

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2210

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 ~~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 center may~~
6 ~~possess. Except as otherwise provided under this section, the rules may not allow a~~
7 ~~manufacturing facility to possess more than one thousand plants, regardless of the stage of~~
8 ~~growth, and may not allow a dispensary to possess more than three thousand five hundred~~
9 ~~ounces [99.22 kilograms] of usable marijuana at any time, regardless of formulation.~~

- 10 1. A manufacturing facility shall grow an amount of marijuana sufficient to meet the
11 qualifying patient population demands. For every five hundred plants in excess of one
12 thousand plants a manufacturing facility possesses, the manufacturing facility shall
13 pay the department an additional certification fee of ten thousand dollars. This fee is
14 due at the time of increase and again at renewal of the compassion center registration
15 certificate under section 19-24.1-16.
- 16 2. A dispensary may not possess more than three thousand five hundred ounces
17 [99.22 kilograms] of usable marijuana at any time, regardless of formulation.
- 18 3. The health council shall adopt rules mayto allow a manufacturing facility to possess no
19 more than an additional fifty plants for the exclusive purpose of department-authorized
20 research and development related to production and processing. These plants are not
21 counted in a manufacturing facility possession amount and are not subject to an
22 additional fee.

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