

Introduced by

Human Services Committee

(At the request of the Department of Health and Human Services)

1 A BILL for an Act to amend and reenact subsection 12 of section 19-24.1-05, subsection 4 of  
2 section 19-24.1-09, subsection 4 of section 19-24.1-18, and subsection 4 of section 19-24.1-19  
3 of the North Dakota Century Code, relating to the appeals process for a medical marijuana  
4 registry identification card for qualified patients and designated caregivers, referral of credible  
5 criminal complaints, and the appeals process for a compassion center agent or compassion  
6 center.

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

8 **SECTION 1. AMENDMENT.** Subsection 12 of section 19-24.1-05 of the North Dakota  
9 Century Code is amended and reenacted as follows:

10 12. The cardholder may appeal a denial or revocation of a registry identification card,  
11 within thirty days after notice has been given, to the district court of Burleigh County  
12 ~~for hearing~~. The court may authorize the cardholder to appear by reliable electronic  
13 means.

14 **SECTION 2. AMENDMENT.** Subsection 4 of section 19-24.1-09 of the North Dakota  
15 Century Code is amended and reenacted as follows:

16 4. The department ~~shall~~may refer credible criminal complaints against a cardholder to  
17 appropriate state or local law enforcement authorities.

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

20 4. The department shall notify the compassion center in writing of the purpose for  
21 denying a compassion center agent application for a registry identification card. The  
22 department shall deny an application if the applicant fails to meet the registration  
23 requirements or to provide the information required, if the applicant previously had a  
24 registry identification card revoked, or if the department determines the information

1 provided is false. The cardholder may appeal a denial or revocation of a registry  
2 identification card, within thirty days after notice has been given, to the district court of  
3 Burleigh County ~~for hearing~~. The court may authorize the cardholder to appear by  
4 reliable electronic means.

5 **SECTION 4. AMENDMENT.** Subsection 4 of section 19-24.1-19 of the North Dakota  
6 Century Code is amended and reenacted as follows:

- 7 4. The department shall provide written notice of suspension or revocation of a registry  
8 identification card or registration certificate.
- 9 a. A suspension may not be for a period longer than six months.
- 10 b. A manufacturing facility may continue to produce and process and to possess  
11 marijuana and usable marijuana during a suspension, but may not transfer or sell  
12 usable marijuana.
- 13 c. A dispensary may continue to possess usable marijuana during a suspension,  
14 but may not purchase, dispense, or transfer usable marijuana.
- 15 d. The cardholder or the compassion center may appeal a denial or revocation of a  
16 registry identification card or registry certificate, within thirty days after notice has  
17 been given, to the district court of Burleigh County ~~for hearing~~. The court may  
18 authorize the cardholder or compassion center to appear by reliable electronic  
19 means.