

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

SENATE BILL NO. 2078
(Human Services Committee)
(At the request of the Department of Health and Human Services)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

4. The department shall notify the compassion center in writing of the purpose for denying a compassion center agent application for a registry identification card. The department shall deny an application if the applicant fails to meet the registration requirements or to provide the information required, if the applicant previously had a registry identification card revoked, or if the department determines the information provided is false. The cardholder may appeal a denial or revocation of a registry identification card, within thirty days after notice has been given, to the district court of Burleigh County ~~for hearing~~. The court may authorize the cardholder to appear by reliable electronic means.

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

4. The department shall provide written notice of suspension or revocation of a registry identification card or registration certificate.
 - a. A suspension may not be for a period longer than six months.
 - b. A manufacturing facility may continue to produce and process and to possess marijuana and usable marijuana during a suspension, but may not transfer or sell usable marijuana.
 - c. A dispensary may continue to possess usable marijuana during a suspension, but may not purchase, dispense, or transfer usable marijuana.
 - d. The cardholder or the compassion center may appeal a denial or revocation of a registry identification card or registry certificate, within thirty days after notice has been given, to

the district court of Burleigh County for hearing. The court may authorize the cardholder or compassion center to appear by reliable electronic means.

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. 2078.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 88 Nays 4 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