, personal injury, or death caused by an act or omission while
 102.9 acting within the employee's scope of office or employment under this section; and

102.10 (ii) the patient's acknowledgment that enrollment in the registry program is conditional
 102.11 on the patient's agreement to meet all other requirements of this section; and

102.12 (5) all other information required by the ~~Division of Medical Cannabis~~ office.

102.13 (b) As part of the application under this subdivision, a patient must submit a copy of a
 102.14 certification from the patient's health care practitioner that is dated within 90 days prior to
 102.15 the submission of the application and that certifies that the patient has been diagnosed with
 102.16 a qualifying medical condition.

102.17 (c) A patient's health care practitioner may submit a statement to the ~~Division of Medical~~
 102.18 ~~Cannabis~~ office declaring that the patient is no longer diagnosed with a qualifying medical
 102.19 condition. Within 30 days after receipt of a statement from a patient's health care practitioner,
 102.20 the ~~Division of Medical Cannabis~~ office must provide written notice to a patient stating that
 102.21 the patient's enrollment in the registry program will be revoked in 30 days unless the patient
 102.22 submits a certification from a health care practitioner that the patient is currently diagnosed
 102.23 with a qualifying medical condition or, if the patient is a veteran, the patient submits
 102.24 confirmation that the patient is currently diagnosed with a qualifying medical condition in
 102.25 a form and manner consistent with the information required for an application made pursuant
 102.26 to subdivision 3. If the ~~Division of Medical Cannabis~~ office revokes a patient's enrollment
 102.27 in the registry program pursuant to this paragraph, the division must provide notice to the
 102.28 patient and to the patient's health care practitioner.

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

102.30 Sec. 103. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 3, is amended
 102.31 to read:

102.32 Subd. 3. **Application procedure for veterans.** (a) The ~~Division of Medical Cannabis~~
 102.33 office shall establish an alternative certification procedure for veterans ~~who receive care~~

103.1 ~~from the United States Department of Veterans Affairs to confirm that the veteran has been~~
 103.2 ~~diagnosed with a qualifying medical condition~~ enroll in the patient registry program.

103.3 (b) A patient who is ~~also~~ a veteran and is seeking to enroll in the registry program must
 103.4 submit to the ~~Division of Medical Cannabis~~ office a copy of the patient's veteran identification
 103.5 card and an application established by the Division of Medical Cannabis that includes the
 103.6 information identified in subdivision 2, paragraph (a), and the additional information required
 103.7 by the Division of Medical Cannabis to certify that the patient has been diagnosed with a
 103.8 qualifying medical condition attestation that the veteran has been diagnosed with a qualifying
 103.9 medical condition listed in section 342.01, subdivision 63, clauses (1) to (19).

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

103.11 Sec. 104. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended
 103.12 to read:

103.13 Subd. 4. **Enrollment; denial of enrollment; revocation.** (a) Within 30 days after the
 103.14 receipt of an application and certification or other documentation of a diagnosis with a
 103.15 qualifying medical condition, the ~~Division of Medical Cannabis~~ office must approve or
 103.16 deny a patient's enrollment in the registry program. If the ~~Division of Medical Cannabis~~
 103.17 office approves a patient's enrollment in the registry program, the office must provide notice
 103.18 to the patient and to the patient's health care practitioner.

103.19 (b) The office may deny a patient's enrollment in the registry program ~~must only be~~
 103.20 ~~denied~~ only if the patient:

103.21 (1) does not submit a certification from a health care practitioner or, if the patient is a
 103.22 veteran, the documentation required under subdivision 3 ~~that the patient has been diagnosed~~
 103.23 ~~with a qualifying medical condition;~~

103.24 (2) has not signed the disclosure required in subdivision 2;

103.25 (3) does not provide the information required by the ~~Division of Medical Cannabis~~
 103.26 office;

103.27 (4) provided false information on the application; or

103.28 (5) at the time of application, is also enrolled in a federally approved clinical trial for
 103.29 the treatment of a qualifying medical condition with medical cannabis.

103.30 (c) If the ~~Division of Medical Cannabis~~ office denies a patient's enrollment in the registry
 103.31 program, the ~~Division of Medical Cannabis~~ office must provide written notice to a patient

104.1 of all reasons for denying enrollment. Denial of enrollment in the registry program is
 104.2 considered a final decision of the office and is subject to judicial review under chapter 14.

104.3 (d) The office may revoke a patient's enrollment in the registry program ~~may be revoked~~
 104.4 only:

104.5 (1) pursuant to subdivision 2, paragraph (c);

104.6 (2) upon the death of the patient;

104.7 (3) if the patient's certifying health care practitioner has filed a declaration under
 104.8 subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the
 104.9 patient does not submit another certification within 30 days;

104.10 (4) if the patient does not comply with subdivision 6; or

104.11 (5) if the patient intentionally sells or diverts medical cannabis flower or medical
 104.12 cannabinoid products in violation of this chapter.

104.13 (e) If the office has revoked a patient's enrollment in the registry program ~~has been~~
 104.14 ~~revoked~~ due to a violation of subdivision 6, the patient may apply for enrollment 12 months
 104.15 after the date on which the patient's enrollment was revoked. The office must process such
 104.16 an application in accordance with this subdivision.

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

104.18 Sec. 105. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 5, is amended
 104.19 to read:

104.20 Subd. 5. **Registry verification.** When a patient is enrolled in the registry program, the
 104.21 ~~Division of Medical Cannabis office~~ must assign the patient a patient registry number and
 104.22 must issue the patient and the patient's registered designated caregiver, parent, legal guardian,
 104.23 or spouse, if applicable, a registry verification. The ~~Division of Medical Cannabis office~~
 104.24 must also make the registry verification available to ~~medical cannabis retailers~~ businesses
 104.25 with a medical cannabis retail endorsement. The registry verification must include:

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

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

104.28 (3) the name and date of birth of the patient's registered designated caregiver, if any, or
 104.29 the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or
 104.30 spouse will act as a caregiver.

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

105.1 Sec. 106. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 9, is amended
105.2 to read:

105.3 Subd. 9. **Registered designated caregiver.** (a) ~~The Division of Medical Cannabis office~~
105.4 must register a designated caregiver for a patient if the patient requires assistance in
105.5 administering medical cannabis flower or medical cannabinoid products ~~or in~~; obtaining
105.6 medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia
105.7 from a cannabis business with a medical cannabis retailer retail endorsement; or cultivating
105.8 cannabis plants as permitted by section 342.09, subdivision 2.

105.9 (b) In order to serve as a designated caregiver, a person must:

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

105.11 (2) agree to only possess the patient's medical cannabis flower and medical cannabinoid
105.12 products for purposes of assisting the patient; and

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

105.16 ~~(e) The office shall conduct a criminal background check on the designated caregiver~~
105.17 ~~prior to registration to ensure that the person does not have a conviction for a disqualifying~~
105.18 ~~felony offense. Any cost of the background check shall be paid by the person seeking~~
105.19 ~~registration as a designated caregiver. A designated caregiver must have the criminal~~
105.20 ~~background check renewed every two years.~~

105.21 ~~(d)~~ (c) Nothing in this section shall be construed to prevent a registered designated
105.22 caregiver from being enrolled in the registry program as a patient and possessing and
105.23 administering medical cannabis flower or medical cannabinoid products as a patient.

105.24 (d) Notwithstanding any law to the contrary, a registered designated caregiver approved
105.25 to assist a patient enrolled in the registry program with obtaining medical cannabis flower
105.26 may cultivate cannabis plants on behalf of one patient. A registered designated caregiver
105.27 may grow up to eight cannabis plants for the patient household that the registered designated
105.28 caregiver is approved to assist with obtaining medical cannabis flower. If a patient enrolled
105.29 in the registry program directs the patient's registered designated caregiver to cultivate
105.30 cannabis plants on behalf of the patient, the patient must assign the patient's right to cultivate
105.31 cannabis plants to the registered designated caregiver and the patient is prohibited from
105.32 cultivating cannabis plants for personal use. Nothing in this paragraph limits the right of a
105.33 registered designated caregiver cultivating cannabis plants on behalf of a patient enrolled

106.1 in the registry program to also cultivate cannabis plants for personal use pursuant to section
 106.2 342.09, subdivision 2.

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

106.4 Sec. 107. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended
 106.5 to read:

106.6 Subd. 11. **Notice of change of name or address.** Patients and registered designated
 106.7 caregivers must notify the ~~Division of Medical Cannabis~~ office of any address or name
 106.8 change within 30 days of the change having occurred. A patient or registered designated
 106.9 caregiver is subject to a \$100 fine for failure to notify the office of the change.

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

106.11 Sec. 108. Minnesota Statutes 2023 Supplement, section 342.53, is amended to read:

106.12 **342.53 DUTIES OF OFFICE OF CANNABIS MANAGEMENT; APPROVAL OF**
 106.13 **CANNABINOID PRODUCTS FOR REGISTRY PROGRAM.**

106.14 The office may add an allowable form of medical cannabinoid product, ~~and may add or~~
 106.15 ~~modify a qualifying medical condition upon its own initiative,~~ upon a petition from a member
 106.16 of the public or from the Cannabis Advisory Council or as directed by law. The office must
 106.17 evaluate all petitions and must make the addition ~~or modification~~ if the office determines
 106.18 that the addition ~~or modification~~ is warranted by the best available evidence and research.
 106.19 ~~If the office wishes to add an allowable form or add or modify a qualifying medical condition,~~
 106.20 the office must notify the chairs and ranking minority members of the legislative committees
 106.21 and divisions with jurisdiction over health finance and policy by January 15 of the year in
 106.22 which the change becomes effective. In this notification, the office must specify the proposed
 106.23 addition ~~or modification~~, the reasons for the addition ~~or modification~~, any written comments
 106.24 received by the office from the public about the addition ~~or modification~~, and any guidance
 106.25 received from the Cannabis Advisory Council. An addition or modification by the office
 106.26 under this subdivision becomes effective on August 1 of that year unless the legislature by
 106.27 law provides otherwise.

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

107.1 Sec. 109. Minnesota Statutes 2023 Supplement, section 342.54, is amended to read:

107.2 **342.54 DUTIES OF ~~DIVISION OF MEDICAL CANNABIS~~ OFFICE OF**
107.3 **CANNABIS MANAGEMENT; REGISTRY PROGRAM.**

107.4 Subdivision 1. **Duties related to health care practitioners.** The ~~Division of Medical~~
107.5 ~~Cannabis~~ office must:

107.6 (1) provide notice of the registry program to health care practitioners in the state;

107.7 (2) allow health care practitioners to participate in the registry program if they request
107.8 to participate and meet the program's requirements;

107.9 (3) provide explanatory information and assistance to health care practitioners to
107.10 understand the nature of the therapeutic use of medical cannabis flower and medical
107.11 cannabinoid products within program requirements;

107.12 (4) make available to participating health care practitioners a certification form in which
107.13 a health care practitioner certifies that a patient has a qualifying medical condition; and

107.14 (5) supervise the participation of health care practitioners in the registry reporting system
107.15 in which health care practitioners report patient treatment and health records information
107.16 to the office in a manner that ensures stringent security and record keeping requirements
107.17 and that prevents the unauthorized release of private data on individuals as defined in section
107.18 13.02.

107.19 Subd. 2. **Duties related to the registry program.** The ~~Division of Medical Cannabis~~
107.20 office must:

107.21 (1) administer the registry program according to section 342.52;

107.22 (2) provide information to patients enrolled in the registry program on the existence of
107.23 federally approved clinical trials for the treatment of the patient's qualifying medical condition
107.24 with medical cannabis flower or medical cannabinoid products as an alternative to enrollment
107.25 in the registry program;

107.26 (3) maintain safety criteria with which patients must comply as a condition of participation
107.27 in the registry program to prevent patients from undertaking any task under the influence
107.28 of medical cannabis flower or medical cannabinoid products that would constitute negligence
107.29 or professional malpractice;

107.30 (4) review and publicly report on existing medical and scientific literature regarding the
107.31 range of recommended dosages for each qualifying medical condition, the range of chemical
107.32 compositions of medical cannabis flower and medical cannabinoid products that will likely

108.1 be medically beneficial for each qualifying medical condition, and any risks of noncannabis
 108.2 drug interactions. This information must be updated by December 1 ~~of each year~~ every three
 108.3 years. The office may consult with an independent laboratory under contract with the office
 108.4 or other experts in reporting and updating this information; and

108.5 (5) annually consult with cannabis businesses about medical cannabis that the businesses
 108.6 cultivate, manufacture, and offer for sale and post on the ~~Division of Medical Cannabis~~
 108.7 office website a list of the medical cannabis flower and medical cannabinoid products offered
 108.8 for sale by each cannabis business with a medical cannabis retailer endorsement.

108.9 Subd. 3. **Research.** (a) The ~~Division of Medical Cannabis~~ office must conduct or contract
 108.10 with a third party to conduct research and studies using data from health records submitted
 108.11 to the registry program under section 342.55, subdivision 2, and data submitted to the registry
 108.12 program under section 342.52, subdivisions 2 and 3. If the ~~division~~ office contracts with a
 108.13 third party for research and studies, the third party must provide the ~~division~~ office with
 108.14 access to all research and study results. The ~~division~~ office must submit reports on
 108.15 intermediate or final research results to the legislature and major scientific journals. All
 108.16 data used by the ~~division~~ office or a third party under this subdivision must be used or
 108.17 reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed
 108.18 publication of research or in the creation of summary data, as defined in section 13.02,
 108.19 subdivision 19.

108.20 (b) The ~~Division of Medical Cannabis~~ office may submit medical research based on the
 108.21 data collected under sections 342.55, subdivision 2, and data collected through the statewide
 108.22 monitoring system to any federal agency with regulatory or enforcement authority over
 108.23 medical cannabis flower and medical cannabinoid products to demonstrate the effectiveness
 108.24 of medical cannabis flower or medical cannabinoid products for treating or alleviating the
 108.25 symptoms of a qualifying medical condition.

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

108.27 Sec. 110. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 1, is amended
 108.28 to read:

108.29 Subdivision 1. **Health care practitioner duties before patient enrollment.** Before a
 108.30 patient's enrollment in the registry program, a health care practitioner must:

108.31 (1) determine, in the health care practitioner's medical judgment, whether a patient has
 108.32 a qualifying medical condition and, if so determined, provide the patient with a certification
 108.33 of that diagnosis;

109.1 (2) advise patients, registered designated caregivers, and parents, legal guardians, and
 109.2 spouses acting as caregivers of any nonprofit patient support groups or organizations;

109.3 (3) provide to patients explanatory information from the ~~Division of Medical Cannabis~~
 109.4 office, including information about the experimental nature of the therapeutic use of medical
 109.5 cannabis flower and medical cannabinoid products; the possible risks, benefits, and side
 109.6 effects of the proposed treatment; and the application and other materials from the office;

109.7 (4) provide to patients a Tennessee warning as required under section 13.04, subdivision
 109.8 2; and

109.9 (5) agree to continue treatment of the patient's qualifying medical condition and to report
 109.10 findings to the ~~Division of Medical Cannabis~~ office.

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

109.12 Sec. 111. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 2, is amended
 109.13 to read:

109.14 Subd. 2. **Duties upon patient's enrollment in registry program.** Upon receiving
 109.15 notification from the ~~Division of Medical Cannabis~~ office of the patient's enrollment in the
 109.16 registry program, a health care practitioner must:

109.17 (1) participate in the patient registry reporting system under the guidance and supervision
 109.18 of the ~~Division of Medical Cannabis~~ office;

109.19 (2) report to the ~~Division of Medical Cannabis~~ office patient health records throughout
 109.20 the patient's ongoing treatment in a manner determined by the office and in accordance with
 109.21 subdivision 4;

109.22 (3) determine ~~on a yearly basis~~, every three years, if the patient continues to have a
 109.23 qualifying medical condition and, if so, issue the patient a new certification of that diagnosis.
 109.24 The patient assessment conducted under this clause may be conducted via telehealth, as
 109.25 defined in section 62A.673, subdivision 2; and

109.26 (4) otherwise comply with requirements established by the office of ~~Cannabis~~
 109.27 ~~Management and the Division of Medical Cannabis~~.

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

110.1 Sec. 112. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 1, is amended
110.2 to read:

110.3 Subdivision 1. **Limitations on consumption; locations of consumption.** (a) Nothing
110.4 in sections ~~342.47~~ 342.51 to 342.60 permits any person to engage in, and does not prevent
110.5 the imposition of any civil, criminal, or other penalties for:

110.6 (1) undertaking a task under the influence of medical cannabis flower or medical
110.7 cannabinoid products that would constitute negligence or professional malpractice;

110.8 (2) possessing or consuming medical cannabis flower or medical cannabinoid products:

110.9 (i) on a school bus or van;

110.10 (ii) in a correctional facility;

110.11 (iii) in a state-operated treatment program, including the Minnesota sex offender program;

110.12 or

110.13 (iv) on the grounds of a child care facility or family or group family day care program;

110.14 (3) vaporizing or smoking medical cannabis:

110.15 (i) on any form of public transportation;

110.16 (ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would
110.17 be inhaled by a minor; or

110.18 (iii) in any public place, including any indoor or outdoor area used by or open to the
110.19 general public or a place of employment, as defined in section 144.413, subdivision 1b; and

110.20 (4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,
110.21 train, or motorboat or working on transportation property, equipment, or facilities while
110.22 under the influence of medical cannabis flower or a medical cannabinoid product.

110.23 (b) Except for the use of medical cannabis flower or medical cannabinoid products, the
110.24 vaporizing or smoking of cannabis flower, cannabis products, artificially derived
110.25 cannabinoids, or hemp-derived consumer products is prohibited in a multifamily housing
110.26 building, including balconies and patios appurtenant thereto. A violation of this paragraph
110.27 is punishable through a civil administrative fine in an amount of \$250.

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

111.1 Sec. 113. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 2, is amended
111.2 to read:

111.3 Subd. 2. **Health care facilities.** (a) Health care facilities licensed under chapter 144A;
111.4 hospice providers licensed under chapter 144A; boarding care homes or supervised living
111.5 facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities
111.6 owned, controlled, managed, or under common control with hospitals licensed under chapter
111.7 144; and other health care facilities licensed by the commissioner of health or the
111.8 commissioner of human services may adopt reasonable restrictions on the use of medical
111.9 cannabis flower or medical cannabinoid products by a patient enrolled in the registry program
111.10 who resides at or is actively receiving treatment or care at the facility. The restrictions may
111.11 include a provision that the facility must not store or maintain a patient's supply of medical
111.12 cannabis flower or medical cannabinoid products on behalf of the patient; that a patient
111.13 store the patient's supply of medical cannabis flower or medicinal cannabinoid products in
111.14 a locked container accessible only to the patient, the patient's designated caregiver, or the
111.15 patient's parent, legal guardian, or spouse; that the facility is not responsible for providing
111.16 medical cannabis for patients; and that medical cannabis flower or medical cannabinoid
111.17 products are used only in a location specified by the facility or provider. Nothing in this
111.18 subdivision requires facilities and providers listed in this subdivision to adopt such
111.19 restrictions.

111.20 (b) No facility or provider listed in this subdivision may unreasonably limit a patient's
111.21 access to or use of medical cannabis flower or medical cannabinoid products to the extent
111.22 that such use is authorized under sections ~~342.47~~ 342.51 to 342.59. No facility or provider
111.23 listed in this subdivision may prohibit a patient access to or use of medical cannabis flower
111.24 or medical cannabinoid products due solely to the fact that cannabis is a ~~Schedule I drug~~
111.25 controlled substance pursuant to the federal Uniform Controlled Substances Act. If a federal
111.26 regulatory agency, the United States Department of Justice, or the federal Centers for
111.27 Medicare and Medicaid Services takes one of the following actions, a facility or provider
111.28 may suspend compliance with this paragraph until the regulatory agency, the United States
111.29 Department of Justice, or the federal Centers for Medicare and Medicaid Services notifies
111.30 the facility or provider that it may resume permitting the use of medical cannabis flower or
111.31 medical cannabinoid products within the facility or in the provider's service setting:

111.32 (1) a federal regulatory agency or the United States Department of Justice initiates
111.33 enforcement action against a facility or provider related to the facility's compliance with
111.34 the medical cannabis program; or

112.1 (2) a federal regulatory agency, the United States Department of Justice, or the federal
112.2 Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
112.3 to the facility or provider that expressly prohibits the use of medical cannabis in health care
112.4 facilities or otherwise prohibits compliance with the medical cannabis program.

112.5 (c) An employee or agent of a facility or provider listed in this subdivision or a person
112.6 licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
112.7 of medical cannabis flower or medical cannabinoid products while carrying out employment
112.8 duties, including providing or supervising care to a patient enrolled in the registry program,
112.9 or distribution of medical cannabis flower or medical cannabinoid products to a patient
112.10 enrolled in the registry program who resides at or is actively receiving treatment or care at
112.11 the facility or from the provider with which the employee or agent is affiliated.

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

112.13 Sec. 114. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 1, is amended
112.14 to read:

112.15 Subdivision 1. **Presumption.** There is a presumption that a patient or other person
112.16 enrolled in the registry program is engaged in the authorized use or possession of medical
112.17 cannabis flower and medical cannabinoid products. This presumption may be rebutted by
112.18 evidence that the ~~patient's use of medical cannabis flower or medical cannabinoid products~~
112.19 use or possession of medical cannabis flower or medical cannabinoid products by a patient
112.20 or other person enrolled in the registry program was not for the purpose of assisting with,
112.21 treating, or alleviating the patient's qualifying medical condition or symptoms associated
112.22 with the patient's qualifying medical condition.

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

112.24 Sec. 115. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 2, is amended
112.25 to read:

112.26 Subd. 2. **Criminal and civil protections.** (a) Subject to section 342.56, the following
112.27 are not violations of this chapter or chapter 152:

112.28 (1) use or possession of medical cannabis flower, medical cannabinoid products, or
112.29 medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting
112.30 patient to whom medical cannabis flower or medical cannabinoid products are distributed
112.31 under section 342.51, subdivision 5;

113.1 (2) possession of medical cannabis flower, medical cannabinoid products, or medical
113.2 cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or
113.3 spouse of a patient enrolled in the registry program; or

113.4 (3) possession of medical cannabis flower, medical cannabinoid products, or medical
113.5 cannabis paraphernalia by any person while carrying out duties required under sections
113.6 ~~342.47~~ 342.51 to 342.60.

113.7 (b) The Office of Cannabis Management, members of the Cannabis Advisory Council,
113.8 Office of Cannabis Management employees, agents or contractors of the Office of Cannabis
113.9 Management, and health care practitioners participating in the registry program are not
113.10 subject to any civil penalties or disciplinary action by the Board of Medical Practice, the
113.11 Board of Nursing, or any business, occupational, or professional licensing board or entity
113.12 solely for participating in the registry program either in a professional capacity or as a
113.13 patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or
113.14 disciplinary action by the Board of Pharmacy when acting in accordance with sections
113.15 ~~342.47~~ 342.51 to 342.60 either in a professional capacity or as a patient. Nothing in this
113.16 section prohibits a professional licensing board from taking action in response to a violation
113.17 of law.

113.18 (c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the
113.19 governor, or an employee of a state agency must not be held civilly or criminally liable for
113.20 any injury, loss of property, personal injury, or death caused by any act or omission while
113.21 acting within the scope of office or employment under sections ~~342.47~~ 342.51 to 342.60.

113.22 (d) Federal, state, and local law enforcement authorities are prohibited from accessing
113.23 the registry except when acting pursuant to a valid search warrant. Notwithstanding section
113.24 13.09, a violation of this paragraph is a gross misdemeanor.

113.25 (e) Notwithstanding any law to the contrary, the office and employees of the office must
113.26 not release data or information about an individual contained in any report or document or
113.27 in the registry and must not release data or information obtained about a patient enrolled in
113.28 the registry program, except as provided in sections ~~342.47~~ 342.51 to 342.60.
113.29 Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.

113.30 (f) No information contained in a report or document, contained in the registry, or
113.31 obtained from a patient under sections ~~342.47~~ 342.51 to 342.60 may be admitted as evidence
113.32 in a criminal proceeding, unless:

113.33 (1) the information is independently obtained; or

114.1 (2) admission of the information is sought in a criminal proceeding involving a criminal
 114.2 violation of sections ~~342.47~~ 342.51 to 342.60.

114.3 (g) Possession of a registry verification or an application for enrollment in the registry
 114.4 program:

114.5 (1) does not constitute probable cause or reasonable suspicion;

114.6 (2) must not be used to support a search of the person or property of the person with a
 114.7 registry verification or application to enroll in the registry program; and

114.8 (3) must not subject the person or the property of the person to inspection by any
 114.9 government agency.

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

114.11 Sec. 116. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 3, is amended
 114.12 to read:

114.13 Subd. 3. **School enrollment; rental property.** (a) No school may refuse to enroll or
 114.14 otherwise penalize a patient or person enrolled in the registry program as a pupil ~~or otherwise~~
 114.15 ~~penalize a patient~~ solely because the patient or person is enrolled in the registry program,
 114.16 unless failing to do so would violate federal law or regulations or cause the school to lose
 114.17 a monetary or licensing-related benefit under federal law or regulations.

114.18 (b) No landlord may refuse to lease to a patient or person enrolled in the registry program
 114.19 or otherwise penalize a patient or person enrolled in the registry program solely because
 114.20 the patient or person is enrolled in the registry program, unless failing to do so would violate
 114.21 federal law or regulations or cause the landlord to lose a monetary or licensing-related
 114.22 benefit under federal law or regulations.

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

114.24 Sec. 117. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 4, is amended
 114.25 to read:

114.26 Subd. 4. **Medical care.** For purposes of medical care, including organ transplants, a
 114.27 patient's use of medical cannabis flower or medical cannabinoid products according to
 114.28 sections ~~342.47~~ 342.51 to 342.60 is considered the equivalent of the authorized use of a
 114.29 medication used at the discretion of a health care practitioner and does not disqualify a
 114.30 patient from needed medical care.

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

115.1 Sec. 118. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 5, is amended
115.2 to read:

115.3 Subd. 5. **Employment.** (a) Unless a failure to do so would violate federal or state law
115.4 or regulations or cause an employer to lose a monetary or licensing-related benefit under
115.5 federal law or regulations, an employer may not discriminate against a person in hiring,
115.6 termination, or any term or condition of employment, or otherwise penalize a person, if the
115.7 discrimination is based on:

115.8 (1) the person's status as a patient or person enrolled in the registry program; or

115.9 (2) a patient's positive drug test for cannabis components or metabolites, unless the
115.10 patient used, possessed, sold, transported, or was impaired by medical cannabis flower or
115.11 a medical cannabinoid product on work premises, during working hours, or while operating
115.12 an employer's machinery, vehicle, or equipment.

115.13 (b) An employee who is a patient and whose employer requires the employee to undergo
115.14 drug testing according to section 181.953 may present the employee's registry verification
115.15 as part of the employee's explanation under section 181.953, subdivision 6.

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

115.17 Sec. 119. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 6, is amended
115.18 to read:

115.19 Subd. 6. **Custody; visitation; parenting time.** A person must not be denied custody of
115.20 a minor child or visitation rights or parenting time with a minor child based solely on the
115.21 person's status as a patient or person enrolled in the registry program. There must be no
115.22 presumption of neglect or child endangerment for conduct allowed under sections ~~342.47~~
115.23 342.51 to 342.60, unless the person's behavior creates an unreasonable danger to the safety
115.24 of the minor as established by clear and convincing evidence.

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

115.26 Sec. 120. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 7, is amended
115.27 to read:

115.28 Subd. 7. **Action for damages.** In addition to any other remedy provided by law, a patient
115.29 or person enrolled in the registry program may bring an action for damages against any
115.30 person who violates subdivision 3, 4, or 5. A person who violates subdivision 3, 4, or 5 is
115.31 liable to a patient or person enrolled in the registry program injured by the violation for the

116.1 greater of the person's actual damages or a civil penalty of \$100 and reasonable attorney
116.2 fees.

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

116.4 Sec. 121. Minnesota Statutes 2023 Supplement, section 342.60, is amended to read:

116.5 **342.60 APPLIED RESEARCH.**

116.6 The ~~Division of Medical Cannabis~~ office may conduct, or award grants to health care
116.7 providers or research organizations to conduct, applied research on the safety and efficacy
116.8 of using medical cannabis flower or medical cannabinoid products to treat a specific health
116.9 condition. A health care provider or research organization receiving a grant under this section
116.10 must provide the office with access to all data collected in applied research funded under
116.11 this section. The office may use data from applied research conducted or funded under this
116.12 section as evidence to approve additional qualifying medical conditions or additional
116.13 allowable forms of medical cannabis.

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

116.15 Sec. 122. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 1, is amended
116.16 to read:

116.17 Subdivision 1. **Testing required.** (a) Cannabis businesses and hemp businesses shall
116.18 not sell or offer for sale cannabis flower, cannabis products, artificially derived cannabinoids,
116.19 lower-potency hemp edibles, or hemp-derived consumer products to another cannabis
116.20 business or hemp business, or to a customer or patient, or otherwise transfer cannabis flower,
116.21 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
116.22 hemp-derived consumer products to another cannabis business or hemp business, unless:

116.23 (1) a representative sample of the batch of cannabis flower, cannabis products, artificially
116.24 derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products
116.25 has been tested according to this section and rules adopted under this chapter;

116.26 (2) the testing was completed by a cannabis testing facility licensed under this chapter
116.27 or meeting the requirements of paragraph (b); and

116.28 (3) the tested sample of cannabis flower, cannabis products, artificially derived
116.29 cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products was found
116.30 to meet testing standards established by the office.

117.1 (b) Testing of lower-potency hemp edibles and hemp-derived consumer products that
 117.2 do not contain intoxicating cannabinoids may be performed by any laboratory that has been
 117.3 accredited pursuant to standard ISO/IEC 17025 of the International Organization for
 117.4 Standardization with specific accreditation for cannabis testing until January 1, 2026.

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

117.6 Sec. 123. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 4, is amended
 117.7 to read:

117.8 Subd. 4. **Testing of samples; disclosures.** (a) On a schedule determined by the office,
 117.9 every cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
 117.10 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
 117.11 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
 117.12 medical cannabis combination business shall make each batch of cannabis flower, cannabis
 117.13 products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived
 117.14 consumer products grown, manufactured, or imported by the cannabis business or hemp
 117.15 business available to a cannabis testing facility.

117.16 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
 117.17 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
 117.18 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
 117.19 medical cannabis combination business must disclose all known information regarding
 117.20 pesticides, fertilizers, solvents, or other foreign materials, including but not limited to
 117.21 catalysts used in creating artificially derived cannabinoids, applied or added to the batch of
 117.22 cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp
 117.23 edibles, or hemp-derived consumer products subject to testing. Disclosure must be made
 117.24 to the cannabis testing facility and must include information about all applications by any
 117.25 person, whether intentional or accidental.

117.26 (c) The cannabis testing facility shall select one or more representative samples from
 117.27 each batch, test the samples for the presence of contaminants, and test the samples for
 117.28 potency and homogeneity and to allow the cannabis flower, cannabis product, artificially
 117.29 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product to be
 117.30 accurately labeled with its cannabinoid profile. Testing for contaminants must include testing
 117.31 for residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide
 117.32 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include
 117.33 testing for other contaminants. A cannabis testing facility must destroy or return to the
 117.34 cannabis business or hemp business any part of the sample that remains after testing.

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

118.2 Sec. 124. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 5, is amended
118.3 to read:

118.4 Subd. 5. **Test results.** (a) If a sample meets the applicable testing standards, a cannabis
118.5 testing facility shall issue a certification to a cannabis microbusiness, cannabis
118.6 mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an
118.7 endorsement to import products, lower-potency hemp edible manufacturer, ~~medical cannabis~~
118.8 ~~cultivator, medical cannabis processor,~~ or medical cannabis combination business and the
118.9 cannabis business or hemp business may then sell or transfer the batch of cannabis flower,
118.10 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
118.11 hemp-derived consumer products from which the sample was taken to another cannabis
118.12 business or hemp business, or offer the cannabis flower, cannabis products, lower-potency
118.13 hemp edibles, or hemp-derived consumer products for sale to customers or patients. If a
118.14 sample does not meet the applicable testing standards or if the testing facility is unable to
118.15 test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from which
118.16 the sample was taken shall be subject to procedures established by the office for such batches,
118.17 including destruction, remediation, or retesting.

118.18 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
118.19 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
118.20 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
118.21 medical cannabis combination business must maintain the test results for cannabis flower,
118.22 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
118.23 hemp-derived consumer products grown, manufactured, or imported by that cannabis
118.24 business or hemp business for at least five years after the date of testing.

118.25 (c) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
118.26 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
118.27 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
118.28 medical cannabis combination business shall make test results maintained by that cannabis
118.29 business or hemp business available for review by any member of the public, upon request.
118.30 Test results made available to the public must be in plain language.

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

119.1 Sec. 125. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a
119.2 subdivision to read:

119.3 Subd. 1a. **Appeal to individuals under 21 years of age.** For the purposes of this section
119.4 and section 342.64, "appeal to individuals under 21 years of age" means any of the following:

119.5 (1) the use of images depicting toys or robots;

119.6 (2) the use of any images depicting fruits or vegetables, except when used to accurately
119.7 describe ingredients or flavors contained in a product;

119.8 (3) the use of any images bearing a likeness to characters or phrases that are popularly
119.9 used to advertise to children; or

119.10 (4) the use of brand names or close imitations of brand names of candies, cereals, sweets,
119.11 chips, or other food products typically marketed to children.

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

119.13 Sec. 126. Minnesota Statutes 2023 Supplement, section 342.62, subdivision 3, is amended
119.14 to read:

119.15 **Subd. 3. Packaging prohibitions.** (a) Cannabis flower, cannabis products, lower-potency
119.16 hemp edibles, or hemp-derived consumer products sold to customers or patients must not
119.17 be packaged in a manner that:

119.18 (1) bears a reasonable resemblance to any commercially available product that does not
119.19 contain cannabinoids, whether the manufacturer of the product holds a registered trademark
119.20 or has registered the trade dress; or

119.21 (2) is designed to appeal to ~~persons~~ individuals under 21 years of age.

119.22 (b) Packaging for cannabis flower, cannabis products, lower-potency hemp edibles, and
119.23 hemp-derived consumer products must not contain or be coated with any perfluoroalkyl
119.24 substance.

119.25 (c) Edible cannabis products and lower-potency hemp edibles must not be packaged in
119.26 a material that is not approved by the United States Food and Drug Administration for use
119.27 in packaging food.

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

120.1 Sec. 127. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a
120.2 subdivision to read:

120.3 Subd. 4. Prohibition of sale of certain empty packaging. No person shall sell, offer
120.4 for sale, or facilitate the sale of empty packaging that, if used, would be a violation of any
120.5 provision of this section. Enforcement of this subdivision is subject to section 8.31.

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

120.7 Sec. 128. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 2, is amended
120.8 to read:

120.9 Subd. 2. **Content of label; cannabis.** All cannabis flower and hemp-derived consumer
120.10 products that consist of hemp plant parts sold to customers or patients must have affixed
120.11 on the packaging or container of the cannabis flower or hemp-derived consumer product a
120.12 label that contains at least the following information:

120.13 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
120.14 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp
120.15 grower where the cannabis flower or hemp plant part was cultivated;

120.16 (2) the net weight or volume of cannabis flower or hemp plant parts in the package or
120.17 container;

120.18 (3) the batch number;

120.19 (4) the cannabinoid profile;

120.20 (5) a universal symbol established by the office indicating that the package or container
120.21 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
120.22 hemp-derived consumer product;

120.23 (6) verification that the cannabis flower or hemp plant part was tested according to
120.24 section 342.61 and that the cannabis flower or hemp plant part complies with the applicable
120.25 standards;

120.26 (7) ~~the maximum dose, quantity, or consumption that may be considered medically safe~~
120.27 ~~within a 24-hour period~~ information on the usage of the cannabis flower or hemp-derived
120.28 consumer product;

120.29 (8) the following statement: "Keep this product out of reach of children."; and

120.30 (9) any other statements or information required by the office.

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

121.1 Sec. 129. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 3, is amended
121.2 to read:

121.3 Subd. 3. **Content of label; cannabinoid products.** (a) All cannabis products,
121.4 lower-potency hemp edibles, hemp-derived consumer products other than products subject
121.5 to the requirements under subdivision 2, medical cannabinoid products, and hemp-derived
121.6 topical products sold to customers or patients must have affixed to the packaging or container
121.7 of the cannabis product a label that contains at least the following information:

121.8 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
121.9 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp
121.10 grower that cultivated the cannabis flower or hemp plant parts used in the cannabis product,
121.11 lower-potency hemp edible, hemp-derived consumer product, or medical cannabinoid
121.12 product;

121.13 (2) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
121.14 cannabis manufacturer, lower-potency hemp edible manufacturer, medical cannabis ~~processor~~
121.15 combination business, or industrial hemp grower that manufactured the cannabis concentrate,
121.16 hemp concentrate, or artificially derived cannabinoid and, if different, the name and license
121.17 number of the cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer,
121.18 lower-potency hemp edible manufacturer, or medical cannabis ~~processor~~ combination
121.19 business that manufactured the product;

121.20 (3) the net weight or volume of the cannabis product, lower-potency hemp edible, or
121.21 hemp-derived consumer product in the package or container;

121.22 (4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer
121.23 product;

121.24 (5) the batch number;

121.25 (6) the serving size;

121.26 (7) the cannabinoid profile per serving and in total;

121.27 (8) a list of ingredients;

121.28 (9) a universal symbol established by the office indicating that the package or container
121.29 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
121.30 hemp-derived consumer product;

121.31 (10) a warning symbol developed by the office in consultation with the commissioner
121.32 of health and the Minnesota Poison Control System that:

- 122.1 (i) is at least three-quarters of an inch tall and six-tenths of an inch wide;
- 122.2 (ii) is in a highly visible color;
- 122.3 (iii) includes a visual element that is commonly understood to mean a person should
- 122.4 stop;
- 122.5 (iv) indicates that the product is not for children; and
- 122.6 (v) includes the phone number of the Minnesota Poison Control System;
- 122.7 (11) verification that the cannabis product, lower-potency hemp edible, hemp-derived
- 122.8 consumer product, or medical cannabinoid product was tested according to section 342.61
- 122.9 and that the cannabis product, lower-potency hemp edible, hemp-derived consumer product,
- 122.10 or medical cannabinoid product complies with the applicable standards;
- 122.11 (12) ~~the maximum dose, quantity, or consumption that may be considered medically~~
- 122.12 ~~safe within a 24-hour period~~ information on the usage of the product;
- 122.13 (13) the following statement: "Keep this product out of reach of children."; and
- 122.14 (14) any other statements or information required by the office.
- 122.15 (b) The office may by rule establish alternative labeling requirements for lower-potency
- 122.16 hemp edibles that are imported into the state ~~provided that~~ if those requirements provide
- 122.17 consumers with information that is substantially similar to the information described in
- 122.18 paragraph (a).
- 122.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 122.20 Sec. 130. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 6, is amended
- 122.21 to read:
- 122.22 Subd. 6. **Additional information.** (a) A cannabis microbusiness, cannabis mezzobusiness,
- 122.23 cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination business must
- 122.24 provide customers and patients with the following information:
- 122.25 (1) factual information about impairment effects and the expected timing of impairment
- 122.26 effects, side effects, adverse effects, and health risks of cannabis flower, cannabis products,
- 122.27 lower-potency hemp edibles, and hemp-derived consumer products;
- 122.28 (2) a statement that customers and patients must not operate a motor vehicle or heavy
- 122.29 machinery while under the influence of cannabis flower, cannabis products, lower-potency
- 122.30 hemp edibles, and hemp-derived consumer products;

123.1 (3) resources customers and patients may consult to answer questions about cannabis
 123.2 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer
 123.3 products, and any side effects and adverse effects;

123.4 (4) contact information for the poison control center and a safety hotline or website for
 123.5 customers to report and obtain advice about side effects and adverse effects of cannabis
 123.6 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer
 123.7 products;

123.8 (5) substance use disorder treatment options; and

123.9 (6) any other information specified by the office.

123.10 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, or medical
 123.11 cannabis ~~retailer~~ combination business may include the information described in paragraph

123.12 (a) on the label affixed to the packaging or container of cannabis flower, cannabis products,
 123.13 lower-potency hemp edibles, and hemp-derived consumer products by:

123.14 (1) posting the information in the premises of the cannabis microbusiness, cannabis
 123.15 mezzobusiness, cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination
 123.16 business; or

123.17 (2) providing the information on a separate document or pamphlet provided to customers
 123.18 or patients when the customer purchases cannabis flower, a cannabis product, a lower-potency
 123.19 hemp edible, or a hemp-derived consumer product.

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

123.21 Sec. 131. Minnesota Statutes 2023 Supplement, section 342.64, subdivision 1, is amended
 123.22 to read:

123.23 Subdivision 1. **Limitations applicable to all advertisements.** Cannabis businesses,
 123.24 hemp businesses, and other persons shall not publish or cause to be published an
 123.25 advertisement for a cannabis business, a hemp business, cannabis flower, a cannabis product,
 123.26 a lower-potency hemp edible, or a hemp-derived consumer product in a manner that:

123.27 (1) contains false or misleading statements;

123.28 (2) contains unverified claims about the health or therapeutic benefits or effects of
 123.29 consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a
 123.30 hemp-derived consumer product;

123.31 (3) promotes the overconsumption of cannabis flower, a cannabis product, a
 123.32 lower-potency hemp edible, or a hemp-derived consumer product;

124.1 (4) depicts a person under 21 years of age consuming cannabis flower, a cannabis product,
124.2 a lower-potency hemp edible, or a hemp-derived consumer product; or

124.3 (5) includes an image designed or likely to appeal to individuals under 21 years of age,
124.4 including cartoons, toys, animals, or children, or any other likeness to images, characters,
124.5 or phrases that is designed to be appealing to individuals under 21 years of age or encourage
124.6 consumption by individuals under 21 years of age; ~~and~~

124.7 (6) contains an image of alcohol or a person or persons consuming alcohol; and

124.8 (7) does not contain a warning as specified by the office regarding impairment and health
124.9 risks.

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

124.11 Sec. 132. Minnesota Statutes 2023 Supplement, section 342.70, subdivision 3, is amended
124.12 to read:

124.13 Subd. 3. **Grants to organizations.** (a) The Division of Social Equity must award grants
124.14 to eligible organizations through a competitive grant process.

124.15 (b) To receive grant money, an eligible organization must submit a written application
124.16 to the office, using a form developed by the office, explaining the community investment
124.17 the organization wants to make in an eligible community.

124.18 (c) An eligible organization's grant application must also include:

124.19 (1) an analysis of the community's need for the proposed investment;

124.20 (2) a description of the positive impact that the proposed investment is expected to
124.21 generate for that community;

124.22 (3) any evidence of the organization's ability to successfully achieve that positive impact;

124.23 (4) any evidence of the organization's past success in making similar community
124.24 investments;

124.25 (5) an estimate of the cost of the proposed investment;

124.26 (6) the sources and amounts of any nonstate funds or in-kind contributions that will
124.27 supplement grant money; ~~and~~

124.28 (7) a description of the organization's engagement with youth-centered, community-based
124.29 organizations working with youth who are 14 to 24 years of age that have been most impacted
124.30 by cannabis-related usage, criminalization, or incarceration; and

125.1 (8) any additional information requested by the office.

125.2 (d) In awarding grants under this subdivision, the office shall give ~~weight~~ priority to the
125.3 following:

125.4 (1) applications from organizations that demonstrate a history of successful community
125.5 investments, particularly in geographic areas that are now eligible communities. ~~The office~~
125.6 ~~shall also give weight to;~~

125.7 (2) applications that support youth civic engagement, leadership, and youth-led health
125.8 education opportunities; and

125.9 (3) applications where there is demonstrated community support for the proposed
125.10 investment.

125.11 (e) The office shall fund investments in eligible communities throughout the state.

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

125.13 Sec. 133. Minnesota Statutes 2023 Supplement, section 342.73, subdivision 4, is amended
125.14 to read:

125.15 Subd. 4. **Loan financing grants.** (a) The CanGrow revolving loan account is established
125.16 in the special revenue fund. Money in the account, including interest, is appropriated to the
125.17 ~~commissioner~~ office to make loan financing grants under the CanGrow program.

125.18 (b) The office must award grants to nonprofit corporations through a competitive grant
125.19 process.

125.20 (c) To receive grant money, a nonprofit corporation must submit a written application
125.21 to the office using a form developed by the office.

125.22 (d) In awarding grants under this subdivision, the office shall give weight to whether
125.23 the nonprofit corporation:

125.24 (1) has a board of directors that includes individuals experienced in agricultural business
125.25 development;

125.26 (2) has the technical skills to analyze projects;

125.27 (3) is familiar with other available public and private funding sources and economic
125.28 development programs;

125.29 (4) can initiate and implement economic development projects;

125.30 (5) can establish and administer a revolving loan account; and

126.1 (6) has established relationships with communities where long-term residents are eligible
126.2 to be social equity applicants.

126.3 The office shall make grants that will help farmers enter the legal cannabis industry
126.4 throughout the state.

126.5 (e) A nonprofit corporation that receives grants under the program must:

126.6 (1) establish an office-certified revolving loan account for the purpose of making eligible
126.7 loans; and

126.8 (2) enter into an agreement with the office that the office shall fund loans that the
126.9 nonprofit corporation makes to farmers entering the legal cannabis industry. The office shall
126.10 review existing agreements with nonprofit corporations every five years and may renew or
126.11 terminate an agreement based on that review. In making this review, the office shall consider,
126.12 among other criteria, the criteria in paragraph (d).

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

126.14 Sec. 134. Minnesota Statutes 2023 Supplement, section 342.80, is amended to read:

126.15 **342.80 LAWFUL ACTIVITIES.**

126.16 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
126.17 and selling of cannabis flower, cannabis products, artificially derived cannabinoids,
126.18 lower-potency hemp edibles, and hemp-derived consumer products by a licensed cannabis
126.19 business or hemp business in conformity with the rights granted by a cannabis business
126.20 license or hemp business license is lawful and may not be the grounds for the seizure or
126.21 forfeiture of property, arrest or prosecution, or search or inspections except as provided by
126.22 this chapter.

126.23 (b) A person acting as an agent of a cannabis microbusiness, cannabis mezzobusiness,
126.24 cannabis retailer, medical cannabis combination business, or lower-potency hemp edible
126.25 retailer who sells or otherwise transfers cannabis flower, cannabis products, lower-potency
126.26 hemp edibles, or hemp-derived consumer products to a person under 21 years of age is not
126.27 subject to arrest, prosecution, or forfeiture of property if the person complied with section
126.28 342.27, subdivision 4, and any rules promulgated pursuant to this chapter.

127.1 Sec. 135. Laws 2023, chapter 63, article 1, section 2, the effective date, is amended to
127.2 read:

127.3 **EFFECTIVE DATE.** This section is effective July 1, 2023, except for subdivision 3,
127.4 which is effective ~~March 1, 2025~~ July 1, 2024.

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

127.6 Sec. 136. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to
127.7 read:

127.8 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final
127.9 enactment.

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

127.11 Sec. 137. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to
127.12 read:

127.13 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final
127.14 enactment.

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

127.16 Sec. 138. Laws 2023, chapter 63, article 1, section 53, the effective date, is amended to
127.17 read:

127.18 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

127.20 Sec. 139. Laws 2023, chapter 63, article 1, section 54, the effective date, is amended to
127.21 read:

127.22 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

127.24 Sec. 140. Laws 2023, chapter 63, article 1, section 55, the effective date, is amended to
127.25 read:

127.26 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.1 Sec. 141. Laws 2023, chapter 63, article 1, section 56, the effective date, is amended to
128.2 read:

128.3 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.5 Sec. 142. Laws 2023, chapter 63, article 1, section 57, the effective date, is amended to
128.6 read:

128.7 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.9 Sec. 143. Laws 2023, chapter 63, article 1, section 58, the effective date, is amended to
128.10 read:

128.11 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.13 Sec. 144. Laws 2023, chapter 63, article 1, section 59, the effective date, is amended to
128.14 read:

128.15 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.17 Sec. 145. Laws 2023, chapter 63, article 1, section 61, the effective date, is amended to
128.18 read:

128.19 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ July 1, 2024.

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

128.21 Sec. 146. Laws 2023, chapter 63, article 6, section 10, the effective date, is amended to
128.22 read:

128.23 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025 2024.

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

129.1 Sec. 147. Laws 2023, chapter 63, article 6, section 73, the effective date, is amended to
129.2 read:

129.3 **EFFECTIVE DATE.** Paragraph (a) is effective ~~March~~ December 1, 2025. Paragraph
129.4 (b) is effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

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

129.6 Sec. 148. **LICENSE PREAPPROVAL.**

129.7 **Subdivision 1. Establishment.** (a) Prior to the adoption of initial rules pursuant to
129.8 Minnesota Statutes, section 342.02, subdivision 5, the Office of Cannabis Management may
129.9 establish a license preapproval process for applicants who meet the requirements in Minnesota
129.10 Statutes, section 342.17.

129.11 (b) The office may issue up to the following number of license preapprovals for the
129.12 following types of licenses:

129.13 (1) cannabis microbusiness licenses, 100;

129.14 (2) cannabis mezzobusiness licenses, 25;

129.15 (3) cannabis cultivator licenses, 13;

129.16 (4) cannabis manufacturer licenses, six;

129.17 (5) cannabis retailer licenses, 38;

129.18 (6) cannabis wholesaler licenses, 20;

129.19 (7) cannabis transporter licenses, 20;

129.20 (8) cannabis testing facility licenses, 50; and

129.21 (9) cannabis delivery service licenses, ten.

129.22 (c) A license preapproval remains valid for 18 months from the date that the office adopts
129.23 initial rules pursuant to Minnesota Statutes, section 342.02, subdivision 5, unless the office
129.24 revokes the license preapproval or grants an extension. The office may grant a onetime
129.25 extension of up to six months if an applicant has made good faith efforts to convert a license
129.26 preapproval into a license. The office must not issue a license to an applicant whose license
129.27 preapproval has expired.

129.28 **Subd. 2. Eligibility; social equity applicants.** Only a social equity applicant who meets
129.29 the requirements in Minnesota Statutes, section 342.17, is eligible for license preapproval.

130.1 Subd. 3. **Preapproval period.** (a) The office must announce the commencement of a
 130.2 license preapproval application period at least 14 days before the date that the office begins
 130.3 to accept applications. The announcement must include:

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

130.6 (2) the number of each type of license available during the license preapproval period;

130.7 (3) the date on which the office will begin accepting applications for license preapproval;
 130.8 and

130.9 (4) the date on which the office will no longer accept applications.

130.10 (b) The office must begin accepting applications no later than July 24, 2024. The
 130.11 application period must end on August 12, 2024.

130.12 Subd. 4. **Application requirements.** (a) An applicant for license preapproval must:

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

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

130.17 (b) The office shall not require an applicant for a license preapproval to identify or have
 130.18 acquired any property on which the cannabis business will operate.

130.19 (c) If the office receives an application that fails to provide the office with the required
 130.20 information or pay the applicable application fee, the office shall issue a deficiency notice
 130.21 to the applicant that states the amount of time that the applicant has to submit the required
 130.22 information or pay the application fee to the office.

130.23 (d) Failure by an applicant to submit all required information to the office or pay the
 130.24 application fee to the office shall result in the application being rejected.

130.25 Subd. 5. **Application review; qualified applicants.** (a) The office must accept
 130.26 applications for license preapproval during the application period. As part of the application
 130.27 process, the office must verify the applicant's status as a social equity applicant.

130.28 (b) The office may deny an application if:

130.29 (1) the application is incomplete;

130.30 (2) the application contains a materially false statement about the applicant or omits
 130.31 information required under Minnesota Statutes, section 342.14, subdivision 1;

131.1 (3) the applicant does not meet the qualifications under Minnesota Statutes, section
131.2 342.16;

131.3 (4) the applicant is prohibited from holding the license under Minnesota Statutes, section
131.4 342.18, subdivision 2;

131.5 (5) the application does not meet the minimum requirements under Minnesota Statutes,
131.6 section 342.18, subdivision 3;

131.7 (6) the applicant fails to pay the applicable application fee to the office;

131.8 (7) the applicant failed to submit the application to the office by the application deadline;

131.9 (8) the applicant submitted more than one application for a license type; or

131.10 (9) the office determines that the applicant would be prohibited from holding a license
131.11 for any other reason.

131.12 (c) If the office denies an application, the office must notify the applicant of the denial
131.13 and the basis for the denial.

131.14 (d) The office may request additional information from an applicant if the office
131.15 determines that the information is necessary to review or process the application. If the
131.16 applicant does not provide the additional requested information within 14 calendar days,
131.17 the office may deny the application.

131.18 (e) An applicant whose application is not denied under this subdivision is a qualified
131.19 applicant.

131.20 Subd. 6. **Lottery.** (a) If there are fewer license preapprovals available for a license type
131.21 than the number of qualified applicants for that license type, the office must conduct a lottery
131.22 to select applicants for license preapproval. The lottery must include all qualified applicants
131.23 seeking license preapproval for the license type and must be impartial, random, and in a
131.24 format determined by the office.

131.25 (b) The office may remove an applicant from the lottery if the office determines that the
131.26 applicant has violated this chapter or rules adopted pursuant to this chapter that would justify
131.27 the revocation or nonrenewal of a license. If the office removes an applicant from a lottery,
131.28 the office must notify the applicant of the removal and the basis for the removal.

131.29 (c) Following the completion of any lottery conducted under this subdivision, the office
131.30 must notify each applicant that the applicant was either selected or not selected in the lottery.

132.1 Subd. 7. **Background check; preapproval.** (a) Before granting a license preapproval,
132.2 the office may conduct a background check of a qualified applicant consistent with Minnesota
132.3 Statutes, section 342.15.

132.4 (b) The office must issue license preapproval to a qualified applicant if the applicant is
132.5 not disqualified under Minnesota Statutes, section 342.15, and:

132.6 (1) there are a sufficient number of licenses of the type the applicant is seeking for all
132.7 qualified applicants to receive a license preapproval; or

132.8 (2) the qualified applicant is selected in the lottery conducted under subdivision 6.

132.9 (c) The office must notify an applicant of the results of any background check and
132.10 whether the office has granted a license preapproval. If the office does not grant a license
132.11 preapproval, the notice must state the specific reasons for the office's decision.

132.12 Subd. 8. **License preapproval; purpose; restrictions.** (a) A license preapproval issued
132.13 by the office is evidence that:

132.14 (1) the applicant has submitted all necessary information to the office;

132.15 (2) the office has determined that the applicant is qualified to hold a license of the type
132.16 for which the license preapproval is issued; and

132.17 (3) the office will issue the person a license after the office adopts initial rules pursuant
132.18 to Minnesota Statutes, section 342.02, subdivision 5, unless the office revokes the license
132.19 preapproval pursuant to subdivision 9.

132.20 (b) Upon request by a person with a license preapproval, the office must provide
132.21 confirmation of the license preapproval to third parties to assist the person in taking the
132.22 steps necessary to prepare for business operations, including:

132.23 (1) establishing legal control of the site of the cannabis business through a lease, purchase,
132.24 or other means;

132.25 (2) gaining zoning or planning approval from a local unit of government for the site of
132.26 the cannabis business; and

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

132.28 (c) A person with a license preapproval is not authorized to open a cannabis business
132.29 or engage in any activity that requires a license issued under this chapter.

132.30 (d) A person with a license preapproval must not:

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

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

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

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

133.12 (5) make any transfer of ownership interest that causes the person with a license
 133.13 preapproval to no longer qualify as a social equity applicant under Minnesota Statutes,
 133.14 section 342.17.

133.15 (e) The prohibitions under paragraphs (c) and (d) do not prohibit a person with a license
 133.16 preapproval from engaging in early cultivation if authorized by the office.

133.17 Subd. 9. **Revocation of preapproval.** The office may revoke a license preapproval if
 133.18 the person holding the license preapproval, including any true party of interest as defined
 133.19 in Minnesota Statutes, section 342.185, subdivision 1, paragraph (g):

133.20 (1) fraudulently or deceptively obtained a license preapproval;

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

133.22 (3) violates any provision of this chapter; or

133.23 (4) is not registered or in good standing with the Office of the Secretary of State.

133.24 Subd. 10. **Conversion of preapproval.** (a) After the office adopts initial rules pursuant
 133.25 to Minnesota Statutes, section 342.02, subdivision 5, the office must issue a license to any
 133.26 person who has received a license preapproval if:

133.27 (1) the person provides the address and legal property description of the location where
 133.28 the business will operate;

133.29 (2) the person provides the name of the local unit of government where the business will
 133.30 be located;

134.1 (3) if applicable, the person provides an updated description of the location where the
134.2 business will operate, an updated security plan, and any other additional information required
134.3 by the office;

134.4 (4) the office contacts the appropriate local unit of government as provided in Minnesota
134.5 Statutes, section 342.13, paragraph (f), to confirm that the proposed cannabis business
134.6 complies with local zoning ordinances and, if applicable, whether the proposed business
134.7 complies with the state fire code and building code;

134.8 (5) the office completes an inspection of the site where the cannabis business will be
134.9 located and approves the site; and

134.10 (6) the person pays any applicable license fee.

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

134.13 (1) the ownership of the cannabis business has changed since the office granted a license
134.14 preapproval and the person has not filed an updated ownership disclosure as required by
134.15 the office;

134.16 (2) the office confirms that the cannabis business for which the office granted a license
134.17 preapproval does not meet local zoning and land use laws;

134.18 (3) the person fails to submit any required information;

134.19 (4) the person submits a materially false statement about the applicant or fails to provide
134.20 any required information;

134.21 (5) the person fails to pay the applicable license fee; or

134.22 (6) the office determines that the person is disqualified from holding the license or would
134.23 operate in violation of the provisions of this chapter.

134.24 (d) Within 90 days of receiving the information required under paragraph (a), clauses
134.25 (1) to (3), the office shall grant final authorization and issue the appropriate license or send
134.26 the applicant a notice of rejection setting forth specific reasons that the office did not grant
134.27 a license.

134.28 **Subd. 11. Applicants; right to a reconsideration.** (a) If the office denies an application
134.29 for a license preapproval or removes an applicant from a lottery, the applicant may request
134.30 a records review of the submitted application materials within seven calendar days of
134.31 receiving notification that the office denied the application or removed the applicant.

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

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

135.5 (d) An applicant whose application is denied or not selected in a lottery may not appeal
135.6 or request a hearing.

135.7 Subd. 12. **Retention of applications.** The office must retain an application that was not
135.8 selected in a lottery for one year. An application retained under this subdivision is subject
135.9 to the requirements under Minnesota Statutes, section 342.14, subdivision 9.

135.10 Subd. 13. **Data.** Data collected, created, or maintained by the office pursuant to this
135.11 section are application data submitted by an applicant for a cannabis business license and
135.12 are subject to Minnesota Statutes, section 342.20.

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

135.14 Sec. 149. **THIRD-PARTY BACKGROUND CHECKS FOR LICENSE**
135.15 **APPLICATIONS.**

135.16 (a) Notwithstanding Minnesota Statutes, section 342.15, until approved by the Federal
135.17 Bureau of Investigation, the director may accept a third-party local and national criminal
135.18 background check submitted by an applicant for a license or renewal in lieu of a
135.19 fingerprint-based national criminal history records check. Any third-party background check
135.20 must:

135.21 (1) be conducted by a third-party consumer reporting agency or background screening
135.22 company that is in compliance with the federal Fair Credit Reporting Act and accredited
135.23 by the Professional Background Screening Association;

135.24 (2) include a multistate and multijurisdiction criminal record locator or other similar
135.25 commercial nationwide database with validation; and

135.26 (3) include other background screening as the director may require.

135.27 (b) The applicant must request a background check not more than 60 days before
135.28 submitting the application.

135.29 (c) Notwithstanding Minnesota Statutes, section 342.15, until approved by the Federal
135.30 Bureau of Investigation, a license holder may use a third-party local and national criminal
135.31 background check submitted by a cannabis worker in lieu of a fingerprint-based national
135.32 criminal history records check. Any third-party background check must:

136.1 (1) be conducted by a third-party consumer reporting agency or background screening
136.2 company that is in compliance with the federal Fair Credit Reporting Act and accredited
136.3 by the Professional Background Screening Association;

136.4 (2) include a multistate and multijurisdiction criminal record locator or other similar
136.5 commercial nationwide database with validation; and

136.6 (3) include other background screening as the director may require.

136.7 (d) The cannabis worker must request a background check not more than 60 days before
136.8 submitting the application.

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

136.10 Sec. 150. **EMPLOYEE TRANSFER.**

136.11 (a) The powers, duties, rights, obligations, and other authority imposed by law on the
136.12 Department of Health with respect to the sale of certain cannabinoid products under
136.13 Minnesota Statutes, section 151.72, are transferred to the Office of Cannabis Management
136.14 under Minnesota Statutes, section 15.039.

136.15 (b) The following protections shall apply to employees who are transferred from the
136.16 Department of Health to the Office of Cannabis Management:

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

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

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

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

136.28 (5) for an employee in a temporary unclassified position transferred to the Office of
136.29 Cannabis Management, the total length of time that the employee has served in the
136.30 appointment shall include all time served in the appointment at the transferring agency and
136.31 the time served in the appointment at the Office of Cannabis Management. An employee
136.32 in a temporary unclassified position who was hired by a transferring agency through an

137.1 open competitive selection process in accordance with a policy enacted by Minnesota
137.2 Management and Budget shall be considered to have been hired through such process after
137.3 the transfer.

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

137.5 Sec. 151. **EARLY CULTIVATION.**

137.6 (a) A social equity applicant with a license preapproval for a cannabis microbusiness
137.7 license, cannabis mezzobusiness license, or cannabis cultivator license, may grow cannabis
137.8 plants from seeds or immature plants if the social equity applicant:

137.9 (1) has provided documentation from the applicable local unit of government that states
137.10 the social equity applicant is in compliance with local zoning ordinances and state fire and
137.11 building codes; and

137.12 (2) complies with Minnesota Rules, parts 4700.0100 to 4700.3040.

137.13 (b) According to Minnesota Statutes, section 342.19, the Office of Cannabis Management
137.14 may enforce Minnesota Rules, parts 4770.0100 to 4770.4030 against a social equity applicant
137.15 who cultivates cannabis under paragraph (a).

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

137.17 Sec. 152. **TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.**

137.18 The Department of Health shall transfer all data, including not public data as defined in
137.19 Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive
137.20 complaints involving alleged violations of Minnesota Statutes 2023 Supplement, section
137.21 151.72, as well as registration data collected under Minnesota Statutes 2023 Supplement,
137.22 section 151.72, subdivision 5b, to the Office of Cannabis Management. The Department of
137.23 Health and the Office of Cannabis Management shall ensure that the transfer takes place in
137.24 a manner and on a schedule that prioritizes public health.

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

137.26 Sec. 153. **TRANSFER OF MEDICAL PROGRAM.**

137.27 (a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the
137.28 Office of Cannabis Management may access data maintained by the commissioner of health
137.29 related to the responsibilities transferred under Minnesota Statutes, section 342.02,
137.30 subdivision 3. Data sharing authorized by this subdivision includes not public data as defined
137.31 in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive

138.1 complaints involving any alleged violation of Minnesota Statutes, sections 152.22 to 152.37,
138.2 by a medical cannabis manufacturer. Data sharing under this paragraph further includes
138.3 data in patient files maintained by the commissioner and the health care practitioner and
138.4 data submitted to or by a medical cannabis manufacturer classified as private data on
138.5 individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic
138.6 data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data shared under
138.7 this section retain the data's classification from the agency holding the data.

138.8 (b) All rules adopted by the commissioner of health pursuant to Minnesota Statutes,
138.9 sections 152.22 to 152.37, including but not limited to Minnesota Rules, chapter 4770,
138.10 remain effective and shall be enforced until amended or repealed consistent with Minnesota
138.11 Statutes, section 15.039, subdivision 3.

138.12 (c) The director of the Office of Cannabis Management may use the good cause exempt
138.13 rulemaking process under Minnesota Statutes, section 14.388, subdivision 1, clauses (3)
138.14 and (4), to copy and adopt any portions of Minnesota Rules, parts 4770.0100 to 4770.4030,
138.15 that are necessary to effectuate the transfer of authority granted under Minnesota Statutes,
138.16 section 342.02, subdivision 3. The commissioner may make technical changes and any
138.17 changes necessary to conform with the transfer of authority. Any change to the rules that
138.18 is not authorized under this paragraph must be adopted according to Minnesota Statutes,
138.19 sections 14.001 to 14.366.

138.20 (d) Unless otherwise specified in this section or Minnesota Statutes, section 342.02,
138.21 subdivision 3, transfer of the powers, duties, rights, obligations, and other authority imposed
138.22 by law on the Department of Health with respect to the medical cannabis program under
138.23 Minnesota Statutes 2022, sections 152.22 to 152.37, to the Office of Cannabis Management
138.24 is subject to Minnesota Statutes, section 15.039.

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

138.26 Sec. 154. **REPEALER.**

138.27 (a) Minnesota Statutes 2023 Supplement, sections 342.01, subdivisions 28, 53, and 55;
138.28 342.18, subdivision 1; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

138.29 (b) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; 342.50; and
138.30 342.52, subdivision 8, are repealed.

138.31 (c) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

138.32 (d) Minnesota Statutes 2022, sections 152.22, subdivision 3; and 152.36, are repealed.

- 139.1 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final
- 139.2 enactment. Paragraphs (c) and (d) are effective July 1, 2024."
- 139.3 Amend the title accordingly