

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2201
(Senators Meyer, Cleary, K. Roers)
(Representatives Dockter, Mock, O'Brien)

AN ACT to amend and reenact subdivision a of subsection 2 of section 19-24.1-03, subsection 3 of section 19-24.1-04, subsection 2 of section 19-24.1-18, subdivision a of subsection 3 of section 19-24.1-18, and subsection 1 of section 19-24.1-24 of the North Dakota Century Code, relating to medical marijuana certification and application fees; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision a of subsection 2 of section 19-24.1-03 of the North Dakota Century Code is amended and reenacted as follows:

- a. A nonrefundable application fee in an amount not to exceed ~~fifty~~twenty-five dollars.

SECTION 2. AMENDMENT. Subsection 3 of section 19-24.1-04 of the North Dakota Century Code is amended and reenacted as follows:

3. Except as provided in section 19-24.1-04.1, a criminal history record check conducted under section 12-60-24 must be performed upon initial application and biennially thereafter and at any other time upon the request of the department. All fees associated with the criminal history record check must be paid by the ~~applicant~~department.

SECTION 3. AMENDMENT. Subsection 2 of section 19-24.1-18 of the North Dakota Century Code is amended and reenacted as follows:

2. To qualify to be issued a registry identification card, each compassion center agent must be at least twenty-one years of age and shall submit all of the following registry identification card application material to the department:
 - a. A photographic copy of the agent's department-approved identification. The agent shall make the identification available for inspection and verification by the department.
 - b. A recent two-by-two inch [5.08-by-5.08 centimeter] photograph of the agent.
 - c. A written and signed statement from an officer or executive staff member of the compassion center stating the applicant is associated with the compassion center and the capacity of the association.
 - d. The name, address, and telephone number of the agent.
 - e. The name, address, and telephone number of the compassion center with which the agent is associated.
 - f. The agent's signature and the date.
 - g. A nonrefundable application or renewal fee ~~is not to exceed~~ in not to exceed the amount of two hundred dollars.

SECTION 4. AMENDMENT. Subdivision a of subsection 3 of section 19-24.1-18 of the North Dakota Century Code is amended and reenacted as follows:

- a. All applicable fees associated with the required criminal history record checks must be paid by the ~~compassion center or the agent~~department.

SECTION 5. AMENDMENT. Subsection 1 of section 19-24.1-24 of the North Dakota Century Code is amended and reenacted as follows:

1. A manufacturing facility shall grow an amount of marijuana sufficient to meet the qualifying patient population demands. For every five hundred plants in excess of one thousand plants a manufacturing facility possesses, the manufacturing facility shall pay the department an additional certification fee ~~of ten thousand~~not to exceed seven thousand five hundred dollars. This fee is due at the time of increase and again at renewal of the compassion center registration certificate under section 19-24.1-16.

SECTION 6. LEGISLATIVE MANAGEMENT STUDY - COMPASSION CENTER CERTIFICATION.

During the 2023-24 interim, the legislative management, in collaboration with the department of health and human services, shall consider studying the administrative costs involved in certifying a compassion center. The study must include information on the amount and frequency of certification fees, a description of additional costs associated with certification, an explanation of how the department uses the certification fees once they are collected, a recommendation of the best way to lower administrative costs while maintaining the integrity of the department's medical marijuana program, and a prediction on whether the lowering of administrative costs will help to lower consumer costs on medical marijuana purchased from a compassion center. The legislative management shall report its findings and recommendations to the sixty-ninth legislative assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2201.

Senate Vote: Yeas 46 Nays 1 Absent 0

House Vote: Yeas 77 Nays 15 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State