

Introduced by

Senators Klein, Heckaman, Wardner

Representatives Boschee, Louser, Pollert

1 A BILL for an Act to amend and reenact sections 19-24.1-17 and 19-24.1-24 of the North  
2 Dakota Century Code, relating to medical marijuana manufacturing facilities; and to declare an  
3 emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 19-24.1-17 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **19-24.1-17. Compassion centers - Registration certificates nontransferable -**  
8 **Notification of changes.**

- 9 1. A registration certificate authorizing operation of a compassion center may not be  
10 transferred to another person. Unless a compassion center applies for and receives an  
11 amended registration certificate authorizing operation of a compassion center, the  
12 registration certificate is void if there is a change in ownership of the compassion  
13 center, there is a change in the authorized physical location of the compassion center,  
14 or if the compassion center discontinues operation.
- 15 2. A compassion center shall provide the department a written notice of any change  
16 described under this section at least sixty calendar days before the proposed effective  
17 date of the change. The department shall authorize the use of additional structures  
18 located within five hundred feet [152.40 meters] of the location described in the  
19 original application, unless the department makes an affirmative finding the use of  
20 additional structures would jeopardize public health or safety or would result in the  
21 compassion center being within one thousand feet [304.80 meters] of a property line of  
22 a pre-existing public or private school. The department may waive all or part of the  
23 required advance notice to address emergent or emergency situations.

1       **SECTION 2. AMENDMENT.** Section 19-24.1-24 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **19-24.1-24. Compassion centers - Cannabis plants.**

4       ~~1. The health council shall adopt rules establishing the maximum amount of plants of the~~  
5       ~~genus cannabis and the amount of marijuana and usable marijuana a compassion-~~  
6       ~~center may possess. Except as otherwise provided under this section, the rules may~~  
7       ~~not allow a manufacturing facility to possess more than one thousand plants,~~  
8       ~~regardless of the stage of growth, and may not allow a dispensary to possess more~~  
9       ~~than three thousand five hundred ounces [99.22 kilograms] of usable marijuana at any~~  
10       ~~time, regardless of formulation.~~

11       ~~a. A manufacturing facility that reaches the limit of one thousand plants before~~  
12       ~~January 16, 2019, may possess up to an additional two thousand plants, not to~~  
13       ~~exceed a total of three thousand plants.~~

14       ~~b. The rules must provide for every five hundred plants in excess of one thousand~~  
15       ~~which a manufacturing facility possesses, the manufacturing facility shall pay the~~  
16       ~~department an additional certification fee, not to exceed~~

17       1. A manufacturing facility shall grow an amount of marijuana sufficient to meet the  
18       qualifying patient population demands. For every five hundred plants in excess of one  
19       thousand plants a manufacturing facility possesses, the manufacturing facility shall  
20       pay the department an additional certification fee of ten thousand dollars. This fee is  
21       due at the time of increase and again at renewal of the compassion center registration  
22       certificate under section 19-24.1-16.

23       2. A dispensary may not possess more than three thousand five hundred ounces  
24       [99.22 kilograms] of usable marijuana at any time, regardless of formulation.

25       3. The health council shall adopt rules may to allow a manufacturing facility to possess no  
26       more than an additional fifty plants for the exclusive purpose of department-authorized  
27       research and development related to production and processing. These plants are not  
28       ~~subject to the limit on the total number of plants a manufacturing facility may~~  
29       ~~possess~~counted in a manufacturing facility possession amount and are not subject to  
30       an additional fee.

31       **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.