

1.1 moves to amend H.F. No. 4757 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2023 Supplement, section 3.9224, subdivision 1, is amended
1.4 to read:

1.5 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
1.6 meanings given.

1.7 (b) "Medical cannabis law" or "medical cannabis program" means the regulatory
1.8 framework for cultivation, production, distribution, and sale of cannabis to qualifying
1.9 patients for therapeutic use in the treatment of a qualifying condition.

1.10 (c) "Medical cannabis flower" means cannabis flower approved for sale under the medical
1.11 cannabis law of a Minnesota Tribal government or under a compact entered into under this
1.12 section.

1.13 (d) "Medical cannabis product" means a cannabis product approved for sale under the
1.14 medical cannabis law of a Minnesota Tribal government or under a compact entered into
1.15 under this section.

1.16 (e) "Medical cannabis business" means a ~~medical cannabis cultivator, processor, or~~
1.17 ~~retailer~~ business with a medical cannabis endorsement.

1.18 (f) "Medical cannabis industry" means every item, product, person, process, action,
1.19 business, or other thing or activity related to medical cannabis flower or medical cannabis
1.20 products and subject to regulation under the law of a Minnesota Tribal government or under
1.21 a compact entered into under this section.

1.22 (g) "Cannabis product" means any of the following:

1.23 (1) cannabis concentrate;

2.1 (2) a product infused with cannabinoids, whether artificially derived, or extracted or
2.2 derived from cannabis plants or cannabis flower, including but not limited to
2.3 tetrahydrocannabinol; or

2.4 (3) any other product that contains cannabis concentrate.

2.5 (h) "Minnesota Tribal governments" means the following federally recognized Indian
2.6 Tribes located in Minnesota:

2.7 (1) Bois Forte Band;

2.8 (2) Fond Du Lac Band;

2.9 (3) Grand Portage Band;

2.10 (4) Leech Lake Band;

2.11 (5) Mille Lacs Band;

2.12 (6) White Earth Band;

2.13 (7) Red Lake Nation;

2.14 (8) Lower Sioux Indian Community;

2.15 (9) Prairie Island Indian Community;

2.16 (10) Shakopee Mdewakanton Sioux Community; and

2.17 (11) Upper Sioux Indian Community.

2.18 (i) "Tribal medical cannabis business" means a medical cannabis business licensed by
2.19 a Minnesota Tribal government, including the business categories identified in paragraph
2.20 (e), as well as any others that may be provided under the law of a Minnesota Tribal
2.21 government.

2.22 (j) "Tribally regulated land" means:

2.23 (1) all land held in trust by the United States for the benefit of a Minnesota Tribal
2.24 government ("trust land");

2.25 (2) all land held by a Minnesota Tribal government in restricted fee status; and

2.26 (3) all land within the exterior boundaries of the reservation of a Minnesota Tribal
2.27 government that is subject to the civil regulatory jurisdiction of the Tribal government. For
2.28 the purposes of this section, land that is subject to the civil regulatory jurisdiction of the
2.29 Tribal government includes:

3.1 (i) trust land, or fee land held, including leased land, by the Tribe, entities organized
3.2 under Tribal law, or individual Indians; and

3.3 (ii) land held, including leased land, by non-Indian entities or individuals who consent
3.4 to the civil regulation of the Tribal government or are otherwise subject to such regulation
3.5 under federal law.

3.6 Sec. 2. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 1, is amended
3.7 to read:

3.8 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
3.9 the meanings given.

3.10 (a) "Artificially derived cannabinoid" means a cannabinoid extracted from a hemp plant
3.11 or hemp plant parts with a chemical makeup that is changed after extraction to create a
3.12 different cannabinoid or other chemical compound by applying a catalyst other than heat
3.13 or light. Artificially derived cannabinoid includes but is not limited to any
3.14 tetrahydrocannabinol created from cannabidiol.

3.15 (b) "Batch" means a specific quantity of a specific product containing cannabinoids
3.16 derived from hemp, including an edible cannabinoid product, that is manufactured at the
3.17 same time and using the same methods, equipment, and ingredients that is uniform and
3.18 intended to meet specifications for identity, strength, purity, and composition, and that is
3.19 manufactured, packaged, and labeled according to a single batch production record executed
3.20 and documented.

3.21 (c) "Certified hemp" means hemp plants that have been tested and found to meet the
3.22 requirements of chapter 18K and the rules adopted thereunder.

3.23 ~~(d) "Commissioner" means the commissioner of health.~~

3.24 ~~(e)~~ (d) "Distributor" means a person who sells, arranges a sale, or delivers a product
3.25 containing cannabinoids derived from hemp, including an edible cannabinoid product, that
3.26 the person did not manufacture to a retail establishment for sale to consumers. Distributor
3.27 does not include a common carrier used only to complete delivery to a retailer.

3.28 ~~(f)~~ (e) "Edible cannabinoid product" means any product that is intended to be eaten or
3.29 consumed as a beverage by humans, contains a cannabinoid in combination with food
3.30 ingredients, and is not a drug.

3.31 ~~(g)~~ (f) "Hemp" has the meaning given to "industrial hemp" in section 18K.02, subdivision
3.32 3.

4.1 ~~(h)~~ (g) "Label" has the meaning given in section 151.01, subdivision 18.

4.2 ~~(i)~~ (h) "Labeling" means all labels and other written, printed, or graphic matter that are:

4.3 (1) affixed to the immediate container in which a product regulated under this section
4.4 is sold;

4.5 (2) provided, in any manner, with the immediate container, including but not limited to
4.6 outer containers, wrappers, package inserts, brochures, or pamphlets; or

4.7 (3) provided on that portion of a manufacturer's website that is linked by a scannable
4.8 barcode or matrix barcode.

4.9 ~~(j)~~ (i) "Matrix barcode" means a code that stores data in a two-dimensional array of
4.10 geometrically shaped dark and light cells capable of being read by the camera on a
4.11 smartphone or other mobile device.

4.12 ~~(k)~~ (j) "Nonintoxicating cannabinoid" means substances extracted from certified hemp
4.13 plants that do not produce intoxicating effects when consumed by any route of administration.

4.14 (k) "Office" means the Office of Cannabis Management.

4.15 (l) "Synthetic cannabinoid" means a substance with a similar chemical structure and
4.16 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp
4.17 plants, or hemp plant parts and is instead created or produced by chemical or biochemical
4.18 synthesis.

4.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.

4.20 Sec. 3. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 2, is amended
4.21 to read:

4.22 Subd. 2. **Scope.** (a) This section applies to the sale of any product that contains
4.23 cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended
4.24 for human or animal consumption by any route of administration.

4.25 (b) This section does not apply to any product dispensed by a registered medical cannabis
4.26 manufacturer pursuant to sections 152.22 to 152.37.

4.27 (c) The ~~commissioner~~ office must have no authority over food products, as defined in
4.28 section 34A.01, subdivision 4, that do not contain cannabinoids extracted or derived from
4.29 hemp.

4.30 **EFFECTIVE DATE.** This section is effective July 1, 2024.

5.1 Sec. 4. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 3, is amended
5.2 to read:

5.3 Subd. 3. **Sale of cannabinoids derived from hemp.** (a) Notwithstanding any other
5.4 section of this chapter, a product containing nonintoxicating cannabinoids, including an
5.5 edible cannabinoid product, may be sold for human or animal consumption only if all of
5.6 the requirements of this section are met, provided that a product sold for human or animal
5.7 consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an
5.8 edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that
5.9 exceeds the limits established in subdivision 5a, paragraph (f).

5.10 (b) A product containing nonintoxicating cannabinoids, other than an edible cannabinoid
5.11 product, may be sold for human or animal consumption only if it is intended for application
5.12 externally to a part of the body of a human or animal. Such a product must not be
5.13 manufactured, marketed, distributed, or intended to be consumed:

5.14 (1) by combustion or vaporization of the product and inhalation of smoke, aerosol, or
5.15 vapor from the product;

5.16 (2) through chewing, drinking, or swallowing; or

5.17 (3) through injection or application to a mucous membrane or nonintact skin.

5.18 (c) No other substance extracted or otherwise derived from hemp may be sold for human
5.19 consumption if the substance is intended:

5.20 (1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
5.21 of disease in humans or other animals; or

5.22 (2) to affect the structure or any function of the bodies of humans or other animals.

5.23 (d) No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise
5.24 derived from hemp may be sold to any individual who is under the age of 21.

5.25 (e) Products that meet the requirements of this section are not controlled substances
5.26 under section 152.02.

5.27 (f) Products may be sold for on-site consumption provided that all of the following
5.28 conditions are met:

5.29 (1) the retailer must also hold an on-sale license issued under chapter 340A;

5.30 (2) products, other than products that are intended to be consumed as a beverage must
5.31 be served in original packaging, but may be removed from the products' packaging by
5.32 customers and consumed on site;

6.1 (3) products must not be sold to a customer who the retailer knows or reasonably should
6.2 know is intoxicated;

6.3 (4) products must not be permitted to be mixed with an alcoholic beverage; and

6.4 (5) products that have been removed from packaging must not be removed from the
6.5 premises.

6.6 (g) Edible cannabinoid products that are intended to be consumed as a beverage may be
6.7 served outside of their packaging provided that the information that is required to be
6.8 contained on the label of an edible cannabinoid product is posted or otherwise displayed
6.9 by the retailer.

6.10 **EFFECTIVE DATE.** This section is effective July 1, 2024.

6.11 Sec. 5. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 4, is amended
6.12 to read:

6.13 Subd. 4. **Testing requirements.** (a) A manufacturer of a product regulated under this
6.14 section must submit representative samples of each batch of the product to an independent,
6.15 accredited laboratory in order to certify that the product complies with the standards ~~adopted~~
6.16 ~~by the board on or before July 1, 2023, or the standards adopted by the commissioner~~ office.
6.17 Testing must be consistent with generally accepted industry standards for herbal and botanical
6.18 substances, and, at a minimum, the testing must confirm that the product:

6.19 (1) contains the amount or percentage of cannabinoids that is stated on the label of the
6.20 product;

6.21 (2) does not contain more than trace amounts of any mold, residual solvents or other
6.22 catalysts, pesticides, fertilizers, or heavy metals; and

6.23 (3) does not contain more than 0.3 percent of any tetrahydrocannabinol.

6.24 (b) A manufacturer of a product regulated under this section must disclose all known
6.25 information regarding pesticides, fertilizers, solvents, or other foreign materials applied to
6.26 industrial hemp or added to industrial hemp during any production or processing stages of
6.27 any batch from which a representative sample has been sent for testing, including any
6.28 catalysts used to create artificially derived cannabinoids. The disclosure must be made to
6.29 the laboratory performing testing or sampling and, upon request, to the ~~commissioner~~ office.
6.30 The disclosure must include all information known to the ~~licensee~~ manufacturer regardless
6.31 of whether the application or addition was made intentionally or accidentally, or by the
6.32 manufacturer or any other person.

7.1 (c) Upon the request of the ~~commissioner~~ office, the manufacturer of the product must
7.2 provide the ~~commissioner~~ office with the results of the testing required in this section.

7.3 (d) The ~~commissioner~~ office may determine that any testing laboratory that does not
7.4 operate formal management systems under the International Organization for Standardization
7.5 is not an accredited laboratory and require that a representative sample of a batch of the
7.6 product be retested by a testing laboratory that meets this requirement.

7.7 (e) Testing of the hemp from which the nonintoxicating cannabinoid was derived, or
7.8 possession of a certificate of analysis for such hemp, does not meet the testing requirements
7.9 of this section.

7.10 **EFFECTIVE DATE.** This section is effective July 1, 2024.

7.11 Sec. 6. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5a, is amended
7.12 to read:

7.13 Subd. 5a. **Additional requirements for edible cannabinoid products.** (a) In addition
7.14 to the testing and labeling requirements under subdivisions 4 and 5, an edible cannabinoid
7.15 must meet the requirements of this subdivision.

7.16 (b) An edible cannabinoid product must not:

7.17 (1) bear the likeness or contain cartoon-like characteristics of a real or fictional person,
7.18 animal, or fruit that appeals to children;

7.19 (2) be modeled after a brand of products primarily consumed by or marketed to children;

7.20 (3) be made by applying an extracted or concentrated hemp-derived cannabinoid to a
7.21 commercially available candy or snack food item;

7.22 (4) be substantively similar to a meat food product; poultry food product as defined in
7.23 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
7.24 7;

7.25 (5) contain an ingredient, other than a hemp-derived cannabinoid, that is not approved
7.26 by the United States Food and Drug Administration for use in food;

7.27 (6) be packaged in a way that resembles the trademarked, characteristic, or
7.28 product-specialized packaging of any commercially available food product; or

7.29 (7) be packaged in a container that includes a statement, artwork, or design that could
7.30 reasonably mislead any person to believe that the package contains anything other than an
7.31 edible cannabinoid product.

8.1 (c) An edible cannabinoid product must be prepackaged in packaging or a container that
8.2 is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is
8.3 child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The
8.4 requirement that packaging be child-resistant does not apply to an edible cannabinoid product
8.5 that is intended to be consumed as a beverage.

8.6 (d) If an edible cannabinoid product, other than a product that is intended to be consumed
8.7 as a beverage, is intended for more than a single use or contains multiple servings, each
8.8 serving must be indicated by scoring, wrapping, or other indicators designating the individual
8.9 serving size that appear on the edible cannabinoid product.

8.10 (e) A label containing at least the following information must be affixed to the packaging
8.11 or container of all edible cannabinoid products sold to consumers:

8.12 (1) the serving size;

8.13 (2) the cannabinoid profile per serving and in total;

8.14 (3) a list of ingredients, including identification of any major food allergens declared
8.15 by name; and

8.16 (4) the following statement: "Keep this product out of reach of children."

8.17 (f) An edible cannabinoid product must not contain more than five milligrams of any
8.18 tetrahydrocannabinol in a single serving. An edible cannabinoid product, other than a product
8.19 that is intended to be consumed as a beverage, may not contain more than a total of 50
8.20 milligrams of any tetrahydrocannabinol per package. An edible cannabinoid product that
8.21 is intended to be consumed as a beverage may not contain more than two servings per
8.22 container.

8.23 (g) An edible cannabinoid product may contain delta-8 tetrahydrocannabinol or delta-9
8.24 tetrahydrocannabinol that is extracted from hemp plants or hemp plant parts or is an
8.25 artificially derived cannabinoid. Edible cannabinoid products are prohibited from containing
8.26 any other artificially derived cannabinoid, including but not limited to THC-P, THC-O, and
8.27 HHC, unless the ~~commissioner~~ office authorizes use of the artificially derived cannabinoid
8.28 in edible cannabinoid products. Edible cannabinoid products are prohibited from containing
8.29 synthetic cannabinoids.

8.30 (h) Every person selling edible cannabinoid products to consumers, other than products
8.31 that are intended to be consumed as a beverage, must ensure that all edible cannabinoid
8.32 products are displayed behind a checkout counter where the public is not permitted or in a
8.33 locked case.

9.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

9.2 Sec. 7. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 5b, is amended
9.3 to read:

9.4 Subd. 5b. **Registration; prohibitions.** ~~(a) On or before October 1, 2023, every person~~
9.5 ~~selling edible cannabinoid products to consumers must register with the commissioner in~~
9.6 ~~a form and manner established by the commissioner. After October 1, 2023, the sale of~~
9.7 ~~edible cannabinoid products by a person that is not registered is prohibited.~~

9.8 (a) Every person selling an edible cannabinoid product to a consumer must be registered
9.9 with the office. Existing registrations through the Department of Health must be transferred
9.10 to the office by July 1, 2024. All other persons required to register must register in a form
9.11 and manner established by the office. The sale of edible cannabinoid products by a person
9.12 who is not registered with the office is prohibited and subject to the penalties in section
9.13 342.09, subdivision 6, any applicable criminal penalty, and any other applicable civil or
9.14 administrative penalty.

9.15 (b) The registration form must contain an attestation of compliance and each registrant
9.16 must affirm that it is operating and will continue to operate in compliance with the
9.17 requirements of this section and all other applicable state and local laws and ordinances.

9.18 (c) ~~The commissioner shall~~ office must not charge a fee for registration under this
9.19 subdivision.

9.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

9.21 Sec. 8. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 6, is amended
9.22 to read:

9.23 Subd. 6. **Noncompliant products; enforcement.** (a) A product regulated under this
9.24 section, including an edible cannabinoid product, shall be considered a noncompliant product
9.25 if the product is offered for sale in this state or if the product is manufactured, imported,
9.26 distributed, or stored with the intent to be offered for sale in this state in violation of any
9.27 provision of this section, including but not limited to if:

9.28 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

9.29 (2) it has been produced, prepared, packed, or held under unsanitary conditions where
9.30 it may have been rendered injurious to health, or where it may have been contaminated with
9.31 filth;

10.1 (3) its container is composed, in whole or in part, of any poisonous or deleterious
 10.2 substance that may render the contents injurious to health;

10.3 (4) it contains any food additives, color additives, or excipients that have been found by
 10.4 the FDA to be unsafe for human or animal consumption;

10.5 (5) it contains an amount or percentage of nonintoxicating cannabinoids that is different
 10.6 than the amount or percentage stated on the label;

10.7 (6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is
 10.8 an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits
 10.9 established in subdivision 5a, paragraph (f); or

10.10 (7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,
 10.11 or heavy metals.

10.12 (b) A product regulated under this section shall be considered a noncompliant product
 10.13 if the product's labeling is false or misleading in any manner or in violation of the
 10.14 requirements of this section.

10.15 (c) ~~The commissioner~~ office may assume that any product regulated under this section
 10.16 that is present in the state, other than a product lawfully possessed for personal use, has
 10.17 been manufactured, imported, distributed, or stored with the intent to be offered for sale in
 10.18 this state if a product of the same type and brand was sold in the state on or after July 1,
 10.19 2023, or if the product is in the possession of a person who has sold any product in violation
 10.20 of this section.

10.21 (d) ~~The commissioner~~ office may enforce this section, including enforcement against a
 10.22 manufacturer or distributor of a product regulated under this section, under ~~sections 144.989~~
 10.23 ~~to 144.993~~ section 342.19.

10.24 (e) ~~The commissioner may enter into an interagency agreement with~~ The office of
 10.25 ~~Cannabis Management and~~ may enter into an interagency agreement with the commissioner
 10.26 of agriculture to perform inspections and take other enforcement actions on behalf of the
 10.27 ~~commissioner~~ office.

10.28 **EFFECTIVE DATE.** This section is effective July 1, 2024.

10.29 Sec. 9. Minnesota Statutes 2023 Supplement, section 151.72, subdivision 7, is amended
 10.30 to read:

10.31 Subd. 7. **Violations; criminal penalties.** (a) ~~Notwithstanding section 144.99, subdivision~~
 10.32 ~~H,~~ A person who does any of the following regarding a product regulated under this section

11.1 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than
 11.2 364 days or to payment of a fine of not more than \$3,000, or both:

11.3 (1) knowingly alters or otherwise falsifies testing results;

11.4 (2) intentionally alters or falsifies any information required to be included on the label
 11.5 of an edible cannabinoid product; or

11.6 (3) intentionally makes a false material statement to the ~~commissioner~~ office.

11.7 (b) ~~Notwithstanding section 144.99, subdivision 11,~~ A person who does any of the
 11.8 following on the premises of a registered retailer or another business that sells retail goods
 11.9 to customers is guilty of a gross misdemeanor and may be sentenced to imprisonment for
 11.10 not more than 364 days or to payment of a fine of not more than \$3,000, or both:

11.11 (1) sells an edible cannabinoid product knowing that the product does not comply with
 11.12 the limits on the amount or types of cannabinoids that a product may contain;

11.13 (2) sells an edible cannabinoid product knowing that the product does not comply with
 11.14 the applicable testing, packaging, or labeling requirements; or

11.15 (3) sells an edible cannabinoid product to a person under the age of 21, except that it is
 11.16 an affirmative defense to a charge under this clause if the defendant proves by a
 11.17 preponderance of the evidence that the defendant reasonably and in good faith relied on
 11.18 proof of age as described in subdivision 5c.

11.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.

11.20 Sec. 10. Minnesota Statutes 2022, section 181.950, subdivision 10, is amended to read:

11.21 Subd. 10. **Positive test result.** "Positive test result" means a finding of the presence of
 11.22 drugs, cannabis, alcohol, or their metabolites in the sample tested in levels at or above the
 11.23 threshold detection levels contained in the standards of one of the programs listed in section
 11.24 181.953, subdivision 1.

11.25 Sec. 11. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 4, is amended
 11.26 to read:

11.27 Subd. 4. **Random testing.** An employer may request or require employees to undergo
 11.28 cannabis testing ~~or~~ and drug and alcohol testing on a random selection basis only if (1) they
 11.29 are employed in safety-sensitive positions, or (2) they are employed as professional athletes
 11.30 if the professional athlete is subject to a collective bargaining agreement permitting random
 11.31 testing but only to the extent consistent with the collective bargaining agreement.

12.1 Sec. 12. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 5, is amended
12.2 to read:

12.3 Subd. 5. **Reasonable suspicion testing.** An employer may request or require an employee
12.4 to undergo cannabis testing and drug and alcohol testing if the employer has a reasonable
12.5 suspicion that the employee:

12.6 (1) is under the influence of drugs, cannabis, or alcohol;

12.7 (2) has violated the employer's written work rules prohibiting the use, possession,
12.8 impairment, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products,
12.9 lower-potency hemp edibles, or hemp-derived consumer products while the employee is
12.10 working or while the employee is on the employer's premises or operating the employer's
12.11 vehicle, machinery, or equipment, provided the work rules are in writing and contained in
12.12 the employer's written cannabis testing or drug and alcohol testing policy;

12.13 (3) has sustained a personal injury, as that term is defined in section 176.011, subdivision
12.14 16, or has caused another employee to sustain a personal injury; or

12.15 (4) has caused a work-related accident or was operating or helping to operate machinery,
12.16 equipment, or vehicles involved in a work-related accident.

12.17 Sec. 13. Minnesota Statutes 2023 Supplement, section 181.951, subdivision 8, is amended
12.18 to read:

12.19 Subd. 8. **Limitations on cannabis testing.** (a) An employer must not request or require
12.20 a job applicant to undergo cannabis testing ~~solely for the purpose of determining the presence~~
12.21 ~~or absence of cannabis~~ as a condition of employment unless otherwise required by state or
12.22 federal law.

12.23 (b) Unless otherwise required by state or federal law, an employer must not refuse to
12.24 hire a job applicant solely because the job applicant submits to a cannabis test or a drug and
12.25 alcohol test authorized by this section and the results of the test indicate the presence of
12.26 cannabis.

12.27 (c) An employer must not request or require an employee or job applicant to undergo
12.28 cannabis testing on an arbitrary or capricious basis.

12.29 (d) Cannabis testing authorized under ~~paragraph (d)~~ this section must comply with the
12.30 safeguards for testing employees provided in sections 181.953 and 181.954.

13.1 Sec. 14. Minnesota Statutes 2022, section 181.952, as amended by Laws 2023, chapter
13.2 63, 3.2 article 6, section 38, is amended to read:

13.3 **181.952 POLICY CONTENTS; PRIOR WRITTEN NOTICE.**

13.4 Subdivision 1. **Contents of the policy.** An employer's drug and alcohol and cannabis
13.5 testing policy must, at a minimum, set forth the following information:

13.6 (1) the employees or job applicants subject to testing under the policy;

13.7 (2) the circumstances under which drug or alcohol and cannabis testing may be requested
13.8 or required;

13.9 (3) the right of an employee or job applicant to refuse to undergo drug and alcohol and
13.10 cannabis testing and the consequences of refusal;

13.11 (4) any disciplinary or other adverse personnel action that may be taken based on a
13.12 confirmatory test verifying a positive test result on an initial screening test;

13.13 (5) the right of an employee or job applicant to explain a positive test result on a
13.14 confirmatory test or request and pay for a confirmatory retest; and

13.15 (6) any other appeal procedures available.

13.16 Subd. 2. **Notice.** An employer shall provide written notice of its drug and alcohol testing
13.17 and cannabis testing policy to all affected employees upon adoption of the policy, to a
13.18 previously nonaffected employee upon transfer to an affected position under the policy, and
13.19 to a job applicant upon hire and before any testing of the applicant if the job offer is made
13.20 contingent on the applicant passing drug and alcohol testing. An employer shall also post
13.21 notice in an appropriate and conspicuous location on the employer's premises that the
13.22 employer has adopted a drug and alcohol testing and cannabis testing policy and that copies
13.23 of the policy are available for inspection during regular business hours by its employees or
13.24 job applicants in the employer's personnel office or other suitable locations.

13.25 Subd. 3. **Cannabis ~~policy~~ work rules.** (a) Unless otherwise provided by state or federal
13.26 law, an employer is not required to permit or accommodate cannabis flower, cannabis
13.27 product, lower-potency hemp edible, or hemp-derived consumer product use, possession,
13.28 impairment, sale, or transfer while an employee is working or while an employee is on the
13.29 employer's premises or operating the employer's vehicle, machinery, or equipment.

13.30 (b) An employer may only enact and enforce written work rules prohibiting cannabis
13.31 flower, cannabis product, lower-potency hemp edible, and hemp-derived consumer product
13.32 use, possession, impairment, sale, or transfer while an employee, is working or while an

14.1 employee is on the employer's premises or operating the employer's vehicle, machinery, or
14.2 equipment in a written policy that contains the minimum information required by this section.

14.3 Sec. 15. Minnesota Statutes 2023 Supplement, section 181.954, subdivision 1, is amended
14.4 to read:

14.5 Subdivision 1. **Privacy limitations.** A laboratory may only disclose to the employer test
14.6 result data regarding the presence or absence of drugs, cannabis, alcohol, or their metabolites
14.7 in a sample tested.

14.8 Sec. 16. Minnesota Statutes 2023 Supplement, section 290.0132, subdivision 29, is amended
14.9 to read:

14.10 Subd. 29. **Disallowed section 280E expenses; cannabis licensees.** The amount of
14.11 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
14.12 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~
14.13 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
14.14 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under
14.15 section 280E of the Internal Revenue Code is a subtraction.

14.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.17 Sec. 17. Minnesota Statutes 2023 Supplement, section 290.0134, subdivision 19, is amended
14.18 to read:

14.19 Subd. 19. **Disallowed section 280E expenses; cannabis licensees.** The amount of
14.20 expenses of a ~~medical cannabis business~~ license holder, as defined under section 342.01,
14.21 subdivision ~~53~~ 48, related to the business of ~~medical cannabis under sections 342.47 to~~
14.22 ~~342.59, or a license holder under chapter 342, related to the business of nonmedical cannabis~~
14.23 ~~under that chapter,~~ cannabis or hemp and not allowed for federal income tax purposes under
14.24 section 280E of the Internal Revenue Code is a subtraction.

14.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.26 Sec. 18. Minnesota Statutes 2023 Supplement, section 297A.70, subdivision 2, is amended
14.27 to read:

14.28 Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the
14.29 following governments and political subdivisions, or to the listed agencies or instrumentalities
14.30 of governments and political subdivisions, are exempt:

- 15.1 (1) the United States and its agencies and instrumentalities;
- 15.2 (2) school districts, local governments, the University of Minnesota, state universities,
15.3 community colleges, technical colleges, state academies, the Perpich Minnesota Center for
15.4 Arts Education, and an instrumentality of a political subdivision that is accredited as an
15.5 optional/special function school by the North Central Association of Colleges and Schools;
- 15.6 (3) hospitals and nursing homes owned and operated by political subdivisions of the
15.7 state of tangible personal property and taxable services used at or by hospitals and nursing
15.8 homes;
- 15.9 (4) other states or political subdivisions of other states, if the sale would be exempt from
15.10 taxation if it occurred in that state; and
- 15.11 (5) public libraries, public library systems, multicounty, multitype library systems as
15.12 defined in section 134.001, county law libraries under chapter 134A, state agency libraries,
15.13 the state library under section 480.09, and the Legislative Reference Library.
- 15.14 (b) This exemption does not apply to the sales of the following products and services:
- 15.15 (1) building, construction, or reconstruction materials purchased by a contractor or a
15.16 subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed
15.17 maximum price covering both labor and materials for use in the construction, alteration, or
15.18 repair of a building or facility;
- 15.19 (2) construction materials purchased by tax exempt entities or their contractors to be
15.20 used in constructing buildings or facilities which will not be used principally by the tax
15.21 exempt entities;
- 15.22 (3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except
15.23 for leases entered into by the United States or its agencies or instrumentalities;
- 15.24 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
15.25 prepared food, candy, soft drinks, alcoholic beverages as defined in section 297A.67,
15.26 subdivision 2, and taxable cannabis products as defined under section 295.81, subdivision
15.27 1, paragraph (r), except for lodging, prepared food, candy, soft drinks, alcoholic beverages,
15.28 and taxable cannabis products purchased directly by the United States or its agencies or
15.29 instrumentalities; or
- 15.30 (5) goods or services purchased by a local government as inputs to a liquor store, taxable
15.31 cannabis product retailer as defined under section 295.81, subdivision 1, paragraph (s), gas
15.32 or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf
15.33 course, marina, campground, cafe, or laundromat.

16.1 (c) As used in this subdivision, "school districts" means public school entities and districts
16.2 of every kind and nature organized under the laws of the state of Minnesota, and any
16.3 instrumentality of a school district, as defined in section 471.59.

16.4 (d) For purposes of the exemption granted under this subdivision, "local governments"
16.5 has the following meaning:

16.6 (1) for the period prior to January 1, 2017, local governments means statutory or home
16.7 rule charter cities, counties, and townships; and

16.8 (2) beginning January 1, 2017, local governments means statutory or home rule charter
16.9 cities, counties, and townships; special districts as defined under section 6.465; any
16.10 instrumentality of a statutory or home rule charter city, county, or township as defined in
16.11 section 471.59; and any joint powers board or organization created under section 471.59.

16.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

16.13 Sec. 19. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 14, is amended
16.14 to read:

16.15 Subd. 14. **Cannabis business.** "Cannabis business" means any of the following licensed
16.16 under this chapter:

16.17 (1) cannabis microbusiness;

16.18 (2) cannabis mezzobusiness;

16.19 (3) cannabis cultivator;

16.20 (4) cannabis manufacturer;

16.21 (5) cannabis retailer;

16.22 (6) cannabis wholesaler;

16.23 (7) cannabis transporter;

16.24 (8) cannabis testing facility;

16.25 (9) cannabis event organizer;

16.26 (10) cannabis delivery service; and

16.27 ~~(11) medical cannabis cultivator;~~

16.28 ~~(12) medical cannabis processor;~~

16.29 ~~(13) medical cannabis retailer; and~~

17.1 ~~(14)~~ (11) medical cannabis combination business.

17.2 Sec. 20. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 17, is amended
17.3 to read:

17.4 Subd. 17. **Cannabis industry.** "Cannabis industry" means every item, product, person,
17.5 process, action, business, or other thing related to cannabis plants, cannabis flower, and
17.6 cannabis products and subject to regulation under this chapter.

17.7 Sec. 21. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 19, is amended
17.8 to read:

17.9 Subd. 19. **Cannabis plant.** "Cannabis plant" means all parts of the plant of the genus
17.10 Cannabis that is growing or has not been harvested ~~and has a delta-9 tetrahydrocannabinol~~
17.11 ~~concentration of more than 0.3 percent on a dry weight basis, including but not limited to~~
17.12 a mother plant; a mature, flowering plant; an immature plant; or a seedling. Cannabis plant
17.13 does not include a hemp plant.

17.14 Sec. 22. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
17.15 subdivision to read:

17.16 Subd. 31a. **Endorsement.** "Endorsement" means an authorization from the office to
17.17 conduct a specified operation activity.

17.18 Sec. 23. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 48, is amended
17.19 to read:

17.20 Subd. 48. **License holder.** "License holder" means a person, cooperative, or business
17.21 that holds any of the following licenses:

17.22 (1) cannabis microbusiness;

17.23 (2) cannabis mezzobusiness;

17.24 (3) cannabis cultivator;

17.25 (4) cannabis manufacturer;

17.26 (5) cannabis retailer;

17.27 (6) cannabis wholesaler;

17.28 (7) cannabis transporter;

17.29 (8) cannabis testing facility;

- 18.1 (9) cannabis event organizer;
- 18.2 (10) cannabis delivery service;
- 18.3 (11) lower-potency hemp edible manufacturer;
- 18.4 (12) lower-potency hemp edible retailer; or
- 18.5 ~~(13) medical cannabis cultivator;~~
- 18.6 ~~(14) medical cannabis processor;~~
- 18.7 ~~(15) medical cannabis retailer; or~~
- 18.8 ~~(16)~~ (13) medical cannabis combination business.

18.9 Sec. 24. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 50, is amended

18.10 to read:

18.11 Subd. 50. **Lower-potency hemp edible.** (a) "Lower-potency hemp edible" means any

18.12 product that:

- 18.13 (1) is intended to be eaten or consumed as a beverage by humans;
- 18.14 (2) contains hemp concentrate or an artificially derived cannabinoid, in combination
- 18.15 with food ingredients;
- 18.16 (3) is not a drug;
- 18.17 ~~(4) consists of servings that contain no more than five milligrams of delta-9~~
- 18.18 ~~tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any~~
- 18.19 ~~combination of those cannabinoids that does not exceed the identified amounts;~~
- 18.20 ~~(5) does not contain more than a combined total of 0.5 milligrams of all other~~
- 18.21 ~~cannabinoids per serving;~~
- 18.22 ~~(6) does not contain an artificially derived cannabinoid other than delta-9~~
- 18.23 ~~tetrahydrocannabinol;~~
- 18.24 ~~(7)~~ (4) does not contain a cannabinoid derived from cannabis plants or cannabis flower;
- 18.25 ~~and~~
- 18.26 ~~(8)~~ (5) is a type of product approved for sale by the office or is substantially similar to
- 18.27 a product approved by the office, including but not limited to products that resemble
- 18.28 nonalcoholic beverages, candy, and baked goods; and
- 18.29 (6) meets either of the requirements in paragraph (b).

19.1 (b) A lower-potency hemp edible includes:

19.2 (1) a product that:

19.3 (i) consists of servings that contain no more than five milligrams of delta-9
19.4 tetrahydrocannabinol; no more than 25 milligrams of cannabidiol, cannabigerol, cannabinol,
19.5 or cannabichromene; any other cannabinoid authorized by the office; or any combination
19.6 of those cannabinoids that does not exceed the identified amounts;

19.7 (ii) does not contain more than a combined total of 0.5 milligrams of all other
19.8 cannabinoids per serving; and

19.9 (iii) does not contain an artificially derived cannabinoid other than delta-9
19.10 tetrahydrocannabinol, except that a product may include artificially derived cannabinoids
19.11 created during the process of creating the delta-9 tetrahydrocannabinol that is added to the
19.12 product, provided no artificially derived cannabinoid is added to the ingredient containing
19.13 delta-9 tetrahydrocannabinol and the ratio of delta-9 tetrahydrocannabinol to all other
19.14 artificially derived cannabinoids is no less than 20 to one; or

19.15 (2) a product that:

19.16 (i) contains hemp concentrate processed or refined without increasing the percentage of
19.17 targeted cannabinoids or altering the ratio of cannabinoids in the extracts or resins of a hemp
19.18 plant or hemp plant parts beyond the variability generally recognized for the method used
19.19 for processing or refining or by an amount needed to reduce the total THC in the hemp
19.20 concentrate; and

19.21 (ii) consists of servings that contain no more than five milligrams of total THC.

19.22 Sec. 25. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 52, is amended
19.23 to read:

19.24 Subd. 52. **Medical cannabinoid product.** (a) "Medical cannabinoid product" means a
19.25 product that:

19.26 (1) consists of or contains cannabis concentrate or hemp concentrate or is infused with
19.27 cannabinoids, including but not limited to artificially derived cannabinoids; and

19.28 (2) is provided to a patient enrolled in the registry program; a registered designated
19.29 caregiver; or a parent, legal guardian, or spouse of an enrolled patient, by a registered
19.30 designated caregiver, cannabis retailer, or medical cannabis retailer to treat or alleviate the
19.31 symptoms of a qualifying medical condition.

19.32 (b) A medical cannabinoid product must be in the form of:

- 20.1 (1) liquid, including but not limited to oil;
- 20.2 (2) pill;
- 20.3 (3) liquid or oil for use with a vaporized delivery method;
- 20.4 (4) water-soluble cannabinoid multiparticulate, including granules, powder, and sprinkles;
- 20.5 (5) orally dissolvable product, including lozenges, gum, mints, buccal tablets, and
- 20.6 sublingual tablets;
- 20.7 (6) edible products in the form of gummies and chews;
- 20.8 (7) topical formulation; or
- 20.9 (8) any allowable form or delivery method approved by the office.
- 20.10 (c) Medical cannabinoid product does not include adult-use cannabis products or
- 20.11 hemp-derived consumer products.

20.12 Sec. 26. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 54, is amended

20.13 to read:

20.14 Subd. 54. **Medical cannabis flower.** "Medical cannabis flower" means cannabis flower

20.15 provided to a patient enrolled in the registry program or a visiting patient; a registered

20.16 designated caregiver; or a parent, legal guardian, or spouse of an enrolled patient by a

20.17 registered designated caregiver, cannabis retailer, or medical cannabis business to treat or

20.18 alleviate the symptoms of a qualifying medical condition. Medical cannabis flower does

20.19 not include adult-use cannabis flower.

20.20 Sec. 27. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 64, is amended

20.21 to read:

20.22 Subd. 64. **Registered designated caregiver.** "Registered designated caregiver" means

20.23 an individual who:

20.24 (1) is at least 18 years old;

20.25 ~~(2) is not disqualified for a criminal offense according to rules adopted pursuant to~~

20.26 ~~section 342.15, subdivision 2;~~

20.27 ~~(3)~~ (2) has been approved by the Division of Medical Cannabis office to assist a patient

20.28 with obtaining medical cannabis flower and medical cannabinoid products from a cannabis

20.29 ~~retailer or medical cannabis retailer~~ business with a medical cannabis retail endorsement

20.30 and with administering medical cannabis flower and medical cannabinoid products; and

21.1 ~~(4)~~ (3) is authorized by the ~~Division of Medical Cannabis~~ office to assist a patient with
21.2 the use of medical cannabis flower and medical cannabinoid products.

21.3 Sec. 28. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 65, is amended
21.4 to read:

21.5 Subd. 65. **Registry or registry program.** "Registry" or "registry program" means the
21.6 patient registry established under this chapter listing patients; registered designated
21.7 caregivers; and any parent, legal guardian, or spouse of a patient who is authorized to perform
21.8 the following acts either as a patient or to assist a patient:

21.9 (1) obtain medical cannabis flower, medical cannabinoid products, and medical cannabis
21.10 paraphernalia from a cannabis retailers and medical cannabis retailers business with a
21.11 medical cannabis retail endorsement; and

21.12 (2) administer medical cannabis flower and medical cannabinoid products.

21.13 Sec. 29. Minnesota Statutes 2023 Supplement, section 342.01, subdivision 66, is amended
21.14 to read:

21.15 Subd. 66. **Registry verification.** "Registry verification" means the verification provided
21.16 by the ~~Division of Medical Cannabis~~ office that a patient is enrolled in the registry program
21.17 and that includes the patient's name, patient registry number, and, if applicable, the name
21.18 of the patient's registered designated caregiver or parent, legal guardian, or spouse.

21.19 Sec. 30. Minnesota Statutes 2023 Supplement, section 342.01, is amended by adding a
21.20 subdivision to read:

21.21 Subd. 69a. **Total THC.** "Total THC" means the sum of the percentage by weight of
21.22 tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all
21.23 tetrahydrocannabinols.

21.24 Sec. 31. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 2, is amended
21.25 to read:

21.26 Subd. 2. **Powers and duties.** (a) The office has the following powers and duties:

21.27 (1) to develop, maintain, and enforce an organized system of regulation for the cannabis
21.28 industry and hemp consumer industry;

21.29 (2) to establish programming, services, and notification to protect, maintain, and improve
21.30 the health of citizens;

- 22.1 (3) to prevent unauthorized access to cannabis flower, cannabis products, lower-potency
22.2 hemp edibles, and hemp-derived consumer products by individuals under 21 years of age;
- 22.3 (4) to establish and regularly update standards for product manufacturing, testing,
22.4 packaging, and labeling, including requirements for an expiration, sell-by, or best-used-by
22.5 date;
- 22.6 (5) to promote economic growth with an emphasis on growth in areas that experienced
22.7 a disproportionate, negative impact from cannabis prohibition;
- 22.8 (6) to issue and renew licenses;
- 22.9 (7) to require fingerprints from individuals determined to be subject to fingerprinting,
22.10 including the submission of fingerprints to the Federal Bureau of Investigation where
22.11 required by law and to obtain criminal conviction data for individuals seeking a license
22.12 from the office on the individual's behalf or as a cooperative member or director, manager,
22.13 or general partner of a business entity;
- 22.14 (8) to receive reports required by this chapter and inspect the premises, records, books,
22.15 and other documents of license holders to ensure compliance with all applicable laws and
22.16 rules;
- 22.17 (9) to authorize the use of unmarked motor vehicles to conduct seizures or investigations
22.18 pursuant to the office's authority;
- 22.19 (10) to impose and collect civil and administrative penalties as provided in this chapter;
- 22.20 (11) to publish such information as may be deemed necessary for the welfare of cannabis
22.21 businesses, cannabis workers, hemp businesses, and hemp workers and the health and safety
22.22 of citizens;
- 22.23 (12) to make loans and grants in aid to the extent that appropriations are made available
22.24 for that purpose;
- 22.25 (13) to authorize research and studies on cannabis flower, cannabis products, artificially
22.26 derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products, the
22.27 cannabis industry, and the hemp consumer industry;
- 22.28 (14) to provide reports as required by law;
- 22.29 (15) to develop a warning label regarding the effects of the use of cannabis flower and
22.30 cannabis products by persons 25 years of age or younger;
- 22.31 (16) to determine, based on a review of medical and scientific literature, whether it is
22.32 appropriate to require additional health and safety warnings containing information that is

23.1 both supported by credible science and helpful to consumers in considering potential health
23.2 risks from the use of cannabis flower, cannabis products, lower-potency hemp edibles, and
23.3 hemp-derived consumer products, including but not limited to warnings regarding any risks
23.4 associated with use by pregnant or breastfeeding individuals, or by individuals planning to
23.5 become pregnant, and the effects that use has on brain development for individuals under
23.6 the age of 25;

23.7 (17) to establish limits on the potency of cannabis flower and cannabis products that can
23.8 be sold to customers by licensed cannabis retailers, licensed cannabis microbusinesses, and
23.9 licensed cannabis mezzobusinesses with an endorsement to sell cannabis flower and cannabis
23.10 products to customers;

23.11 (18) to establish rules authorizing an increase in plant canopy limits and outdoor
23.12 cultivation limits to meet market demand and limiting cannabis manufacturing consistent
23.13 with the goals identified in subdivision 1; ~~and~~

23.14 (19) to order a person or business that cultivates cannabis flower or manufactures or
23.15 produces cannabis products, medical cannabinoid products, artificially derived cannabinoids,
23.16 lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical
23.17 products to recall any cannabis flower, product, or ingredient containing cannabinoids that
23.18 is used in a product if the office determines that the flower, product, or ingredient represents
23.19 a risk of causing a serious adverse incident; and

23.20 ~~(19)~~ (20) to exercise other powers and authority and perform other duties required by
23.21 law.

23.22 (b) In addition to the powers and duties in paragraph (a), the office has the following
23.23 powers and duties until January 1, 2027:

23.24 (1) to establish limits on the potency of adult-use cannabis flower and adult-use cannabis
23.25 products that can be sold to customers by licensed cannabis retailers, licensed cannabis
23.26 microbusinesses, and licensed cannabis mezzobusinesses with an endorsement to sell
23.27 adult-use cannabis flower and adult-use cannabis products to customers; and

23.28 (2) to permit, upon application to the office in the form prescribed by the director of the
23.29 office, a licensee under this chapter to perform any activity if such permission is substantially
23.30 necessary for the licensee to perform any other activity permitted by the applicant's license
23.31 and is not otherwise prohibited by law.

24.1 Sec. 32. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 3, is amended
24.2 to read:

24.3 Subd. 3. **Medical cannabis program.** (a) The powers and duties of the Department of
24.4 Health with respect to the medical cannabis program under Minnesota Statutes 2022, sections
24.5 152.22 to 152.37, are transferred to the Office of Cannabis Management under section
24.6 15.039.

24.7 (b) The following protections shall apply to employees who are transferred from the
24.8 Department of Health to the Office of Cannabis Management:

24.9 (1) the employment status and job classification of a transferred employee shall not be
24.10 altered as a result of the transfer;

24.11 (2) transferred employees who were represented by an exclusive representative prior to
24.12 the transfer shall continue to be represented by the same exclusive representative after the
24.13 transfer;

24.14 (3) the applicable collective bargaining agreements with exclusive representatives shall
24.15 continue in full force and effect for such transferred employees after the transfer;

24.16 (4) the state must meet and negotiate with the exclusive representatives of the transferred
24.17 employees about any proposed changes affecting or relating to the transferred employees'
24.18 terms and conditions of employment to the extent such changes are not addressed in the
24.19 applicable collective bargaining agreement; and

24.20 (5) for an employee in a temporary unclassified position transferred to the Office of
24.21 Cannabis Management, the total length of time that the employee has served in the
24.22 appointment shall include all time served in the appointment and the transferring agency
24.23 and the time served in the appointment at the Office of Cannabis Management. An employee
24.24 in a temporary unclassified position who was hired by a transferring agency through an
24.25 open competitive selection process in accordance with a policy enacted by Minnesota
24.26 Management and Budget shall be considered to have been hired through such process after
24.27 the transfer.

24.28 (c) This section is effective July 1, 2025.

25.1 Sec. 33. Minnesota Statutes 2023 Supplement, section 342.02, subdivision 6, is amended
25.2 to read:

25.3 Subd. 6. **Director.** (a) The governor shall appoint a director of the office with the advice
25.4 and consent of the senate. The director must be in the unclassified service and must serve
25.5 at the pleasure of the governor.

25.6 ~~(b) The salary of the director must not exceed the salary limit established under section~~
25.7 ~~15A.0815, subdivision 3.~~

25.8 (b) The director may appoint and employ no more than two deputy directors.

25.9 (c) The director has administrative control of the office. The director has the powers
25.10 described in section 15.06, subdivision 6.

25.11 (d) The director may apply for and accept on behalf of the state any grants, bequests,
25.12 gifts, or contributions for the purpose of carrying out the duties and responsibilities of the
25.13 director.

25.14 (e) Pursuant to state law, the director may apply for and receive money made available
25.15 from federal sources for the purpose of carrying out the duties and responsibilities of the
25.16 director.

25.17 (f) The director may make contracts with and grants to Tribal Nations, public and private
25.18 agencies, for-profit and nonprofit organizations, and individuals using appropriated money.

25.19 Sec. 34. Minnesota Statutes 2023 Supplement, section 342.06, is amended to read:

25.20 **342.06 APPROVAL OF CANNABIS FLOWER, PRODUCTS, AND**
25.21 **CANNABINOIDS.**

25.22 Subdivision 1. **Approval of cannabis flower and products.** (a) For the purposes of
25.23 this section, "product category" means a type of product that may be sold in different sizes,
25.24 distinct packaging, or at various prices but is still created using the same manufacturing or
25.25 agricultural processes. A new or additional stock keeping unit (SKU) or Universal Product
25.26 Code (UPC) shall not prevent a product from being considered the same type as another
25.27 unit. All other terms have the meanings provided in section 342.01.

25.28 (b) The office shall approve product categories of cannabis flower, cannabis products,
25.29 lower-potency hemp edibles, and hemp-derived consumer products for retail sale.

25.30 (c) The office may establish limits on the total THC of cannabis flower, cannabis products,
25.31 and hemp-derived consumer products. As used in this paragraph, "total THC" means the

26.1 sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus
26.2 the percentage by weight of all tetrahydrocannabinols.

26.3 (d) The office shall not approve any cannabis product, lower-potency hemp edible, or
26.4 hemp-derived consumer product that:

26.5 (1) is or appears to be a lollipop or ice cream;

26.6 (2) bears the likeness or contains characteristics of a real or fictional person, animal, or
26.7 fruit;

26.8 (3) is modeled after a type or brand of products primarily consumed by or marketed to
26.9 children;

26.10 (4) is substantively similar to a meat food product; poultry food product as defined in
26.11 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
26.12 7;

26.13 (5) contains a synthetic cannabinoid;

26.14 (6) is made by applying a cannabinoid, including but not limited to an artificially derived
26.15 cannabinoid, to a finished food product that does not contain cannabinoids and is sold to
26.16 consumers, including but not limited to a candy or snack food; or

26.17 (7) if the product is an edible cannabis product or lower-potency hemp edible, contains
26.18 an ingredient, other than a cannabinoid, that is not approved by the United States Food and
26.19 Drug Administration for use in food.

26.20 Subd. 2. **Approval of cannabinoids.** (a) The office may designate any cannabinoid as
26.21 nonintoxicating and may approve the use of any cannabinoid in lower-potency hemp edibles.
26.22 The office may establish limits on the amount of an intoxicating cannabinoid that may be
26.23 present in a lower-potency hemp edible.

26.24 (b) Beginning January 1, 2026, any person may petition the office to designate a
26.25 cannabinoid as nonintoxicating or to allow the use of any cannabinoid in lower-potency
26.26 hemp edibles. Petitions must be filed in the form and manner established by the office and
26.27 must:

26.28 (1) specify the cannabinoid that is the subject of the petition;

26.29 (2) indicate whether the petition seeks to have the cannabinoid designated as
26.30 nonintoxicating or approved for use in lower-potency hemp edibles;

26.31 (3) indicate whether the cannabinoid has been identified in cannabis plants, cannabis
26.32 extract, hemp plant parts, or hemp extract; and

27.1 (4) include verified data, validated studies, or other evidence that is generally relied
27.2 upon in the scientific community to support the petition.

27.3 (c) The office must post all final determinations on the office's publicly facing website.

27.4 (d) If the office denies a petition to designate a cannabinoid as nonintoxicating or to
27.5 allow the cannabinoid's use in lower-potency hemp edibles, that denial shall be in effect for
27.6 two years. Any petition filed under this subdivision within two years of a final determination
27.7 denying a petition for the same cannabinoid must be summarily denied.

27.8 Sec. 35. Minnesota Statutes 2023 Supplement, section 342.07, subdivision 3, is amended
27.9 to read:

27.10 Subd. 3. **Edible cannabinoid product handler endorsement.** (a) Any person seeking
27.11 to manufacture, process, sell, handle, or store an edible cannabis product or lower-potency
27.12 hemp edible, other than an edible cannabis product or lower-potency hemp edible that has
27.13 been placed in its final packaging, must first obtain an edible cannabinoid product handler
27.14 endorsement.

27.15 (b) In consultation with the commissioner of agriculture, the office shall establish an
27.16 edible cannabinoid product handler endorsement.

27.17 (c) The office must regulate edible cannabinoid product handlers ~~and assess penalties~~
27.18 ~~in the same~~ in a manner provided for consistent with Department of Agriculture regulation
27.19 of food handlers under chapters 28A, 31, and 34A and associated rules, with the following
27.20 exceptions:

27.21 (1) the office must issue an edible cannabinoid product handler endorsement, rather than
27.22 a license;

27.23 (2) eligibility for an edible cannabinoid product handler endorsement is limited to persons
27.24 who possess a valid license issued by the office;

27.25 (3) the office may not charge a fee for issuing or renewing the endorsement;

27.26 (4) the office must align the term and renewal period for edible cannabinoid product
27.27 handler endorsements with the term and renewal period of the license issued by the office;
27.28 and

27.29 (5) an edible cannabis product or lower-potency hemp edible must not be considered
27.30 adulterated solely because the product or edible contains tetrahydrocannabinol, cannabis
27.31 concentrate, hemp concentrate, artificially derived cannabinoids, or any other material

28.1 extracted or derived from a cannabis plant, cannabis flower, hemp plant, or hemp plant
28.2 parts.

28.3 (d) The edible cannabinoid product handler endorsement must prohibit the manufacture
28.4 of edible cannabis products at the same premises where food is manufactured, except for
28.5 the limited production of edible products produced solely for product development, sampling,
28.6 or testing. This limitation does not apply to the manufacture of lower-potency hemp edibles.

28.7 Sec. 36. Minnesota Statutes 2023 Supplement, section 342.09, subdivision 3, is amended
28.8 to read:

28.9 Subd. 3. **Home extraction of cannabis concentrate by use of volatile solvent**
28.10 **prohibited.** No person may use a volatile solvent to separate or extract cannabis concentrate
28.11 or hemp concentrate without a cannabis microbusiness, cannabis mezzobusiness, cannabis
28.12 manufacturer, medical cannabis processor combination business, or lower-potency hemp
28.13 edible manufacturer license issued under this chapter.

28.14 Sec. 37. Minnesota Statutes 2023 Supplement, section 342.10, is amended to read:

28.15 **342.10 LICENSES; TYPES.**

28.16 The office shall issue the following types of license:

- 28.17 (1) cannabis microbusiness;
- 28.18 (2) cannabis mezzobusiness;
- 28.19 (3) cannabis cultivator;
- 28.20 (4) cannabis manufacturer;
- 28.21 (5) cannabis retailer;
- 28.22 (6) cannabis wholesaler;
- 28.23 (7) cannabis transporter;
- 28.24 (8) cannabis testing facility;
- 28.25 (9) cannabis event organizer;
- 28.26 (10) cannabis delivery service;
- 28.27 (11) lower-potency hemp edible manufacturer;
- 28.28 (12) lower-potency hemp edible retailer; and
- 28.29 ~~(13) medical cannabis cultivator;~~

- 29.1 ~~(14) medical cannabis processor;~~
29.2 ~~(15) medical cannabis retailer; or~~
29.3 ~~(16)~~ (13) medical cannabis combination business.

29.4 Sec. 38. Minnesota Statutes 2023 Supplement, section 342.11, is amended to read:

29.5 **342.11 LICENSES; FEES.**

29.6 (a) The office shall require the payment of application fees, initial licensing fees, and
29.7 renewal licensing fees as provided in this section. The initial license fee shall include the
29.8 fee for initial issuance of the license and the first annual renewal. The renewal fee shall be
29.9 charged at the time of the second renewal and each subsequent annual renewal thereafter.
29.10 Nothing in this section prohibits a local unit of government from charging the retailer
29.11 registration fee established in section 342.22. Application fees, initial licensing fees, and
29.12 renewal licensing fees are nonrefundable.

29.13 (b) Application and licensing fees shall be as follows:

29.14 (1) for a cannabis microbusiness:

29.15 (i) an application fee of \$500;

29.16 (ii) an initial license fee of \$0; and

29.17 (iii) a renewal license fee of \$2,000;

29.18 (2) for a cannabis mezzobusiness:

29.19 (i) an application fee of \$5,000;

29.20 (ii) an initial license fee of \$5,000; and

29.21 (iii) a renewal license fee of \$10,000;

29.22 (3) for a cannabis cultivator:

29.23 (i) an application fee of \$10,000;

29.24 (ii) an initial license fee of \$20,000; and

29.25 (iii) a renewal license fee of \$30,000;

29.26 (4) for a cannabis manufacturer:

29.27 (i) an application fee of \$10,000;

29.28 (ii) an initial license fee of \$10,000; and

- 30.1 (iii) a renewal license fee of \$20,000;
- 30.2 (5) for a cannabis retailer:
- 30.3 (i) an application fee of \$2,500;
- 30.4 (ii) an initial license fee of \$2,500; and
- 30.5 (iii) a renewal license fee of \$5,000;
- 30.6 (6) for a cannabis wholesaler:
- 30.7 (i) an application fee of \$5,000;
- 30.8 (ii) an initial license fee of \$5,000; and
- 30.9 (iii) a renewal license fee of \$10,000;
- 30.10 (7) for a cannabis transporter:
- 30.11 (i) an application fee of \$250;
- 30.12 (ii) an initial license fee of \$500; and
- 30.13 (iii) a renewal license fee of \$1,000;
- 30.14 (8) for a cannabis testing facility:
- 30.15 (i) an application fee of \$5,000;
- 30.16 (ii) an initial license fee of \$5,000; and
- 30.17 (iii) a renewal license fee of \$10,000;
- 30.18 (9) for a cannabis delivery service:
- 30.19 (i) an application fee of \$250;
- 30.20 (ii) an initial license fee of \$500; and
- 30.21 (iii) a renewal license fee of \$1,000;
- 30.22 (10) for a cannabis event organizer:
- 30.23 (i) an application fee of \$750; and
- 30.24 (ii) an initial license fee of \$750;
- 30.25 (11) for a lower-potency hemp edible manufacturer:
- 30.26 (i) an application fee of \$250;
- 30.27 (ii) an initial license fee of \$1,000; and

- 31.1 (iii) a renewal license fee of \$1,000;
- 31.2 (12) for a lower-potency hemp edible retailer:
- 31.3 (i) an application fee of \$250 per retail location;
- 31.4 (ii) an initial license fee of \$250 per retail location; and
- 31.5 (iii) a renewal license fee of \$250 per retail location; and
- 31.6 ~~(13) for a medical cannabis cultivator:~~
- 31.7 ~~(i) an application fee of \$250;~~
- 31.8 ~~(ii) an initial license fee of \$0; and~~
- 31.9 ~~(iii) a renewal license fee of \$0;~~
- 31.10 ~~(14) for a medical cannabis processor:~~
- 31.11 ~~(i) an application fee of \$250;~~
- 31.12 ~~(ii) an initial license fee of \$0; and~~
- 31.13 ~~(iii) a renewal license fee of \$0;~~
- 31.14 ~~(15) for a medical cannabis retailer:~~
- 31.15 ~~(i) an application fee of \$250;~~
- 31.16 ~~(ii) an initial license fee of \$0; and~~
- 31.17 ~~(iii) a renewal license fee of \$0; and~~
- 31.18 ~~(16)~~ (13) for a medical cannabis combination business:
- 31.19 (i) an application fee of \$10,000;
- 31.20 (ii) an initial license fee of \$20,000; and
- 31.21 (iii) a renewal license fee of \$70,000.

31.22 Sec. 39. Minnesota Statutes 2023 Supplement, section 342.12, is amended to read:

31.23 **342.12 LICENSES; TRANSFERS; ADJUSTMENTS.**

31.24 (a) Licenses issued under this chapter that are available to all applicants pursuant to

31.25 section 342.18, subdivision 4, paragraph (g), may be freely transferred subject to the prior

31.26 written approval of the office, ~~which approval may be given or withheld in the office's sole~~

31.27 ~~discretion, provided that a social equity applicant may only transfer the applicant's license~~

31.28 ~~to another social equity applicant.~~

32.1 (b) Licenses issued as social equity licenses pursuant to either section 342.18, subdivision
 32.2 4, paragraph (f), or section 342.175, paragraph (b), may only be transferred to another social
 32.3 equity applicant for three years after the date on which the office issues the license. Three
 32.4 years after the date of issuance, a license holder may transfer a license to any entity. Transfer
 32.5 of a license that was issued as a social equity license must be reviewed by the Division of
 32.6 Social Equity and is subject to the prior written approval of the office.

32.7 (c) License preapproval issued pursuant to section 342.125 may not be transferred.

32.8 (d) A new license must be obtained when:

32.9 (1) the form of the licensee's legal business structure converts or changes to a different
 32.10 type of legal business structure; or

32.11 (2) the licensee dissolves; consolidates; reorganizes; undergoes bankruptcy, insolvency,
 32.12 or receivership proceedings; merges with another legal organization; or assigns all or
 32.13 substantially all of its assets for the benefit of creditors.

32.14 ~~(b) Transfers between social equity applicants must be reviewed by the Division of~~
 32.15 ~~Social Equity.~~

32.16 ~~(e)~~ (e) Licenses must be renewed annually.

32.17 ~~(d)~~ (f) License holders may petition the office to adjust the tier of a license issued within
 32.18 a license category provided that the license holder meets all applicable requirements.

32.19 ~~(e)~~ (g) The office by rule may permit the relocation of a licensed cannabis business;
 32.20 permit the relocation of an approved operational location, including a cultivation,
 32.21 manufacturing, processing, or retail location; adopt requirements for the submission of a
 32.22 license relocation application; establish standards for the approval of a relocation
 32.23 application; and charge a fee not to exceed \$250 for reviewing and processing applications.
 32.24 Relocation of a licensed premises pursuant to this paragraph does not extend or otherwise
 32.25 modify the license term of the license subject to relocation.

32.26 Sec. 40. **[342.125] LICENSE PREAPPROVAL.**

32.27 Subdivision 1. Preapproval. (a) The office may establish a license preapproval process
 32.28 for applicants who meet the requirements in section 342.17.

32.29 (b) The office may issue up to the following number of license preapprovals:

32.30 (1) cannabis microbusiness licenses, 100;

32.31 (2) cannabis mezzobusiness licenses, 11;

- 33.1 (3) cannabis cultivator licenses, 13;
- 33.2 (4) cannabis manufacturer licenses, six;
- 33.3 (5) cannabis retailer licenses, 50;
- 33.4 (6) cannabis wholesaler licenses, 20;
- 33.5 (7) cannabis transporter licenses, 20;
- 33.6 (8) cannabis testing facility licenses, 25;
- 33.7 (9) cannabis event organizer licenses, ten; and
- 33.8 (10) cannabis delivery service licenses, ten.
- 33.9 (c) License preapproval remains valid for 18 months from the date it is granted unless
- 33.10 the office revokes the preapproval. If a person has not converted a preapproval into a license
- 33.11 within 18 months, the preapproval expires.
- 33.12 Subd. 2. **Eligibility.** (a) Only a social equity applicant who meets the requirements in
- 33.13 section 342.17 is eligible for license preapproval.
- 33.14 (b) The office must not issue a license preapproval if the applicant would be prohibited
- 33.15 from holding the license under section 342.18, subdivision 2.
- 33.16 Subd. 3. **Application; contents.** (a) An applicant for preapproval must:
- 33.17 (1) complete an application that contains the information described in section 342.14,
- 33.18 subdivision 1, on a form approved by the office; and
- 33.19 (2) pay the applicable application fee required under section 342.11, paragraph (b), for
- 33.20 the license being sought.
- 33.21 (b) The office shall not require an applicant to possess or identify any property on which
- 33.22 the cannabis business will operate.
- 33.23 Subd. 4. **Application process.** (a) The office must announce the commencement of an
- 33.24 application period for license preapproval at least 14 days before the date that the office
- 33.25 begins to accept applications. The announcement must include:
- 33.26 (1) the types of licenses that will be available for preapproval during the application
- 33.27 period;
- 33.28 (2) the number of each type of license available;
- 33.29 (3) the date on which the application period will begin; and
- 33.30 (4) the date on which the application period will end.

34.1 (b) The office must accept applications for license preapproval for 30 calendar days
34.2 during an application period.

34.3 (c) Before proceeding with a review of the application, the office must verify the
34.4 applicant's status as a social equity applicant.

34.5 (d) The office may deny an application for preapproval that:

34.6 (1) is incomplete;

34.7 (2) contains a material false statement about the applicant or omits material information
34.8 about the applicant;

34.9 (3) is from an applicant that does not meet the requirements in section 342.17;

34.10 (4) fails to meet the minimum qualifications for the license in section 342.18, subdivision
34.11 3;

34.12 (5) is from an applicant who fails to pay the applicable application fee; or

34.13 (6) is not submitted by the deadline established by the office.

34.14 (e) If the office denies an application for preapproval, the office must notify the applicant
34.15 of the denial and the basis for the denial.

34.16 (f) The office may request additional information from any applicant if the office
34.17 determines that the information is necessary to review or process the application. If the
34.18 applicant does not provide the additional requested information within 14 calendar days,
34.19 the office may deny the application.

34.20 **Subd. 5. Issuance of preapproval; lottery.** (a) An applicant who meets the requirements
34.21 in subdivisions 2, 3, and 4 is a qualified applicant and the office may issue a license
34.22 preapproval to the applicant.

34.23 (b) If there are fewer license preapprovals available than the number of qualified
34.24 applicants for that license type, the office must conduct a lottery to select applicants for
34.25 preapproval. The lottery must include all qualified applicants seeking preapproval for the
34.26 license type and must be impartial, random, and in a format determined by the office.

34.27 (c) The office may remove an applicant from the lottery if the office determines that:

34.28 (1) the applicant has violated an ownership or operational requirement in this chapter
34.29 or rules adopted pursuant to this chapter that would justify revocation or nonrenewal of a
34.30 license;

34.31 (2) the applicant is disqualified from holding a license pursuant to section 342.15; or

35.1 (3) the applicant is determined to be in arrears on property, business, or personal taxes.

35.2 (d) If the office removes an applicant from a lottery, the office must notify the applicant
35.3 of the removal and the basis for the removal. If an applicant is not selected in a lottery, the
35.4 office must notify the applicant that the applicant was not selected.

35.5 **Subd. 6. License preapproval; purpose; restrictions.** (a) License preapproval issued
35.6 by the office is evidence that the applicant has submitted all necessary information to the
35.7 office; the office has determined that the applicant is qualified to hold a license of the type
35.8 that is preapproved; and the office will issue the person a license after the office adopts
35.9 initial rules pursuant to section 342.02, subdivision 5, unless the office revokes preapproval
35.10 pursuant to subdivision 7.

35.11 (b) Upon request by a person who has been preapproved for a license, the office must
35.12 provide confirmation of the preapproval to third parties to assist the person in taking the
35.13 steps necessary to prepare for business operations, including:

35.14 (1) establishing legal control of the site of the cannabis business through lease, purchase,
35.15 or other means;

35.16 (2) gaining zoning or planning approval for the site of the cannabis business from a local
35.17 unit of government; and

35.18 (3) raising capital for the license holder's business operations.

35.19 (c) License preapproval does not authorize a person to open a cannabis business or
35.20 engage in any activity that requires a license issued under this chapter.

35.21 (d) The holder of a temporary license shall not:

35.22 (1) purchase, possess, cultivate, manufacture, distribute, dispense, or sell cannabis plants,
35.23 cannabis flower, cannabis products, medical cannabis flower, or medical cannabinoid
35.24 products;

35.25 (2) manufacture, distribute, or sell edible cannabinoid products or lower-potency hemp
35.26 edibles unless the person has explicit permission to engage in those activities from the office
35.27 and has a valid license authorizing those actions or is registered pursuant to section 151.72;

35.28 (3) make any transfer of an ownership interest that causes a change in the individual or
35.29 entity that holds the controlling ownership interest;

35.30 (4) make any change or transfer of ownership or control that would require a new business
35.31 registration with the secretary of state; or

36.1 (5) make any transfer of ownership interest that causes the holder of the temporary
36.2 license to no longer qualify as a social equity applicant under the requirements in section
36.3 342.17.

36.4 Subd. 7. **Revocation of preapproval.** The office may revoke a license preapproval if
36.5 the individual holding the preapproval or, if preapproval is granted to a business entity, any
36.6 cooperative member or director, manager, or general partner of the business entity:

36.7 (1) fraudulently or deceptively obtained preapproval;

36.8 (2) fails to reveal any material fact pertaining to the qualification for preapproval;

36.9 (3) violates any provision of this chapter;

36.10 (4) is not registered or in good standing with the Office of the Secretary of State; or

36.11 (5) is in arrears on property, business, or personal taxes.

36.12 Subd. 8. **Conversion of preapproval.** (a) The office must grant a license to any person
36.13 who has received preapproval after the office:

36.14 (1) adopts initial rules pursuant to section 342.02, subdivision 5; and

36.15 (2) receives the applicable license fee pursuant to section 342.11.

36.16 (b) The office must not grant a license to a person who has received preapproval if:

36.17 (1) the ownership of the business has changed since the office granted preapproval and
36.18 the person has not filed an updated ownership disclosure as required by section 342.14,
36.19 subdivision 1, paragraph (b); or

36.20 (2) the cannabis business for which the office granted preapproval does not meet local
36.21 zoning and land use laws.

36.22 Subd. 9. **Applicants; right to a reconsideration.** (a) If the office denies an application
36.23 for preapproval or removes an application from a lottery, the applicant may request a records
36.24 review of the submitted application materials within seven calendar days of receiving
36.25 notification that the office denied or removed the application.

36.26 (b) Upon an applicant's request, the office must allow the applicant to examine the
36.27 applicant's records received by the office.

36.28 (c) A person whose preapproval is later revoked by the office may request reconsideration
36.29 by the director.

36.30 (d) A person whose application is denied, removed from a lottery, or not selected in a
36.31 lottery may not appeal or request a hearing.

37.1 Subd. 10. Retention of applications. (a) A qualified applicant whose application is not
37.2 selected for preapproval in a lottery may request that the office retain the application for
37.3 subsequent application periods.

37.4 (b) If a qualified applicant requests that the office retain an application, the office must
37.5 retain the application for one year after the date of the request.

37.6 (c) The office may request additional information from any applicant whose application
37.7 is retained if the office determines that the information is necessary to determine if the
37.8 applicant meets the requirements for a subsequent application period. If the applicant does
37.9 not provide the additional requested information within 14 calendar days, the office may
37.10 deny the application.

37.11 (d) The office may disqualify an application from retention under the grounds specified
37.12 in subdivision 5, paragraph (c).

37.13 (e) If the office announces an application period, any application retained by the office
37.14 may be granted a license preapproval or be entered in a lottery if the applicant:

37.15 (1) pays the relevant application fee; and

37.16 (2) at the request of the office, amends an application or provides additional information.

37.17 Sec. 41. Minnesota Statutes 2023 Supplement, section 342.13, is amended to read:

37.18 **342.13 LOCAL CONTROL.**

37.19 (a) A local unit of government may not prohibit the possession, transportation, or use
37.20 of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived
37.21 consumer products authorized under this chapter.

37.22 (b) Except as provided in section 342.22, a local unit of government may not prohibit
37.23 the establishment or operation of a cannabis business or hemp business licensed under this
37.24 chapter.

37.25 (c) A local unit of government may adopt reasonable restrictions on the time, place, and
37.26 manner of the operation of a cannabis business provided that such restrictions do not prohibit
37.27 the establishment or operation of cannabis businesses. A local unit of government may
37.28 prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a
37.29 day care, residential treatment facility, or an attraction within a public park that is regularly
37.30 used by minors, including a playground or athletic field.

37.31 (d) The office shall work with local units of government to:

38.1 (1) develop model ordinances for reasonable restrictions on the time, place, and manner
38.2 of the operation of a cannabis business;

38.3 (2) develop standardized forms and procedures for the issuance of a retail registration
38.4 pursuant to section 342.22; and

38.5 (3) develop model policies and procedures for the performance of compliance checks
38.6 required under section 342.22.

38.7 (e) If a local unit of government is conducting studies or has authorized a study to be
38.8 conducted or has held or has scheduled a hearing for the purpose of considering adoption
38.9 or amendment of reasonable restrictions on the time, place, and manner of the operation of
38.10 a cannabis business, the governing body of the local unit of government may adopt an
38.11 interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting
38.12 the planning process and the health, safety, and welfare of its citizens. Before adopting the
38.13 interim ordinance, the governing body must hold a public hearing. The interim ordinance
38.14 may regulate, restrict, or prohibit the operation of a cannabis business within the jurisdiction
38.15 or a portion thereof until January 1, 2025.

38.16 ~~(f) Within 30 days of receiving a copy of an application from the office, a local unit of~~
38.17 ~~government shall certify on a form provided by the office whether a proposed cannabis~~
38.18 ~~business complies with local zoning ordinances and, if applicable, whether the proposed~~
38.19 ~~business complies with the state fire code and building code. The office may not issue a~~
38.20 ~~license an endorsement to a cannabis business if a the cannabis business does not meet local~~
38.21 ~~zoning and land use laws.~~

38.22 ~~(g) Upon receipt of an application for a license issued under this chapter, the office shall~~
38.23 ~~contact the local unit of government in which the business would be located and provide~~
38.24 ~~the local unit of government with 30 days in which to provide input on the application. The~~
38.25 ~~local unit of government may provide the office with any additional information it believes~~
38.26 ~~is relevant to the office's decision on whether to issue a license, including but not limited~~
38.27 ~~to identifying concerns about the proposed location of a cannabis business or sharing public~~
38.28 ~~information about an applicant.~~

38.29 ~~(h)~~ (g) The office by rule shall establish an expedited complaint process to receive,
38.30 review, and respond to complaints made by a local unit of government about a cannabis
38.31 business. ~~Complaints may include alleged violations of local ordinances or other alleged~~
38.32 ~~violations. The office may only investigate complaints alleging a violation of this chapter.~~
38.33 At a minimum, the expedited complaint process shall require the office to provide an initial
38.34 response to the complaint within seven days and perform any necessary inspections within

39.1 30 days. Nothing in this paragraph prohibits a local unit of government from enforcing a
 39.2 local ordinance. If a local unit of government notifies the office that a cannabis business
 39.3 other than a cannabis retailer, cannabis microbusiness or cannabis mezzobusiness with a
 39.4 retail operations endorsement, ~~cannabis mezzobusiness~~, lower-potency hemp edible retailer,
 39.5 ~~medical cannabis retailer~~, or medical cannabis combination business operating a retail
 39.6 location poses an immediate threat to the health or safety of the public, the office must
 39.7 respond within one business day and may take any action described in section 342.19 or
 39.8 342.21.

39.9 ~~(h)~~ (h) A local government unit that issues a cannabis retailer registration under section
 39.10 342.22 may, by ordinance, limit the number of licensed cannabis retailers, cannabis
 39.11 mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with
 39.12 a retail operations endorsement to no fewer than one registration for every 12,500 residents.

39.13 ~~(i)~~ (i) If a county has one active registration for every 12,500 residents, a city or town
 39.14 within the county is not obligated to register a cannabis business.

39.15 ~~(j)~~ (j) Nothing in this section shall prohibit a local government unit from allowing
 39.16 licensed cannabis retailers in excess of the minimums set in paragraph ~~(h)~~ (h).

39.17 ~~(k)~~ (k) Notwithstanding the foregoing provisions, the state shall not issue a license to
 39.18 any cannabis business to operate in Indian country, as defined in United States Code, title
 39.19 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal
 39.20 government.

39.21 Sec. 42. Minnesota Statutes 2023 Supplement, section 342.14, is amended to read:

39.22 **342.14 CANNABIS LICENSE APPLICATION AND RENEWAL.**

39.23 Subdivision 1. **Application; contents.** (a) The office by rule shall establish forms and
 39.24 procedures for the processing of cannabis business licenses issued under this chapter. ~~At a~~
 39.25 ~~minimum, any application to obtain or renew a cannabis license shall~~ The office must direct
 39.26 an applicant to include the following information, if applicable in an application to obtain
 39.27 or renew a cannabis license:

39.28 (1) the name, address, and date of birth of the applicant;

39.29 (2) the disclosure of ownership and control required under paragraph (b);

39.30 (3) the disclosure of whether the applicant or, if the applicant is a business, any officer,
 39.31 director, manager, and general partner of the business has ever filed for bankruptcy;

40.1 (4) the address and legal property description of the business, if applicable, except an
40.2 applicant is not required to secure a physical premises for the business at the time of
40.3 application;

40.4 (5) a general description of the location or locations that the applicant plans to operate,
40.5 including the planned square feet of ~~planned~~ space for cultivation, wholesaling, and retailing,
40.6 as applicable;

40.7 (6) a copy of the security plan;

40.8 (7) proof of trade name registration;

40.9 (8) a copy of the applicant's business plan showing the expected size of the business;
40.10 anticipated growth; the methods of record keeping; the knowledge and experience of the
40.11 applicant and any officer, director, manager, and general partner of the business; the
40.12 environmental plan; and other relevant financial and operational components;

40.13 (9) an attestation signed by a bona fide labor organization stating that the applicant has
40.14 entered into a labor peace agreement;

40.15 (10) certification that the applicant will comply with the requirements of this chapter
40.16 relating to the ownership and operation of a cannabis business;

40.17 (11) identification of one or more controlling persons or managerial employees as agents
40.18 who shall be responsible for dealing with the office on all matters; and

40.19 (12) a statement that the applicant agrees to respond to the office's supplemental requests
40.20 for information.

40.21 (b) An applicant must file and update as necessary a disclosure of ownership and control.
40.22 The office by rule shall establish the contents and form of the disclosure. Except as provided
40.23 in paragraph (f), the disclosure shall, at a minimum, include the following:

40.24 (1) the management structure, ownership, and control of the applicant or license holder,
40.25 including the name of each cooperative member, officer, director, manager, general partner,
40.26 or business entity; the office or position held by each person; each person's percentage
40.27 ownership interest, if any; and, if the business has a parent company, the name of each
40.28 owner, board member, and officer of the parent company and the owner's, board member's,
40.29 or officer's percentage ownership interest in the parent company and the cannabis business;

40.30 (2) a statement from the applicant and, if the applicant is a business, from every officer,
40.31 director, manager, and general partner of the business, indicating whether that person has

41.1 previously held, or currently holds, an ownership interest in a cannabis business in Minnesota,
41.2 any other state or territory of the United States, or any other country;

41.3 (3) if the applicant is a corporation, copies of the applicant's articles of incorporation
41.4 and bylaws and any amendments to the applicant's articles of incorporation or bylaws;

41.5 (4) copies of any partnership agreement, operating agreement, or shareholder agreement;

41.6 (5) copies of any promissory notes, security instruments, or other similar agreements;

41.7 (6) an explanation detailing the funding sources used to finance the business;

41.8 (7) a list of operating and investment accounts for the business, including any applicable
41.9 financial institution and account number; and

41.10 (8) a list of each outstanding loan and financial obligation obtained for use in the business,
41.11 including the loan amount, loan terms, and name and address of the creditor.

41.12 (c) An application may include:

41.13 (1) proof that the applicant is a social equity applicant;

41.14 (2) a description of the training and education that will be provided to any employee;

41.15 or

41.16 (3) a copy of business policies governing operations to ensure compliance with this
41.17 chapter.

41.18 (d) Commitments made by an applicant in its application, including but not limited to
41.19 the maintenance of a labor peace agreement, shall be an ongoing material condition of
41.20 maintaining and renewing the license.

41.21 (e) An application on behalf of a corporation or association shall be signed by at least
41.22 two officers or managing agents of that entity.

41.23 (f) The office may, by rule, establish exceptions to the disclosures required under
41.24 paragraph (b) for members of a cooperative who hold less than a five percent ownership
41.25 interest in the cooperative.

41.26 Subd. 2. **Application; process.** (a) An applicant must submit all required information
41.27 to the office on the forms and in the manner prescribed by the office.

41.28 (b) If the office receives an application that fails to provide the required information,
41.29 the office shall issue a deficiency notice to the applicant. The applicant shall have ten
41.30 business days from the date of the deficiency notice to submit the required information.

42.1 (c) Failure by an applicant to submit all required information will result in the application
42.2 being rejected.

42.3 ~~(d) Upon receipt of a completed application and fee, the office shall forward a copy of~~
42.4 ~~the application to the local unit of government in which the business operates or intends to~~
42.5 ~~operate with a form for certification as to whether a proposed cannabis business complies~~
42.6 ~~with local zoning ordinances and, if applicable, whether the proposed business complies~~
42.7 ~~with the state fire code and building code.~~

42.8 (e)(d) Within 90 days of receiving a completed application and the results of any required
42.9 criminal history check, the office shall issue the appropriate license or send the applicant a
42.10 notice of rejection setting forth specific reasons that the office did not approve the application.

42.11 Subd. 3. License revocation. The office may revoke a cannabis business license if the
42.12 licensee has not made good faith efforts to obtain an endorsement within 18 months of the
42.13 date that the license was issued. The office may give a licensee a onetime extension to obtain
42.14 an endorsement if the licensee demonstrates that the licensee made good faith efforts to
42.15 obtain an endorsement within 18 months of the date that the license was issued.

42.16 Sec. 43. Minnesota Statutes 2023 Supplement, section 342.15, is amended by adding a
42.17 subdivision to read:

42.18 Subd. 5. Civil and regulatory offenses; disqualifications. The office may, by rule,
42.19 determine whether any civil or regulatory violations, as determined by another state agency,
42.20 local unit of government, or any other jurisdiction, disqualify an individual from holding
42.21 or receiving a cannabis business license issued under this chapter or disqualify an individual
42.22 from working for a cannabis business, and the length of the disqualification. The office
42.23 must have access to all investigative or regulatory data, regardless of its data classification
42.24 under chapter 13, relating to an individual who applies for a cannabis license or applies to
42.25 work for a cannabis business, when the data is held by any other state agency that has
42.26 regulatory authority over the individual.

42.27 Sec. 44. [342.151] EMPLOYEES OF LICENSE HOLDERS.

42.28 Subdivision 1. Definitions. For purposes of this section, a "license holder" includes a
42.29 cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer,
42.30 cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis
42.31 event organizer, cannabis delivery service, lower-potency hemp edible manufacturer,
42.32 lower-potency hemp edible retailer, or medical cannabis combination business.

43.1 Subd. 2. **Disqualification.** (a) A license holder must not employ an individual as a
43.2 cannabis worker if the individual has been convicted of any of the following crimes that
43.3 would constitute a felony:

43.4 (1) human trafficking;

43.5 (2) noncannabis controlled substance crimes in the first or second degree;

43.6 (3) labor trafficking;

43.7 (4) fraud;

43.8 (5) embezzlement;

43.9 (6) extortion;

43.10 (7) money laundering; or

43.11 (8) insider trading;

43.12 if committed in this state or any other jurisdiction for which a full pardon or similar relief
43.13 has not been granted.

43.14 (b) A license holder must not employ an individual as a cannabis worker if the individual
43.15 made any false statement in an application for employment.

43.16 Sec. 45. Minnesota Statutes 2023 Supplement, section 342.17, is amended to read:

43.17 **342.17 SOCIAL EQUITY APPLICANTS.**

43.18 (a) An applicant qualifies as a social equity applicant if the applicant:

43.19 (1) was convicted of an offense involving the possession or sale of cannabis or marijuana
43.20 prior to May 1, 2023;

43.21 (2) had a parent, guardian, child, spouse, or dependent who was convicted of an offense
43.22 involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

43.23 (3) was a dependent of an individual who was convicted of an offense involving the
43.24 possession or sale of cannabis or marijuana prior to May 1, 2023;

43.25 (4) is a military veteran, including status as a service-disabled veteran, current or former
43.26 member of the national guard, or any military veteran or current or former member of the
43.27 national guard who lost honorable status due to an offense involving the possession or sale
43.28 of cannabis or marijuana;

43.29 (5) has been a resident for the last five years of one or more subareas, such as census
43.30 tracts or neighborhoods, that experienced a disproportionately large amount of cannabis

44.1 enforcement as determined by the study conducted by the office pursuant to section 342.04,
44.2 paragraph (b), and reported in the preliminary report, final report, or both;

44.3 ~~(6) is an emerging farmer as defined in section 17.055, subdivision 1; or~~

44.4 ~~(7)~~ (6) has been a resident for the last five years of one or more census tracts where, as
44.5 reported in the most recently completed decennial census published by the United States
44.6 Bureau of the Census, either:

44.7 (i) the poverty rate was 20 percent or more; or

44.8 (ii) the median family income did not exceed 80 percent of statewide median family
44.9 income or, if in a metropolitan area, did not exceed the greater of 80 percent of the statewide
44.10 median family income or 80 percent of the median family income for that metropolitan
44.11 area.

44.12 (b) The qualifications described in paragraph (a) apply to each individual applicant or,
44.13 in the case of a business entity, ~~every cooperative member or director, manager, and general~~
44.14 ~~partner~~ apply to at least 65 percent of the controlling ownership of the business entity.

44.15 Sec. 46. [342.175] SOCIAL EQUITY LICENSE CLASSIFICATION.

44.16 (a) The office must classify licenses listed in section 342.10, clauses (1) to (10) and (13)
44.17 as:

44.18 (1) available to social equity applicants who meet the requirements of section 342.17;

44.19 and

44.20 (2) available to all applicants.

44.21 (b) The office must classify any license issued to a social equity applicant as a social
44.22 equity license.

44.23 Sec. 47. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 2, is amended
44.24 to read:

44.25 Subd. 2. **Vertical integration prohibited; exceptions.** (a) Except as otherwise provided
44.26 in this subdivision, the office shall not issue licenses to a single applicant that would result
44.27 in the applicant being vertically integrated in violation of the provisions of this chapter.

44.28 (b) Nothing in this section prohibits or limits the issuance of microbusiness licenses ~~or~~,
44.29 mezzobusiness licenses, or medical cannabis combination business licenses, or the issuance
44.30 of both lower-potency hemp edible manufacturer and lower-potency hemp edible retailer
44.31 licenses to the same person or entity.

45.1 Sec. 48. Minnesota Statutes 2023 Supplement, section 342.18, subdivision 3, is amended
45.2 to read:

45.3 Subd. 3. **Application score; license priority review.** (a) The office shall award points
45.4 ~~to review~~ each completed application for a license to operate a cannabis business in the
45.5 following categories:

45.6 ~~(1) status as a social equity applicant or as an applicant who is substantially similar to~~
45.7 ~~a social equity applicant as described in paragraph (c);~~

45.8 ~~(2) status as a veteran or retired national guard applicant who does not meet the definition~~
45.9 ~~of social equity applicant;~~

45.10 ~~(3)~~ (1) security and record keeping;

45.11 ~~(4)~~ (2) employee training plan;

45.12 ~~(5)~~ (3) business plan and financial situation;

45.13 ~~(6)~~ (4) labor and employment practices;

45.14 ~~(7)~~ (5) knowledge and experience; and

45.15 ~~(8)~~ (6) environmental plan.

45.16 ~~(b) The office may award additional points to an application if the license holder would~~
45.17 ~~expand service to an underrepresented market, including but not limited to participation in~~
45.18 ~~the medical cannabis program.~~

45.19 ~~(c) The office shall establish application materials permitting individual applicants to~~
45.20 ~~demonstrate the impact that cannabis prohibition has had on that applicant, including but~~
45.21 ~~not limited to the arrest or imprisonment of the applicant or a member of the applicant's~~
45.22 ~~immediate family, and the office may award points to such applicants in the same manner~~
45.23 ~~as points are awarded to social equity applicants.~~

45.24 ~~(d)~~ (b) The office shall by rule establish policies and guidelines, which the office must
45.25 ~~be made~~ make available to the public, regarding the ~~number of points available~~ minimum
45.26 qualifications in each category and the ~~basis for awarding those points.~~ Status as a social
45.27 equity applicant must account for at least 20 percent of the total available points. In
45.28 determining the number of points to award to a cooperative or business applying as a social
45.29 equity applicant, the office shall consider the number or ownership percentage of cooperative
45.30 members, officers, directors, managers, and general partners who qualify as social equity
45.31 applicants criteria that the office uses to determine whether an applicant meets the minimum
45.32 qualifications in each category.

46.1 ~~(e) Consistent with the goals identified in subdivision 1, the office shall issue licenses~~
46.2 ~~in each license category, giving priority to applicants who receive the highest score under~~
46.3 ~~paragraphs (a) and (b). If there are insufficient licenses available for entities that receive~~
46.4 ~~identical scores, the office shall utilize a lottery to randomly select license recipients from~~
46.5 ~~among those entities.~~

46.6 Sec. 49. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a
46.7 subdivision to read:

46.8 Subd. 4. **Maximum number of licenses.** (a) Through as many licensing periods as the
46.9 office deems necessary, the office shall issue up to the maximum number of licenses in each
46.10 license category listed in paragraphs (e) and (f) to applicants that meet the minimum
46.11 qualifications in subdivision 3. After 24 months from the beginning of the license application
46.12 process, the office may adjust the maximum number of licenses of any type listed in this
46.13 subdivision based on market demand, consistent with the objectives in section 342.02,
46.14 subdivision 1, and the annual report required under section 342.04, paragraph (f).

46.15 (b) If there are insufficient licenses available for all applicants that meet the minimum
46.16 qualifications in subdivision 3, the office shall hold a lottery to randomly select license
46.17 recipients from among the applicants.

46.18 (c) The office may issue as many licenses as the office deems necessary of a license
46.19 type that is not listed in this subdivision. The office is not required to issue a license for a
46.20 license type that is not listed in this subdivision.

46.21 (d) Cannabis mezzobusiness license holders must earn no fewer than two distinctly
46.22 different endorsements for authorized actions under the license category within 18 months
46.23 of license issuance or the office may revoke the license holder's license or take appropriate
46.24 enforcement action.

46.25 (e) The office is not required to issue licenses to meet the maximum number of licenses
46.26 that may be issued under paragraphs (f) and (g).

46.27 (f) For licenses that are available to social equity applicants, the maximum number of
46.28 licenses that the office may issue are:

46.29 (1) cannabis cultivator licenses, 25;

46.30 (2) cannabis manufacturer licenses, 12;

46.31 (3) cannabis retailer licenses, 100; and

46.32 (4) cannabis mezzobusiness licenses, 22.

47.1 (g) For licenses that are available to all applicants, the maximum number of licenses
47.2 that the office may issue are:

47.3 (1) cannabis cultivator licenses, 25;

47.4 (2) cannabis manufacturer licenses, 12;

47.5 (3) cannabis retailer licenses, 100; and

47.6 (4) cannabis mezzobusiness licenses, 22.

47.7 Sec. 50. Minnesota Statutes 2023 Supplement, section 342.18, is amended by adding a
47.8 subdivision to read:

47.9 Subd. 5. **Conversion to hemp business license.** (a) After the office adopts initial rules
47.10 pursuant to section 342.02, subdivision 5, the office may permit a person selling edible
47.11 cannabinoid products who has registered pursuant to section 151.72, subdivision 5b, to
47.12 convert the registration to a comparable hemp business license if:

47.13 (1) the registration was active before the office adopted initial rules;

47.14 (2) the person submits documentation to the office sufficient to meet the minimum
47.15 requirements in section 342.44;

47.16 (3) the person pays the applicable application and licensing fee as required by section
47.17 342.11; and

47.18 (4) the person is in good standing with the state.

47.19 (b) A person selling edible cannabinoid products who has registered pursuant to section
47.20 151.72, subdivision 5b, and remains in good standing with the state may continue operations
47.21 under an active registration for the longer of:

47.22 (1) 30 days after the date the office begins accepting applications for hemp business
47.23 licenses; or

47.24 (2) if the person submits an application for a hemp business license, until the office
47.25 makes a determination regarding the registrant's application.

47.26 Sec. 51. Minnesota Statutes 2023 Supplement, section 342.19, is amended by adding a
47.27 subdivision to read:

47.28 Subd. 6. **Inspection of unlicensed businesses and facilities.** (a) The office may inspect
47.29 any commercial premises that is not licensed under this chapter where cultivation,
47.30 manufacturing, processing, or sale of cannabis plants, cannabis flower, cannabis concentrate,

48.1 artificially derived cannabinoids, hemp-derived consumer products, or edible cannabinoid
48.2 products is taking place.

48.3 (b) A representative of the office performing an inspection under this subdivision must
48.4 present appropriate credentials to the owner, operator, or agent in charge and clearly state
48.5 the purpose of the inspection.

48.6 (c) After providing the notice required under paragraph (b), a representative of the office
48.7 may enter the commercial premises and perform any of the following to determine if any
48.8 person is engaging in activities that are regulated by this chapter and not authorized without
48.9 the possession of a license, and to determine the appropriate penalty under section 342.09,
48.10 subdivision 6:

48.11 (1) inspect and investigate the commercial premises;

48.12 (2) inspect and copy records; and

48.13 (3) question privately any employer, owner, operator, agent, or employee of the
48.14 commercial operation.

48.15 (d) Entry of a commercial premises must take place during regular working hours or at
48.16 other reasonable times.

48.17 (e) If the office finds any cannabis plant, cannabis flower, cannabis product, artificially
48.18 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product on
48.19 the inspected commercial premises, the office may either immediately seize the item or
48.20 affix to the item a tag, withdrawal from distribution order, or other appropriate marking
48.21 providing notice that the cannabis plant, cannabis flower, cannabis product, artificially
48.22 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product is, or
48.23 is suspected of being, possessed or distributed in violation of this chapter, and has been
48.24 detained or embargoed, and warning all persons not to remove or dispose of the item by
48.25 sale or otherwise until permission for removal or disposal is given by the office or the court.
48.26 It is unlawful for a person to remove or dispose of a detained or embargoed cannabis plant,
48.27 cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp
48.28 edible, or hemp-derived consumer product by sale or otherwise without the office's or a
48.29 court's permission and each transaction may be treated as a sale for the purposes of imposing
48.30 a penalty pursuant to section 342.09, subdivision 6.

48.31 (f) If the office has seized, detained, or embargoed any item pursuant to paragraph (e),
48.32 the office must:

49.1 (1) petition the district court in the county in which the item was found for an order
 49.2 authorizing destruction of the product; and

49.3 (2) notify the county attorney in the county where the item was found of the office's
 49.4 actions.

49.5 (g) If the court finds that the seized, detained, or embargoed cannabis plant, cannabis
 49.6 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
 49.7 hemp-derived consumer product was possessed or distributed in violation of this chapter
 49.8 or rules adopted under this chapter, the office may destroy the cannabis plant, cannabis
 49.9 flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or
 49.10 hemp-derived consumer product at the expense of the person who possessed or distributed
 49.11 the item in violation of this chapter, and all court costs, fees, storage, and other proper
 49.12 expenses must be assessed against the person or the person's agent.

49.13 (h) The provisions of subdivision 2, paragraph (f) apply to any analysis or examination
 49.14 performed under this subdivision.

49.15 (i) The authorization under paragraph (e) does not apply to any cannabis flower, cannabis
 49.16 product, lower-potency hemp edible, or hemp-derived consumer product lawfully purchased
 49.17 for personal use.

49.18 Sec. 52. Minnesota Statutes 2023 Supplement, section 342.22, is amended to read:

49.19 **342.22 RETAILERS; LOCAL REGISTRATION AND ENFORCEMENT.**

49.20 Subdivision 1. **Registration required.** Before receiving a retail operations endorsement
 49.21 and making retail sales to customers or patients, a cannabis microbusiness ~~with a retail~~
 49.22 ~~operations endorsement~~, cannabis mezzobusiness ~~with a retail operations endorsement~~,
 49.23 cannabis retailer, ~~medical cannabis retailer~~, medical cannabis combination business, or
 49.24 lower-potency hemp edible retailer must register with the city, town, or county in which
 49.25 the retail establishment is located. A county may issue a registration in cases where a city
 49.26 or town has provided consent for the county to issue the registration for the jurisdiction.

49.27 Subd. 2. **Registration fee.** (a) A local unit of government may impose an initial retail
 49.28 registration fee of \$500 or up to half the amount of the applicable initial license fee under
 49.29 section 342.11, whichever is less. The local unit of government may also impose a renewal
 49.30 retail registration fee of \$1,000 or up to half the amount of the applicable renewal license
 49.31 fee under section 342.11, whichever is less. The initial registration fee shall include the fee
 49.32 for initial registration and the first annual renewal. Any renewal fee imposed by the local

50.1 unit of government shall be charged at the time of the second renewal and each subsequent
50.2 annual renewal thereafter.

50.3 (b) The local unit of government may not charge an application fee.

50.4 ~~(e) A cannabis business with a cannabis retailer license and a medical cannabis retailer~~
50.5 ~~license for the same location may only be charged a single registration fee.~~

50.6 ~~(d)~~ (c) Registration fees are nonrefundable.

50.7 Subd. 3. **Issuance of registration.** (a) A local unit of government shall issue a retail
50.8 registration to a cannabis microbusiness with a retail operations endorsement, cannabis
50.9 mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis
50.10 ~~retailer~~ combination business operating a retail location, or lower-potency hemp edible
50.11 retailer that:

50.12 (1) has a valid license or license preapproval issued by the office;

50.13 (2) has paid the registration fee or renewal fee pursuant to subdivision 2;

50.14 (3) is found to be in compliance with the requirements of this chapter at any preliminary
50.15 compliance check that the local unit of government performs; and

50.16 (4) if applicable, is current on all property taxes and assessments at the location where
50.17 the retail establishment is located.

50.18 (b) Before issuing a retail registration, the local unit of government may conduct a
50.19 preliminary compliance check to ensure that the cannabis business or hemp business is in
50.20 compliance with the any applicable operation requirements and the limits on the types of
50.21 ~~cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer~~
50.22 ~~products that may be sold~~ local ordinance established pursuant to section 342.13.

50.23 (c) A local unit of government shall renew the retail registration of a cannabis business
50.24 or hemp business when the office renews the license of the cannabis business or hemp
50.25 business.

50.26 (d) A retail registration issued under this section may not be transferred.

50.27 Subd. 4. **Compliance checks.** (a) A local unit of government shall conduct compliance
50.28 checks of every cannabis business and hemp business with a retail registration issued by
50.29 the local unit of government. ~~The checks~~ During a compliance check, a local unit of
50.30 government shall assess a business's compliance with age verification requirements, the
50.31 and compliance with any applicable operation requirements, and the applicable limits on
50.32 ~~the types of cannabis flower, cannabis products, lower-potency hemp edibles, and~~

51.1 ~~hemp-derived consumer products being sold~~ local ordinance established pursuant to section
51.2 342.13.

51.3 (b) ~~The~~ A local unit of government must conduct unannounced age verification
51.4 compliance checks of every cannabis business and hemp business at least once each calendar
51.5 year. Age verification compliance checks must involve persons at least 17 years of age but
51.6 under the age of 21 who, with the prior written consent of a parent or guardian if the person
51.7 is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis
51.8 products, lower-potency hemp edibles, or hemp-derived consumer products under the direct
51.9 supervision of a law enforcement officer or an employee of the local unit of government.

51.10 ~~(e) Checks to ensure compliance with the applicable operation requirements and the~~
51.11 ~~limits on the types of cannabis flower, cannabis products, lower-potency hemp edibles, and~~
51.12 ~~hemp-derived consumer products that may be sold must be performed at least once each~~
51.13 ~~calendar year and may be performed by a law enforcement officer or an employee of the~~
51.14 ~~local unit of government.~~

51.15 Subd. 5. **Registration suspension and cancellation; notice to office; penalties.** (a) If
51.16 a local unit of government determines that a cannabis business or hemp business with a
51.17 retail registration issued by the local unit of government is not operating in compliance with
51.18 the requirements of ~~this chapter~~ a local ordinance authorized under section 342.13 or that
51.19 the operation of the business poses an immediate threat to the health or safety of the public,
51.20 the local unit of government may suspend the retail registration of the cannabis business or
51.21 hemp business. The local unit of government must immediately notify the office of the
51.22 suspension and shall include a description of the grounds for the suspension.

51.23 (b) The office shall review the retail registration suspension and may order reinstatement
51.24 of the retail registration or take any action described in section 342.19 or 342.21.

51.25 (c) The retail registration suspension must be for up to 30 days unless the office suspends
51.26 the license and operating privilege of the cannabis business or hemp business for a longer
51.27 period or revokes the license.

51.28 (d) The local unit of government may reinstate the retail registration if the local unit of
51.29 government determines that any violation has been cured. The local unit of government
51.30 must reinstate the retail registration if the office orders reinstatement.

51.31 (e) No cannabis microbusiness ~~with a retail operations endorsement~~, cannabis
51.32 mezzobusiness ~~with a retail operations endorsement~~, cannabis retailer, ~~medical cannabis~~
51.33 ~~retailer~~, medical cannabis combination business, or lower-potency hemp edible retailer may
51.34 make any sale to a customer or patient without a valid retail registration with a local unit

52.1 of government and a valid endorsement from the office. A local unit of government may
52.2 impose a civil penalty of up to \$2,000 for each violation of this paragraph.

52.3 Sec. 53. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 1, is amended
52.4 to read:

52.5 Subdivision 1. **Individuals under 21 years of age.** (a) A cannabis business may not
52.6 employ an individual under 21 years of age and may not contract with an individual under
52.7 21 years of age if the individual's scope of work involves the handling of cannabis plants,
52.8 cannabis flower, artificially derived cannabinoids, or cannabinoid products.

52.9 (b) A cannabis business may not permit an individual under 21 years of age to enter the
52.10 business premises other than entry by a ~~patient~~ person enrolled in the registry program.

52.11 (c) A cannabis business may not sell or give cannabis flower, cannabis products,
52.12 lower-potency hemp edibles, or hemp-derived consumer products to an individual under
52.13 21 years of age unless the individual is ~~a patient; registered designated caregiver; or a parent,~~
52.14 ~~legal guardian, or spouse of a patient who is authorized to use, possess, or transport medical~~
52.15 ~~cannabis flower or medical cannabinoid products~~ enrolled in the registry program and the
52.16 cannabis business holds a medical cannabis retail endorsement.

52.17 Sec. 54. Minnesota Statutes 2023 Supplement, section 342.24, subdivision 2, is amended
52.18 to read:

52.19 Subd. 2. **Use of cannabis flower and products within a licensed cannabis business.** (a)
52.20 A cannabis business may not permit an individual who is not an employee to consume
52.21 cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer
52.22 products within its licensed premises unless the business is licensed to permit on-site
52.23 consumption.

52.24 (b) Except as otherwise provided in this subdivision, a cannabis business may not permit
52.25 an employee to consume cannabis flower, cannabis products, lower-potency hemp edibles,
52.26 or hemp-derived consumer products within its licensed premises or while the employee is
52.27 otherwise engaged in activities within the course and scope of employment.

52.28 (c) A cannabis business may permit an employee to use medical cannabis flower and
52.29 medical cannabinoid products if that individual is a patient enrolled in the registry program.

52.30 (d) For quality control, employees of a licensed cannabis business may sample cannabis
52.31 flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.
52.32 Employees may not interact directly with customers for at least three hours after sampling

53.1 a product. Employees may not consume more than three samples in a single 24-hour period.
53.2 All samples must be recorded in the statewide monitoring system.

53.3 Sec. 55. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
53.4 subdivision to read:

53.5 Subd. 1a. **Cannabis research.** An institution of higher education, any department or
53.6 program of an institution of higher education, and any entity working in partnership with
53.7 an institution of higher education may apply for a cannabis microbusiness license to conduct
53.8 cannabis crop research. A cannabis researcher with a cannabis microbusiness license may
53.9 perform activities identified in subdivision 1, clauses (1) to (9) and (13). Cannabis plants
53.10 and cannabis flower grown for research purposes must not be offered for sale or otherwise
53.11 enter the stream of commerce. As used in this subdivision, "institution of higher education"
53.12 has the meaning given in sections 135A.51, subdivision 5; and 136A.28, subdivision 6.

53.13 Sec. 56. Minnesota Statutes 2023 Supplement, section 342.28, subdivision 2, is amended
53.14 to read:

53.15 Subd. 2. **Size limitations.** (a) A cannabis microbusiness that cultivates cannabis at an
53.16 indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust
53.17 plant canopy limits for licensed businesses upward to meet market demand consistent with
53.18 the goals identified in section 342.02, subdivision 1. In each licensing period, the office
53.19 may adjust plant canopy limits for licenses that will be issued in that period upward or
53.20 downward to meet market demand consistent with the goals identified in section 342.02,
53.21 subdivision 1, provided the office does not impose a limit of less than 5,000 square feet of
53.22 plant canopy.

53.23 (b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
53.24 up to one-half acre of mature, flowering plants ~~unless the office increases that limit.~~ The
53.25 office may increase the limit to no more than one acre if the office determines that expansion
53.26 is for licensed businesses upward to meet market demand consistent with the goals identified
53.27 in section 342.02, subdivision 1. In each licensing period, the office may adjust the limit
53.28 for licenses that will be issued in that period upward or downward to meet market demand
53.29 consistent with the goals identified in section 342.02, subdivision 1, provided the office
53.30 does not impose a limit of less than one-half acre of mature, flowering plants.

53.31 (c) The office shall establish a limit on the manufacturing of cannabis products,
53.32 lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness
53.33 that manufactures such products may perform. The limit must be equivalent to the amount

54.1 of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square
54.2 feet in a year, but may be increased if the office expands the allowable area of cultivation
54.3 under paragraph (a).

54.4 (d) A cannabis microbusiness with the appropriate endorsement may operate one retail
54.5 location.

54.6 Sec. 57. Minnesota Statutes 2023 Supplement, section 342.28, is amended by adding a
54.7 subdivision to read:

54.8 Subd. 11. **Transportation between facilities.** A cannabis microbusiness may transport
54.9 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially
54.10 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,
54.11 and hemp-derived consumer products between facilities operated by the cannabis
54.12 microbusiness provided the cannabis microbusiness:

54.13 (1) provides the office the information described in section 342.35, subdivision 2; and

54.14 (2) complies with the requirements of section 342.36.

54.15 Sec. 58. Minnesota Statutes 2023 Supplement, section 342.29, subdivision 4, is amended
54.16 to read:

54.17 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
54.18 cannabis mezzobusiness license may also hold a cannabis event organizer license ~~and a~~
54.19 ~~medical cannabis retailer license.~~

54.20 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
54.21 cannabis mezzobusiness license may own or operate any other cannabis business or hemp
54.22 business or hold more than one cannabis mezzobusiness license.

54.23 (c) For purposes of this subdivision, a restriction on the number or type of license that
54.24 a business may hold applies to every cooperative member or every director, manager, and
54.25 general partner of a cannabis business.

54.26 Sec. 59. Minnesota Statutes 2023 Supplement, section 342.29, is amended by adding a
54.27 subdivision to read:

54.28 Subd. 10. **Transportation between facilities.** A cannabis mezzobusiness may transport
54.29 immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially
54.30 derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles,

55.1 and hemp-derived consumer products between facilities operated by the cannabis
55.2 mezzobusiness provided the cannabis mezzobusiness:

55.3 (1) provides the office the information described in section 342.35, subdivision 2; and

55.4 (2) complies with the requirements of section 342.36.

55.5 Sec. 60. Minnesota Statutes 2023 Supplement, section 342.30, subdivision 4, is amended
55.6 to read:

55.7 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
55.8 cannabis cultivator license may also hold a cannabis manufacturing license, ~~medical cannabis~~
55.9 ~~cultivator license~~, medical cannabis producer license, license to grow industrial hemp, and
55.10 cannabis event organizer license.

55.11 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
55.12 cannabis cultivator license may own or operate any other cannabis business or hemp business.
55.13 This prohibition does not prevent the transportation of cannabis flower from a cannabis
55.14 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business
55.15 and located on the same premises.

55.16 (c) The office by rule may limit the number of cannabis cultivator licenses a person,
55.17 cooperative, or business may hold.

55.18 (d) For purposes of this subdivision, a restriction on the number or type of license a
55.19 business may hold applies to every cooperative member or every director, manager, and
55.20 general partner of a cannabis business.

55.21 Sec. 61. Minnesota Statutes 2023 Supplement, section 342.31, subdivision 4, is amended
55.22 to read:

55.23 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
55.24 cannabis manufacturer license may also hold a cannabis cultivator license, ~~a medical cannabis~~
55.25 ~~cultivator license~~, ~~a medical cannabis processor license~~, and a cannabis event organizer
55.26 license.

55.27 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
55.28 cannabis manufacturer license may own or operate any other cannabis business or hemp
55.29 business. This prohibition does not prevent transportation of cannabis flower from a cannabis
55.30 cultivator to a cannabis manufacturer licensed to the same person, cooperative, or business
55.31 and located on the same premises.

56.1 (c) The office by rule may limit the number of cannabis manufacturer licenses that a
56.2 person or business may hold.

56.3 (d) For purposes of this subdivision, a restriction on the number or type of license that
56.4 a business may hold applies to every cooperative member or every director, manager, and
56.5 general partner of a cannabis business.

56.6 Sec. 62. Minnesota Statutes 2023 Supplement, section 342.32, subdivision 4, is amended
56.7 to read:

56.8 Subd. 4. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
56.9 cannabis retailer license may also hold a cannabis delivery service license, ~~a medical cannabis~~
56.10 ~~retailer license~~, and a cannabis event organizer license.

56.11 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
56.12 cannabis retailer license may own or operate any other cannabis business or hemp business.

56.13 (c) No person, cooperative, or business may hold a license to own or operate more than
56.14 one cannabis retail business in one city and three retail businesses in one county.

56.15 (d) The office by rule may limit the number of cannabis retailer licenses a person,
56.16 cooperative, or business may hold.

56.17 (e) For purposes of this subdivision, a restriction on the number or type of license a
56.18 business may hold applies to every cooperative member or every director, manager, and
56.19 general partner of a cannabis business.

56.20 Sec. 63. Minnesota Statutes 2023 Supplement, section 342.35, subdivision 1, is amended
56.21 to read:

56.22 Subdivision 1. **Authorized actions.** A cannabis transporter license entitles the license
56.23 holder to transport immature cannabis plants and seedlings, cannabis flower, cannabis
56.24 products, artificially derived cannabinoids, hemp plant parts, hemp concentrate,
56.25 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
56.26 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
56.27 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis retailers~~,
56.28 ~~medical cannabis processors~~, and industrial hemp growers to cannabis microbusinesses,
56.29 cannabis mezzobusinesses, cannabis manufacturers, cannabis testing facilities, cannabis
56.30 wholesalers, cannabis retailers, lower-potency hemp edible retailers, ~~medical cannabis~~
56.31 ~~processors~~, ~~medical cannabis retailers~~, and medical cannabis combination businesses and
56.32 perform other actions approved by the office.

57.1 Sec. 64. Minnesota Statutes 2023 Supplement, section 342.37, subdivision 1, is amended
57.2 to read:

57.3 Subdivision 1. **Authorized actions.** A cannabis testing facility license entitles the license
57.4 holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis
57.5 products, hemp plant parts, hemp concentrate, artificially derived cannabinoids,
57.6 lower-potency hemp edibles, and hemp-derived consumer products from cannabis
57.7 microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,
57.8 cannabis wholesalers, lower-potency hemp edible manufacturers, ~~medical cannabis~~
57.9 ~~cultivators, medical cannabis processors,~~ medical cannabis combination businesses, and
57.10 industrial hemp growers.

57.11 Sec. 65. Minnesota Statutes 2023 Supplement, section 342.40, subdivision 7, is amended
57.12 to read:

57.13 Subd. 7. **Cannabis event sales.** (a) Cannabis microbusinesses with a retail endorsement,
57.14 cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis
57.15 combination businesses operating a retail location, and lower-potency hemp edible retailers,
57.16 including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use
57.17 cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived
57.18 consumer products to customers at a cannabis event.

57.19 (b) All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products,
57.20 lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must
57.21 take place in a retail area as designated in the premises diagram.

57.22 (c) Authorized retailers may only conduct sales within their specifically assigned area.

57.23 (d) Authorized retailers must verify the age of all customers pursuant to section 342.27,
57.24 subdivision 4, before completing a sale and may not sell cannabis plants, adult-use cannabis
57.25 flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer
57.26 products to an individual under 21 years of age.

57.27 (e) Authorized retailers may display one sample of each type of cannabis plant, adult-use
57.28 cannabis flower, adult-use cannabis product, lower-potency hemp edible, and hemp-derived
57.29 consumer product available for sale. Samples of adult-use cannabis and adult-use cannabis
57.30 products must be stored in a sample jar or display case and be accompanied by a label or
57.31 notice containing the information required to be affixed to the packaging or container
57.32 containing adult-use cannabis flower and adult-use cannabis products sold to customers. A
57.33 sample may not consist of more than eight grams of adult-use cannabis flower or adult-use

58.1 cannabis concentrate, or an edible cannabis product infused with more than 100 milligrams
58.2 of tetrahydrocannabinol. A cannabis retailer may allow customers to smell the adult-use
58.3 cannabis flower or adult-use cannabis product before purchase.

58.4 (f) The notice requirements under section 342.27, subdivision 6, apply to authorized
58.5 retailers offering cannabis plants, adult-use cannabis flower, adult-use cannabinoid products,
58.6 and hemp-derived consumer products for sale at a cannabis event.

58.7 (g) Authorized retailers may not:

58.8 (1) sell adult-use cannabis flower, adult-use cannabis products, lower-potency hemp
58.9 edibles, or hemp-derived consumer products to a person who is visibly intoxicated;

58.10 (2) knowingly sell more cannabis plants, adult-use cannabis flower, adult-use cannabis
58.11 products, lower-potency hemp edibles, or hemp-derived consumer products than a customer
58.12 is legally permitted to possess;

58.13 (3) sell medical cannabis flower or medical cannabinoid products;

58.14 (4) give away cannabis plants, cannabis flower, cannabis products, lower-potency hemp
58.15 edibles, or hemp-derived consumer products; or

58.16 (5) allow for the dispensing of cannabis plants, cannabis flower, cannabis products,
58.17 lower-potency hemp edibles, or hemp-derived consumer products in vending machines.

58.18 (h) Except for samples of a cannabis plant, adult-use cannabis flower, adult-use cannabis
58.19 product, lower-potency hemp edible, and hemp-derived consumer product, all cannabis
58.20 plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles,
58.21 and hemp-derived consumer products for sale at a cannabis event must be stored in a secure,
58.22 locked container that is not accessible to the public. Such items being stored at a cannabis
58.23 event shall not be left unattended.

58.24 (i) All cannabis plants, adult-use cannabis flower, adult-use cannabis products,
58.25 lower-potency hemp edibles, and hemp-derived consumer products for sale at a cannabis
58.26 event must comply with this chapter and rules adopted pursuant to this chapter regarding
58.27 the testing, packaging, and labeling of those items.

58.28 (j) All cannabis plants, adult-use cannabis flower, and adult-use cannabis products sold,
58.29 damaged, or destroyed at a cannabis event must be recorded in the statewide monitoring
58.30 system.

59.1 Sec. 66. Minnesota Statutes 2023 Supplement, section 342.41, subdivision 3, is amended
59.2 to read:

59.3 Subd. 3. **Multiple licenses; limits.** (a) A person, cooperative, or business holding a
59.4 cannabis delivery service license may also hold a cannabis retailer license, a cannabis
59.5 wholesaler license, a cannabis transporter license, and a cannabis event organizer license;
59.6 ~~and a medical cannabis retailer license~~ subject to the ownership limitations that apply to
59.7 those licenses.

59.8 (b) Except as provided in paragraph (a), no person, cooperative, or business holding a
59.9 cannabis delivery service license may own or operate any other cannabis business or hemp
59.10 business.

59.11 (c) The office by rule may limit the number of cannabis delivery service licenses that a
59.12 person or business may hold.

59.13 (d) For purposes of this subdivision, a restriction on the number or type of license that
59.14 a business may hold applies to every cooperative member or every director, manager, and
59.15 general partner of a cannabis business.

59.16 Sec. 67. Minnesota Statutes 2023 Supplement, section 342.46, subdivision 8, is amended
59.17 to read:

59.18 Subd. 8. **On-site consumption.** (a) A lower-potency hemp edible retailer may permit
59.19 on-site consumption of lower-potency hemp edibles on a portion of its premises if it has an
59.20 on-site consumption endorsement.

59.21 (b) The office shall issue an on-site consumption endorsement to any lower-potency
59.22 hemp edible retailer that also holds an on-sale license issued under chapter 340A.

59.23 (c) A lower-potency hemp edible retailer must ensure that lower-potency hemp edibles
59.24 sold for on-site consumption comply with this chapter and rules adopted pursuant to this
59.25 chapter regarding testing.

59.26 (d) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency
59.27 hemp edibles that are intended to be consumed as a beverage, must be served in the required
59.28 packaging, but may be removed from the products' packaging by customers and consumed
59.29 on site.

59.30 (e) Lower-potency hemp edibles that are intended to be consumed as a beverage may
59.31 be served outside of their packaging provided that the information that is required to be
59.32 contained on the label of a lower-potency hemp edible is posted or otherwise displayed by

60.1 the lower-potency hemp edible retailer. Hemp workers who serve beverages under this
 60.2 paragraph are not required to obtain an edible cannabinoid product handler endorsement
 60.3 under section 342.07, subdivision 3.

60.4 (f) Food and beverages not otherwise prohibited by this subdivision may be prepared
 60.5 and sold on site provided that the lower-potency hemp edible retailer complies with all
 60.6 relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

60.7 (g) A lower-potency hemp edible retailer may offer recorded or live entertainment
 60.8 provided that the lower-potency hemp edible retailer complies with all relevant state and
 60.9 local laws, ordinances, licensing requirements, and zoning requirements.

60.10 (h) In addition to the prohibitions under subdivision 7, a lower-potency hemp edible
 60.11 retailer with an on-site consumption endorsement may not:

60.12 (1) sell, give, furnish, or in any way procure for another lower-potency hemp edibles to
 60.13 ~~a customer who the lower-potency hemp edible retailer knows or reasonably should know~~
 60.14 ~~is intoxicated or has consumed alcohol within the previous five hours~~ for the use of an
 60.15 obviously intoxicated person;

60.16 (2) sell lower-potency hemp edibles that are designed or reasonably expected to be mixed
 60.17 with an alcoholic beverage; or

60.18 (3) permit lower-potency hemp edibles that have been removed from the products'
 60.19 packaging to be removed from the premises of the lower-potency hemp edible retailer.

60.20 Sec. 68. **[342.465] LOWER-POTENCY HEMP EDIBLES; PROHIBITED CONDUCT.**

60.21 No person may sell, give, furnish, or in any way procure for another lower-potency hemp
 60.22 edibles for the use of an obviously intoxicated person.

60.23 Sec. 69. Minnesota Statutes 2023 Supplement, section 342.51, is amended to read:

60.24 **342.51 MEDICAL CANNABIS RETAILERS ENDORSEMENTS.**

60.25 Subdivision 1. **Endorsement; authorized actions.** (a) The office may issue a medical
 60.26 cannabis endorsement to a cannabis business authorizing the business to:

60.27 (1) cultivate medical cannabis;

60.28 (2) process medical cannabinoid products; or

60.29 (3) sell or distribute medical cannabis flower and medical cannabinoid products to any
 60.30 person authorized to receive medical cannabis flower or medical cannabinoid products.

61.1 (b) The office must issue a medical cannabis cultivation endorsement to a cannabis
61.2 license holder if the license holder:

61.3 (1) is authorized to cultivate cannabis;

61.4 (2) submits a medical cannabis endorsement application to the office; and

61.5 (3) otherwise meets all applicable requirements established by the office.

61.6 (c) A medical cannabis cultivation endorsement entitles the license holder to grow
61.7 cannabis plants within the approved amount of space from seed or immature plant to mature
61.8 plant, harvest cannabis flower from a mature plant, package and label cannabis flower as
61.9 medical cannabis flower, sell medical cannabis flower to cannabis businesses with a medical
61.10 cannabis endorsement, and perform other actions approved by the office.

61.11 (d) The office must issue a medical cannabis processor endorsement to a cannabis license
61.12 holder if the license holder:

61.13 (1) is authorized to manufacture cannabis products;

61.14 (2) submits a medical cannabis endorsement application to the office; and

61.15 (3) otherwise meets all applicable requirements established by the office.

61.16 (e) A medical cannabis processor endorsement entitles the license holder to:

61.17 (1) purchase medical cannabis flower, medical cannabinoid products, hemp plant parts,
61.18 and hemp concentrate from cannabis businesses with a medical cannabis cultivator
61.19 endorsement or a medical cannabis processor endorsement;

61.20 (2) purchase hemp plant parts from industrial hemp growers;

61.21 (3) make cannabis concentrate from medical cannabis flower;

61.22 (4) make hemp concentrate, including hemp concentrate with a delta-9
61.23 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

61.24 (5) manufacture medical cannabinoid products;

61.25 (6) package and label medical cannabinoid products for sale to cannabis businesses with
61.26 a medical cannabis processor endorsement or a medical cannabis retailer endorsement; and

61.27 (7) perform other actions approved by the office.

61.28 (f) The office must issue a medical cannabis retailer endorsement to a cannabis license
61.29 holder if the license holder:

61.30 (1) submits a medical cannabis retail endorsement application to the office;

62.1 (2) has at least one employee who earned a medical cannabis consultant certificate issued
 62.2 by the office and has completed the required training or has at least one employee who is
 62.3 a licensed pharmacist under chapter 151; and

62.4 (3) otherwise meets all applicable requirements established by the office.

62.5 (g) A medical cannabis ~~retailer license~~ retail endorsement entitles the license holder to
 62.6 purchase medical cannabis flower and medical cannabinoid products from ~~medical cannabis~~
 62.7 ~~cultivators and medical cannabis processors~~ cannabis businesses with medical cannabis
 62.8 cultivator endorsements and medical cannabis processor endorsements, and sell or distribute
 62.9 medical cannabis flower ~~and~~, medical cannabinoid products, and associated paraphernalia
 62.10 to any person authorized to receive medical cannabis flower or medical cannabinoid products.

62.11 ~~(b)~~ (h) A medical cannabis ~~retailer license holder~~ business with a medical cannabis retail
 62.12 endorsement must verify that all medical cannabis flower and medical cannabinoid products
 62.13 have passed safety, potency, and consistency testing at a cannabis testing facility approved
 62.14 by the office for the testing of medical cannabis flower and medical cannabinoid products
 62.15 before the ~~medical cannabis retailer~~ cannabis business with a medical cannabis retail
 62.16 endorsement may distribute the medical cannabis flower or medical cannabinoid product
 62.17 to any person ~~authorized to receive medical cannabis flower or medical cannabinoid products~~
 62.18 enrolled in the registry program.

62.19 **Subd. 2. Distribution requirements.** (a) Prior to distribution of medical cannabis flower
 62.20 or medical cannabinoid products, ~~a medical cannabis retailer licensee~~ to a person enrolled
 62.21 in the registry program, an employee with a valid medical cannabis consultant certificate
 62.22 issued by the office or a licensed pharmacist under chapter 151 must:

62.23 (1) review and confirm the patient's enrollment in the registry ~~verification~~ program;

62.24 (2) verify that the person requesting the distribution of medical cannabis flower or
 62.25 medical cannabinoid products is the patient, the patient's registered designated caregiver,
 62.26 or the patient's parent, legal guardian, or spouse using the procedures ~~specified in section~~
 62.27 ~~152.11, subdivision 2d~~ established by the office;

62.28 ~~(3) ensure that a pharmacist employee of the medical cannabis retailer has consulted~~
 62.29 ~~with the patient if required according to subdivision 3; and~~

62.30 (3) provide consultation to the patient to determine the proper medical cannabis flower
 62.31 or medical cannabinoid product, dosage, and paraphernalia for the patient if required under
 62.32 subdivision 3;

63.1 (4) apply a patient-specific label on the medical cannabis flower or medical cannabinoid
 63.2 product that includes recommended dosage requirements and other information as required
 63.3 ~~by rules adopted~~ by the office; and

63.4 (5) provide the patient with any other information required by the office.

63.5 (b) A cannabis business with a medical cannabis ~~retailer~~ retail endorsement may not
 63.6 deliver medical cannabis flower or medical cannabinoid products to a person enrolled in
 63.7 the registry program unless the cannabis business with a medical cannabis ~~retailer~~ retail
 63.8 endorsement also holds a cannabis delivery service license. The delivery of medical cannabis
 63.9 flower and medical cannabinoid products are subject to the provisions of section 342.42.

63.10 Subd. 3. **Final approval for distribution of medical cannabis flower and medical**
 63.11 **cannabinoid products.** (a) A cannabis worker who is employed by a cannabis business
 63.12 with a medical cannabis ~~retailer~~ and retail endorsement who is licensed as a pharmacist
 63.13 pursuant to chapter 151 ~~shall be~~ or certified as a medical cannabis consultant by the office
 63.14 is the only person who may give final approval for the distribution of medical cannabis
 63.15 flower and medical cannabinoid products. Prior to the distribution of medical cannabis
 63.16 flower or medical cannabinoid products, a pharmacist or certified medical cannabis consultant
 63.17 employed by the cannabis business with a medical cannabis ~~retailer~~ retail endorsement must
 63.18 consult with the patient to determine the proper type of medical cannabis flower, medical
 63.19 cannabinoid product, or medical cannabis paraphernalia, and the proper dosage for the
 63.20 patient after reviewing the range of chemical compositions of medical cannabis flower or
 63.21 medical cannabinoid product; intended for distribution:

63.22 (1) if the patient is purchasing the medical cannabis flower or medical cannabinoid
 63.23 product for the first time;

63.24 (2) if the patient purchases medical cannabis flower or a medical cannabinoid product
 63.25 that the patient must administer using a different method than the patient's previous method
 63.26 of administration;

63.27 (3) if the patient purchases medical cannabis flower or a medical cannabinoid product
 63.28 with a cannabinoid concentration of at least double the patient's prior dosage; or

63.29 (4) upon the request of the patient.

63.30 (b) For purposes of this subdivision, a consultation may be conducted remotely by secure
 63.31 videoconference, telephone, or other remote means, as long as:

63.32 (1) the pharmacist or consultant engaging in the consultation is able to confirm the
 63.33 identity of the patient; and

64.1 (2) the consultation adheres to patient privacy requirements that apply to health care
64.2 services delivered through telemedicine.

64.3 ~~(b) Notwithstanding paragraph (a), a pharmacist consultation is not required prior to the~~
64.4 ~~distribution of medical cannabis flower or medical cannabinoid products when a medical~~
64.5 ~~cannabis retailer is distributing medical cannabis flower or medical cannabinoid products~~
64.6 ~~to a patient according to a patient-specific dosage plan established with that medical cannabis~~
64.7 ~~retailer and is not modifying the dosage or product being distributed under that plan. Medical~~
64.8 ~~cannabis flower or medical cannabinoid products distributed under this paragraph must be~~
64.9 ~~distributed by a pharmacy technician employed by the medical cannabis retailer.~~

64.10 ~~Subd. 4. **90-day supply.** A medical cannabis retailer shall not distribute more than a~~
64.11 ~~90-day supply of medical cannabis flower or medical cannabinoid products to a patient,~~
64.12 ~~registered designated caregiver, or parent, legal guardian, or spouse of a patient according~~
64.13 ~~to the dosages established for the individual patient.~~

64.14 **Subd. 5. Distribution to recipient in a motor vehicle.** A cannabis business with a
64.15 ~~medical cannabis retailer~~ retail endorsement may distribute medical cannabis flower and
64.16 medical cannabinoid products to a ~~patient, registered designated caregiver, or parent, legal~~
64.17 ~~guardian, or spouse of a patient~~ person enrolled in the registry program who is at a dispensary
64.18 location but remains in a motor vehicle, provided that:

64.19 (1) staff receive payment and distribute medical cannabis flower and medical cannabinoid
64.20 products in a designated zone that is as close as feasible to the front door of the facility;

64.21 (2) the cannabis business with a medical cannabis ~~retailer~~ retail endorsement ensures
64.22 that the receipt of payment and distribution of medical cannabis flower and medical
64.23 cannabinoid products are visually recorded by a closed-circuit television surveillance camera
64.24 and provides any other necessary security safeguards;

64.25 (3) the cannabis business with a medical cannabis ~~retailer~~ retail endorsement does not
64.26 store medical cannabis flower or medical cannabinoid products outside a restricted access
64.27 area and staff transport medical cannabis flower and medical cannabinoid products from a
64.28 restricted access area to the designated zone for distribution only after confirming that the
64.29 ~~patient, designated caregiver, or parent, guardian, or spouse~~ person enrolled in the registry
64.30 program has arrived in the designated zone;

64.31 (4) the payment for and distribution of medical cannabis flower and medical cannabinoid
64.32 products take place only after a ~~pharmacist consultation takes place, if required under~~
64.33 ~~subdivision 3~~ meeting the requirements in subdivision 2;

65.1 (5) immediately following the distribution of medical cannabis flower or medical
65.2 cannabinoid products, staff ~~enter~~ record the transaction in the statewide monitoring system;
65.3 and

65.4 (6) immediately following the distribution of medical cannabis flower and medical
65.5 cannabinoid products, staff take the payment received into the facility.

65.6 **EFFECTIVE DATE.** This section is effective July 1, 2025.

65.7 Sec. 70. Minnesota Statutes 2023 Supplement, section 342.515, subdivision 1, is amended
65.8 to read:

65.9 Subdivision 1. **Authorized actions.** (a) A person, cooperative, or business holding a
65.10 medical cannabis combination business license is prohibited from owning or operating any
65.11 other cannabis business or hemp business.

65.12 (b) A person or business may hold only one medical cannabis combination business
65.13 license.

65.14 (c) A medical cannabis combination business license entitles the license holder to perform
65.15 any or all of the following within the limits established by this section:

65.16 (1) grow cannabis plants from seed or immature plant to mature plant and harvest
65.17 adult-use cannabis flower and medical cannabis flower from a mature plant;

65.18 (2) make cannabis concentrate;

65.19 (3) make hemp concentrate, including hemp concentrate with a delta-9
65.20 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;

65.21 (4) manufacture artificially derived cannabinoids;

65.22 (5) manufacture medical cannabinoid products;

65.23 (6) manufacture adult-use cannabis products, lower-potency hemp edibles, and
65.24 hemp-derived consumer products for public consumption;

65.25 (7) purchase immature cannabis plants and seedlings and cannabis flower from a cannabis
65.26 microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler,
65.27 ~~a medical cannabis cultivator,~~ or another medical cannabis combination business;

65.28 (8) purchase hemp plant parts and propagules from an industrial hemp grower licensed
65.29 under chapter 18K;

65.30 (9) purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids
65.31 from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a

66.1 cannabis wholesaler, ~~a medical cannabis processor~~, or another medical cannabis combination
66.2 business;

66.3 (10) purchase hemp concentrate from an industrial hemp processor licensed under chapter
66.4 18K;

66.5 (11) package and label medical cannabis flower and medical cannabinoid products for
66.6 sale to cannabis businesses with a medical cannabis processors processor endorsement,
66.7 cannabis businesses with a medical cannabis retailers retail endorsement, other medical
66.8 cannabis combination businesses, and patients-enrolled persons in the registry program,
66.9 ~~registered designated caregivers, and parents, legal guardians, and spouses of an enrolled~~
66.10 ~~patient~~;

66.11 (12) package and label adult-use cannabis flower, adult-use cannabis products,
66.12 lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;

66.13 (13) sell medical cannabis flower and medical cannabinoid products to patients enrolled
66.14 in the registry program, registered designated caregivers, and parents, legal guardians, and
66.15 spouses of an enrolled patient;

66.16 (14) sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use
66.17 cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and
66.18 other products authorized by law to other cannabis businesses and to customers; and

66.19 (15) perform other actions approved by the office.

66.20 Sec. 71. Minnesota Statutes 2023 Supplement, section 342.515, is amended by adding a
66.21 subdivision to read:

66.22 **Subd. 7. Transportation between facilities.** A medical cannabis combination business
66.23 may transport immature cannabis plants and seedlings, cannabis flower, cannabis products,
66.24 artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp
66.25 edibles, and hemp-derived consumer products between facilities operated by the medical
66.26 cannabis combination business provided the medical cannabis combination business:

66.27 (1) provides the office the information described in section 342.35, subdivision 2; and

66.28 (2) complies with the requirements of section 342.36.

67.1 Sec. 72. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 1, is amended
67.2 to read:

67.3 Subdivision 1. **Administration.** The ~~Division of Medical Cannabis~~ office must administer
67.4 the medical cannabis patient registry program.

67.5 **EFFECTIVE DATE.** This section is effective July 1, 2025.

67.6 Sec. 73. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 2, is amended
67.7 to read:

67.8 Subd. 2. **Application procedure for patients.** (a) A patient seeking to enroll in the
67.9 registry program must submit to the ~~Division of Medical Cannabis~~ office an application
67.10 established by the ~~Division of Medical Cannabis~~ office and a copy of the certification
67.11 specified in paragraph (b) or, if the patient is a veteran who receives care from the United
67.12 States Department of Veterans Affairs, the information required pursuant to subdivision 3.
67.13 The patient must provide at least the following information in the application:

67.14 (1) the patient's name, mailing address, and date of birth;

67.15 (2) the name, mailing address, and telephone number of the patient's health care
67.16 practitioner;

67.17 (3) the name, mailing address, and date of birth of the patient's registered designated
67.18 caregiver, if any, or the patient's parent, legal guardian, or spouse if the parent, legal guardian,
67.19 or spouse will be acting as the patient's caregiver;

67.20 (4) a disclosure signed by the patient that includes:

67.21 (i) a statement that, notwithstanding any law to the contrary, the office ~~of Cannabis~~
67.22 ~~Management, the Division of Medical Cannabis,~~ or an employee of the office ~~of Cannabis~~
67.23 ~~Management or Division of Medical Cannabis~~ may not be held civilly or criminally liable
67.24 for any injury, loss of property, personal injury, or death caused by an act or omission while
67.25 acting within the employee's scope of office or employment under this section; and

67.26 (ii) the patient's acknowledgment that enrollment in the registry program is conditional
67.27 on the patient's agreement to meet all other requirements of this section; and

67.28 (5) all other information required by the ~~Division of Medical Cannabis~~ office.

67.29 (b) As part of the application under this subdivision, a patient must submit a copy of a
67.30 certification from the patient's health care practitioner that is dated within 90 days prior to
67.31 the submission of the application and that certifies that the patient has been diagnosed with
67.32 a qualifying medical condition.

68.1 (c) A patient's health care practitioner may submit a statement to the ~~Division of Medical~~
68.2 ~~Cannabis~~ office declaring that the patient is no longer diagnosed with a qualifying medical
68.3 condition. Within 30 days after receipt of a statement from a patient's health care practitioner,
68.4 the ~~Division of Medical Cannabis~~ office must provide written notice to a patient stating that
68.5 the patient's enrollment in the registry program will be revoked in 30 days unless the patient
68.6 submits a certification from a health care practitioner that the patient is currently diagnosed
68.7 with a qualifying medical condition or, if the patient is a veteran, the patient submits
68.8 confirmation that the patient is currently diagnosed with a qualifying medical condition in
68.9 a form and manner consistent with the information required for an application made pursuant
68.10 to subdivision 3. If the ~~Division of Medical Cannabis~~ office revokes a patient's enrollment
68.11 in the registry program pursuant to this paragraph, the division must provide notice to the
68.12 patient and to the patient's health care practitioner.

68.13 **EFFECTIVE DATE.** This section is effective July 1, 2025.

68.14 Sec. 74. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 3, is amended
68.15 to read:

68.16 Subd. 3. **Application procedure for veterans.** (a) The ~~Division of Medical Cannabis~~
68.17 office shall establish an alternative certification procedure for veterans who receive care
68.18 from the United States Department of Veterans Affairs to confirm that the veteran has been
68.19 diagnosed with a qualifying medical condition.

68.20 (b) A patient who is also a veteran and is seeking to enroll in the registry program must
68.21 submit to the ~~Division of Medical Cannabis~~ office an application established by the ~~Division~~
68.22 ~~of Medical Cannabis~~ office that includes the information identified in subdivision 2,
68.23 paragraph (a), and the additional information required by the ~~Division of Medical Cannabis~~
68.24 office to certify that the patient has been diagnosed with a qualifying medical condition.

68.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

68.26 Sec. 75. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 4, is amended
68.27 to read:

68.28 Subd. 4. **Enrollment; denial of enrollment; revocation.** (a) Within 30 days after the
68.29 receipt of an application and certification or other documentation of a diagnosis with a
68.30 qualifying medical condition, the ~~Division of Medical Cannabis~~ office must approve or
68.31 deny a patient's enrollment in the registry program. If the ~~Division of Medical Cannabis~~
68.32 office approves a patient's enrollment in the registry program, the office must provide notice
68.33 to the patient and to the patient's health care practitioner.

69.1 (b) The office may deny a patient's enrollment in the registry program ~~must only be~~
69.2 ~~denied~~ only if the patient:

69.3 (1) does not submit a certification from a health care practitioner or, if the patient is a
69.4 veteran, the documentation required under subdivision 3 that the patient has been diagnosed
69.5 with a qualifying medical condition;

69.6 (2) has not signed the disclosure required in subdivision 2;

69.7 (3) does not provide the information required by the ~~Division of Medical Cannabis~~
69.8 office;

69.9 (4) provided false information on the application; or

69.10 (5) at the time of application, is also enrolled in a federally approved clinical trial for
69.11 the treatment of a qualifying medical condition with medical cannabis.

69.12 (c) If the ~~Division of Medical Cannabis~~ office denies a patient's enrollment in the registry
69.13 program, the ~~Division of Medical Cannabis~~ office must provide written notice to a patient
69.14 of all reasons for denying enrollment. Denial of enrollment in the registry program is
69.15 considered a final decision of the office and is subject to judicial review under chapter 14.

69.16 (d) The office may revoke a patient's enrollment in the registry program ~~may be revoked~~
69.17 only:

69.18 (1) pursuant to subdivision 2, paragraph (c);

69.19 (2) upon the death of the patient;

69.20 (3) if the patient's certifying health care practitioner has filed a declaration under
69.21 subdivision 2, paragraph (c), that the patient's qualifying diagnosis no longer exists and the
69.22 patient does not submit another certification within 30 days;

69.23 (4) if the patient does not comply with subdivision 6; or

69.24 (5) if the patient intentionally sells or diverts medical cannabis flower or medical
69.25 cannabinoid products in violation of this chapter.

69.26 (e) If the office has revoked a patient's enrollment in the registry program ~~has been~~
69.27 ~~revoked~~ due to a violation of subdivision 6, the patient may apply for enrollment 12 months
69.28 after the date on which the patient's enrollment was revoked. The office must process such
69.29 an application in accordance with this subdivision.

69.30 **EFFECTIVE DATE.** This section is effective July 1, 2025.

70.1 Sec. 76. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 5, is amended
70.2 to read:

70.3 Subd. 5. **Registry verification.** When a patient is enrolled in the registry program, the
70.4 ~~Division of Medical Cannabis office~~ must assign the patient a patient registry number and
70.5 must issue the patient and the patient's registered designated caregiver, parent, legal guardian,
70.6 or spouse, if applicable, a registry verification. The ~~Division of Medical Cannabis office~~
70.7 must also make the registry verification available to ~~medical cannabis retailers~~ businesses
70.8 with a medical cannabis retail endorsement. The registry verification must include:

70.9 (1) the patient's name and date of birth;

70.10 (2) the patient registry number assigned to the patient; and

70.11 (3) the name and date of birth of the patient's registered designated caregiver, if any, or
70.12 the name of the patient's parent, legal guardian, or spouse if the parent, legal guardian, or
70.13 spouse will act as a caregiver.

70.14 **EFFECTIVE DATE.** This section is effective July 1, 2025.

70.15 Sec. 77. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 9, is amended
70.16 to read:

70.17 Subd. 9. **Registered designated caregiver.** (a) The ~~Division of Medical Cannabis office~~
70.18 must register a designated caregiver for a patient if the patient requires assistance in
70.19 administering medical cannabis flower or medical cannabinoid products ~~or in~~; obtaining
70.20 medical cannabis flower, medical cannabinoid products, or medical cannabis paraphernalia
70.21 from a cannabis business with a medical cannabis retailer retail endorsement; or cultivating
70.22 cannabis plants as permitted by section 342.09, subdivision 2, paragraph (b).

70.23 (b) In order to serve as a designated caregiver, a person must:

70.24 (1) be at least 18 years of age;

70.25 (2) agree to only possess the patient's medical cannabis flower and medical cannabinoid
70.26 products for purposes of assisting the patient; and

70.27 (3) agree that if the application is approved, the person will not serve as a registered
70.28 designated caregiver for more than six registered patients at one time. Patients who reside
70.29 in the same residence count as one patient.

70.30 (c) ~~The office shall conduct a criminal background check on the designated caregiver~~
70.31 ~~prior to registration to ensure that the person does not have a conviction for a disqualifying~~
70.32 ~~felony offense. Any cost of the background check shall be paid by the person seeking~~

71.1 ~~registration as a designated caregiver. A designated caregiver must have the criminal~~
 71.2 ~~background check renewed every two years.~~

71.3 ~~(d)~~ (c) Nothing in this section shall be construed to prevent a registered designated
 71.4 caregiver from being enrolled in the registry program as a patient and possessing and
 71.5 administering medical cannabis flower or medical cannabinoid products as a patient.

71.6 (d) Notwithstanding any law to the contrary, a registered designated caregiver approved
 71.7 to assist a patient enrolled in the registry program with obtaining medical cannabis flower
 71.8 may cultivate cannabis plants on behalf of one patient. The registered designated caregiver
 71.9 may grow up to eight cannabis plants for the patient household that the registered designated
 71.10 caregiver is approved to assist with obtaining medical cannabis flower. If a patient enrolled
 71.11 in the registry program directs the patient's registered designated caregiver to cultivate
 71.12 cannabis plants on behalf of the patient, the patient must assign the patient's right to cultivate
 71.13 cannabis plants to the registered designated caregiver and the patient is prohibited from
 71.14 cultivating cannabis plants for personal use. Nothing in this paragraph limits the right of a
 71.15 registered designated caregiver cultivating cannabis plants on behalf of a patient enrolled
 71.16 in the registry program to also cultivate cannabis plants for personal use pursuant to section
 71.17 342.09, subdivision 2.

71.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.

71.19 Sec. 78. Minnesota Statutes 2023 Supplement, section 342.52, subdivision 11, is amended
 71.20 to read:

71.21 Subd. 11. **Notice of change of name or address.** Patients and registered designated
 71.22 caregivers must notify the ~~Division of Medical Cannabis~~ office of any address or name
 71.23 change within 30 days of the change having occurred. A patient or registered designated
 71.24 caregiver is subject to a \$100 fine for failure to notify the office of the change.

71.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

71.26 Sec. 79. Minnesota Statutes 2023 Supplement, section 342.54, is amended to read:

71.27 **342.54 DUTIES OF ~~DIVISION OF MEDICAL CANNABIS~~ OFFICE OF**
 71.28 **CANNABIS MANAGEMENT; REGISTRY PROGRAM.**

71.29 Subdivision 1. **Duties related to health care practitioners.** The ~~Division of Medical~~
 71.30 ~~Cannabis~~ office must:

71.31 (1) provide notice of the registry program to health care practitioners in the state;

72.1 (2) allow health care practitioners to participate in the registry program if they request
72.2 to participate and meet the program's requirements;

72.3 (3) provide explanatory information and assistance to health care practitioners to
72.4 understand the nature of the therapeutic use of medical cannabis flower and medical
72.5 cannabinoid products within program requirements;

72.6 (4) make available to participating health care practitioners a certification form in which
72.7 a health care practitioner certifies that a patient has a qualifying medical condition; and

72.8 (5) supervise the participation of health care practitioners in the registry reporting system
72.9 in which health care practitioners report patient treatment and health records information
72.10 to the office in a manner that ensures stringent security and record keeping requirements
72.11 and that prevents the unauthorized release of private data on individuals as defined in section
72.12 13.02.

72.13 Subd. 2. **Duties related to the registry program.** The ~~Division of Medical Cannabis~~
72.14 office must:

72.15 (1) administer the registry program according to section 342.52;

72.16 (2) provide information to patients enrolled in the registry program on the existence of
72.17 federally approved clinical trials for the treatment of the patient's qualifying medical condition
72.18 with medical cannabis flower or medical cannabinoid products as an alternative to enrollment
72.19 in the registry program;

72.20 (3) maintain safety criteria with which patients must comply as a condition of participation
72.21 in the registry program to prevent patients from undertaking any task under the influence
72.22 of medical cannabis flower or medical cannabinoid products that would constitute negligence
72.23 or professional malpractice;

72.24 (4) review and publicly report on existing medical and scientific literature regarding the
72.25 range of recommended dosages for each qualifying medical condition, the range of chemical
72.26 compositions of medical cannabis flower and medical cannabinoid products that will likely
72.27 be medically beneficial for each qualifying medical condition, and any risks of noncannabis
72.28 drug interactions. This information must be updated by December 1 of each year. The office
72.29 may consult with an independent laboratory under contract with the office or other experts
72.30 in reporting and updating this information; and

72.31 (5) annually consult with cannabis businesses about medical cannabis that the businesses
72.32 cultivate, manufacture, and offer for sale and post on the ~~Division of Medical Cannabis~~

73.1 office website a list of the medical cannabis flower and medical cannabinoid products offered
 73.2 for sale by each cannabis business with a medical cannabis retailer endorsement.

73.3 Subd. 3. **Research.** (a) The ~~Division of Medical Cannabis~~ office must conduct or contract
 73.4 with a third party to conduct research and studies using data from health records submitted
 73.5 to the registry program under section 342.55, subdivision 2, and data submitted to the registry
 73.6 program under section 342.52, subdivisions 2 and 3. If the ~~division~~ office contracts with a
 73.7 third party for research and studies, the third party must provide the ~~division~~ office with
 73.8 access to all research and study results. The ~~division~~ office must submit reports on
 73.9 intermediate or final research results to the legislature and major scientific journals. All
 73.10 data used by the ~~division~~ office or a third party under this subdivision must be used or
 73.11 reported in an aggregated nonidentifiable form as part of a scientific peer-reviewed
 73.12 publication of research or in the creation of summary data, as defined in section 13.02,
 73.13 subdivision 19.

73.14 (b) The ~~Division of Medical Cannabis~~ office may submit medical research based on the
 73.15 data collected under sections 342.55, subdivision 2, and data collected through the statewide
 73.16 monitoring system to any federal agency with regulatory or enforcement authority over
 73.17 medical cannabis flower and medical cannabinoid products to demonstrate the effectiveness
 73.18 of medical cannabis flower or medical cannabinoid products for treating or alleviating the
 73.19 symptoms of a qualifying medical condition.

73.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

73.21 Sec. 80. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 1, is amended
 73.22 to read:

73.23 Subdivision 1. **Health care practitioner duties before patient enrollment.** Before a
 73.24 patient's enrollment in the registry program, a health care practitioner must:

73.25 (1) determine, in the health care practitioner's medical judgment, whether a patient has
 73.26 a qualifying medical condition and, if so determined, provide the patient with a certification
 73.27 of that diagnosis;

73.28 (2) advise patients, registered designated caregivers, and parents, legal guardians, and
 73.29 spouses acting as caregivers of any nonprofit patient support groups or organizations;

73.30 (3) provide to patients explanatory information from the ~~Division of Medical Cannabis~~
 73.31 office, including information about the experimental nature of the therapeutic use of medical
 73.32 cannabis flower and medical cannabinoid products; the possible risks, benefits, and side
 73.33 effects of the proposed treatment; and the application and other materials from the office;

74.1 (4) provide to patients a Tennessee warning as required under section 13.04, subdivision
74.2 2; and

74.3 (5) agree to continue treatment of the patient's qualifying medical condition and to report
74.4 findings to the ~~Division of Medical Cannabis~~ office.

74.5 **EFFECTIVE DATE.** This section is effective July 1, 2025.

74.6 Sec. 81. Minnesota Statutes 2023 Supplement, section 342.55, subdivision 2, is amended
74.7 to read:

74.8 Subd. 2. **Duties upon patient's enrollment in registry program.** Upon receiving
74.9 notification from the ~~Division of Medical Cannabis~~ office of the patient's enrollment in the
74.10 registry program, a health care practitioner must:

74.11 (1) participate in the patient registry reporting system under the guidance and supervision
74.12 of the ~~Division of Medical Cannabis~~ office;

74.13 (2) report to the ~~Division of Medical Cannabis~~ office patient health records throughout
74.14 the patient's ongoing treatment in a manner determined by the office and in accordance with
74.15 subdivision 4;

74.16 (3) determine on a yearly basis if the patient continues to have a qualifying medical
74.17 condition and, if so, issue the patient a new certification of that diagnosis. The patient
74.18 assessment conducted under this clause may be conducted via telehealth, as defined in
74.19 section 62A.673, subdivision 2; and

74.20 (4) otherwise comply with requirements established by the office ~~of Cannabis~~
74.21 ~~Management and the Division of Medical Cannabis~~.

74.22 **EFFECTIVE DATE.** This section is effective July 1, 2025.

74.23 Sec. 82. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 1, is amended
74.24 to read:

74.25 Subdivision 1. **Limitations on consumption; locations of consumption.** (a) Nothing
74.26 in sections ~~342.47~~ 342.51 to 342.60 permits any person to engage in, and does not prevent
74.27 the imposition of any civil, criminal, or other penalties for:

74.28 (1) undertaking a task under the influence of medical cannabis flower or medical
74.29 cannabinoid products that would constitute negligence or professional malpractice;

74.30 (2) possessing or consuming medical cannabis flower or medical cannabinoid products:

- 75.1 (i) on a school bus or van;
- 75.2 (ii) in a correctional facility;
- 75.3 (iii) in a state-operated treatment program, including the Minnesota sex offender program;
- 75.4 or
- 75.5 (iv) on the grounds of a child care facility or family or group family day care program;
- 75.6 (3) vaporizing or smoking medical cannabis:
- 75.7 (i) on any form of public transportation;
- 75.8 (ii) where the vapor would be inhaled by a nonpatient minor or where the smoke would
- 75.9 be inhaled by a minor; or
- 75.10 (iii) in any public place, including any indoor or outdoor area used by or open to the
- 75.11 general public or a place of employment, as defined in section 144.413, subdivision 1b; and
- 75.12 (4) operating, navigating, or being in actual physical control of a motor vehicle, aircraft,
- 75.13 train, or motorboat or working on transportation property, equipment, or facilities while
- 75.14 under the influence of medical cannabis flower or a medical cannabinoid product.
- 75.15 (b) Except for the use of medical cannabis flower or medical cannabinoid products, the
- 75.16 vaporizing or smoking of cannabis flower, cannabis products, artificially derived
- 75.17 cannabinoids, or hemp-derived consumer products is prohibited in a multifamily housing
- 75.18 building, including balconies and patios appurtenant thereto. A violation of this paragraph
- 75.19 is punishable through a civil administrative fine in an amount of \$250.

75.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

75.21 Sec. 83. Minnesota Statutes 2023 Supplement, section 342.56, subdivision 2, is amended

75.22 to read:

75.23 Subd. 2. **Health care facilities.** (a) Health care facilities licensed under chapter 144A;

75.24 hospice providers licensed under chapter 144A; boarding care homes or supervised living

75.25 facilities licensed under section 144.50; assisted living facilities under chapter 144G; facilities

75.26 owned, controlled, managed, or under common control with hospitals licensed under chapter

75.27 144; and other health care facilities licensed by the commissioner of health or the

75.28 commissioner of human services may adopt reasonable restrictions on the use of medical

75.29 cannabis flower or medical cannabinoid products by a patient enrolled in the registry program

75.30 who resides at or is actively receiving treatment or care at the facility. The restrictions may

75.31 include a provision that the facility must not store or maintain a patient's supply of medical

75.32 cannabis flower or medical cannabinoid products on behalf of the patient; that a patient

76.1 store the patient's supply of medical cannabis flower or medicinal cannabinoid products in
76.2 a locked container accessible only to the patient, the patient's designated caregiver, or the
76.3 patient's parent, legal guardian, or spouse; that the facility is not responsible for providing
76.4 medical cannabis for patients; and that medical cannabis flower or medical cannabinoid
76.5 products are used only in a location specified by the facility or provider. Nothing in this
76.6 subdivision requires facilities and providers listed in this subdivision to adopt such
76.7 restrictions.

76.8 (b) No facility or provider listed in this subdivision may unreasonably limit a patient's
76.9 access to or use of medical cannabis flower or medical cannabinoid products to the extent
76.10 that such use is authorized under sections ~~342.47~~ 342.51 to 342.59. No facility or provider
76.11 listed in this subdivision may prohibit a patient access to or use of medical cannabis flower
76.12 or medical cannabinoid products due solely to the fact that cannabis is a ~~Schedule I drug~~
76.13 controlled substance pursuant to the federal Uniform Controlled Substances Act. If a federal
76.14 regulatory agency, the United States Department of Justice, or the federal Centers for
76.15 Medicare and Medicaid Services takes one of the following actions, a facility or provider
76.16 may suspend compliance with this paragraph until the regulatory agency, the United States
76.17 Department of Justice, or the federal Centers for Medicare and Medicaid Services notifies
76.18 the facility or provider that it may resume permitting the use of medical cannabis flower or
76.19 medical cannabinoid products within the facility or in the provider's service setting:

76.20 (1) a federal regulatory agency or the United States Department of Justice initiates
76.21 enforcement action against a facility or provider related to the facility's compliance with
76.22 the medical cannabis program; or

76.23 (2) a federal regulatory agency, the United States Department of Justice, or the federal
76.24 Centers for Medicare and Medicaid Services issues a rule or otherwise provides notification
76.25 to the facility or provider that expressly prohibits the use of medical cannabis in health care
76.26 facilities or otherwise prohibits compliance with the medical cannabis program.

76.27 (c) An employee or agent of a facility or provider listed in this subdivision or a person
76.28 licensed under chapter 144E is not violating this chapter or chapter 152 for the possession
76.29 of medical cannabis flower or medical cannabinoid products while carrying out employment
76.30 duties, including providing or supervising care to a patient enrolled in the registry program,
76.31 or distribution of medical cannabis flower or medical cannabinoid products to a patient
76.32 enrolled in the registry program who resides at or is actively receiving treatment or care at
76.33 the facility or from the provider with which the employee or agent is affiliated.

76.34 **EFFECTIVE DATE.** This section is effective July 1, 2025.

77.1 Sec. 84. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 1, is amended
77.2 to read:

77.3 Subdivision 1. **Presumption.** There is a presumption that a patient or other person
77.4 enrolled in the registry program is engaged in the authorized use or possession of medical
77.5 cannabis flower and medical cannabinoid products. This presumption may be rebutted by
77.6 evidence that the ~~patient's use of medical cannabis flower or medical cannabinoid products~~
77.7 use or possession of medical cannabis flower or medical cannabinoid products by a patient
77.8 or other person enrolled in the registry program was not for the purpose of assisting with,
77.9 treating, or alleviating the patient's qualifying medical condition or symptoms associated
77.10 with the patient's qualifying medical condition.

77.11 **EFFECTIVE DATE.** This section is effective July 1, 2025.

77.12 Sec. 85. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 2, is amended
77.13 to read:

77.14 Subd. 2. **Criminal and civil protections.** (a) Subject to section 342.56, the following
77.15 are not violations of this chapter or chapter 152:

77.16 (1) use or possession of medical cannabis flower, medical cannabinoid products, or
77.17 medical cannabis paraphernalia by a patient enrolled in the registry program or by a visiting
77.18 patient to whom medical cannabis flower or medical cannabinoid products are distributed
77.19 under section 342.51, subdivision 5;

77.20 (2) possession of medical cannabis flower, medical cannabinoid products, or medical
77.21 cannabis paraphernalia by a registered designated caregiver or a parent, legal guardian, or
77.22 spouse of a patient enrolled in the registry program; or

77.23 (3) possession of medical cannabis flower, medical cannabinoid products, or medical
77.24 cannabis paraphernalia by any person while carrying out duties required under sections
77.25 ~~342.47~~ 342.51 to 342.60.

77.26 (b) The Office of Cannabis Management, members of the Cannabis Advisory Council,
77.27 Office of Cannabis Management employees, agents or contractors of the Office of Cannabis
77.28 Management, and health care practitioners participating in the registry program are not
77.29 subject to any civil penalties or disciplinary action by the Board of Medical Practice, the
77.30 Board of Nursing, or any business, occupational, or professional licensing board or entity
77.31 solely for participating in the registry program either in a professional capacity or as a
77.32 patient. A pharmacist licensed under chapter 151 is not subject to any civil penalties or
77.33 disciplinary action by the Board of Pharmacy when acting in accordance with sections

78.1 ~~342.47~~ 342.51 to 342.60 either in a professional capacity or as a patient. Nothing in this
78.2 section prohibits a professional licensing board from taking action in response to a violation
78.3 of law.

78.4 (c) Notwithstanding any law to the contrary, a Cannabis Advisory Council member, the
78.5 governor, or an employee of a state agency must not be held civilly or criminally liable for
78.6 any injury, loss of property, personal injury, or death caused by any act or omission while
78.7 acting within the scope of office or employment under sections ~~342.47~~ 342.51 to 342.60.

78.8 (d) Federal, state, and local law enforcement authorities are prohibited from accessing
78.9 the registry except when acting pursuant to a valid search warrant. Notwithstanding section
78.10 13.09, a violation of this paragraph is a gross misdemeanor.

78.11 (e) Notwithstanding any law to the contrary, the office and employees of the office must
78.12 not release data or information about an individual contained in any report or document or
78.13 in the registry and must not release data or information obtained about a patient enrolled in
78.14 the registry program, except as provided in sections ~~342.47~~ 342.51 to 342.60.
78.15 Notwithstanding section 13.09, a violation of this paragraph is a gross misdemeanor.

78.16 (f) No information contained in a report or document, contained in the registry, or
78.17 obtained from a patient under sections ~~342.47~~ 342.51 to 342.60 may be admitted as evidence
78.18 in a criminal proceeding, unless:

78.19 (1) the information is independently obtained; or

78.20 (2) admission of the information is sought in a criminal proceeding involving a criminal
78.21 violation of sections ~~342.47~~ 342.51 to 342.60.

78.22 (g) Possession of a registry verification or an application for enrollment in the registry
78.23 program:

78.24 (1) does not constitute probable cause or reasonable suspicion;

78.25 (2) must not be used to support a search of the person or property of the person with a
78.26 registry verification or application to enroll in the registry program; and

78.27 (3) must not subject the person or the property of the person to inspection by any
78.28 government agency.

78.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

79.1 Sec. 86. Minnesota Statutes 2023 Supplement, section 342.57, subdivision 4, is amended
79.2 to read:

79.3 Subd. 4. **Medical care.** For purposes of medical care, including organ transplants, a
79.4 patient's use of medical cannabis flower or medical cannabinoid products according to
79.5 sections ~~342.47~~ 342.51 to 342.60 is considered the equivalent of the authorized use of a
79.6 medication used at the discretion of a health care practitioner and does not disqualify a
79.7 patient from needed medical care.

79.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

79.9 Sec. 87. Minnesota Statutes 2023 Supplement, section 342.60, is amended to read:

79.10 **342.60 APPLIED RESEARCH.**

79.11 The ~~Division of Medical Cannabis~~ office may conduct, or award grants to health care
79.12 providers or research organizations to conduct, applied research on the safety and efficacy
79.13 of using medical cannabis flower or medical cannabinoid products to treat a specific health
79.14 condition. A health care provider or research organization receiving a grant under this section
79.15 must provide the office with access to all data collected in applied research funded under
79.16 this section. The office may use data from applied research conducted or funded under this
79.17 section as evidence to approve additional qualifying medical conditions or additional
79.18 allowable forms of medical cannabis.

79.19 **EFFECTIVE DATE.** This section is effective July 1, 2025.

79.20 Sec. 88. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 1, is amended
79.21 to read:

79.22 Subdivision 1. **Testing required.** (a) Cannabis businesses and hemp businesses shall
79.23 not sell or offer for sale cannabis flower, cannabis products, artificially derived cannabinoids,
79.24 lower-potency hemp edibles, or hemp-derived consumer products to another cannabis
79.25 business or hemp business, or to a customer or patient, or otherwise transfer cannabis flower,
79.26 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
79.27 hemp-derived consumer products to another cannabis business or hemp business, unless:

79.28 (1) a representative sample of the batch of cannabis flower, cannabis products, artificially
79.29 derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products
79.30 has been tested according to this section and rules adopted under this chapter;

79.31 (2) the testing was completed by a cannabis testing facility licensed under this chapter
79.32 or meeting the requirements of paragraph (b); and

80.1 (3) the tested sample of cannabis flower, cannabis products, artificially derived
80.2 cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products was found
80.3 to meet testing standards established by the office.

80.4 (b) Testing of lower-potency hemp edibles and hemp-derived consumer products that
80.5 do not contain intoxicating cannabinoids may be performed by any laboratory that has been
80.6 accredited pursuant to standard ISO/IEC 17025 of the International Organization for
80.7 Standardization with specific accreditation for cannabis testing.

80.8 Sec. 89. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 4, is amended
80.9 to read:

80.10 Subd. 4. **Testing of samples; disclosures.** (a) On a schedule determined by the office,
80.11 every cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
80.12 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
80.13 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
80.14 medical cannabis combination business shall make each batch of cannabis flower, cannabis
80.15 products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived
80.16 consumer products grown, manufactured, or imported by the cannabis business or hemp
80.17 business available to a cannabis testing facility.

80.18 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
80.19 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
80.20 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
80.21 medical cannabis combination business must disclose all known information regarding
80.22 pesticides, fertilizers, solvents, or other foreign materials, including but not limited to
80.23 catalysts used in creating artificially derived cannabinoids, applied or added to the batch of
80.24 cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp
80.25 edibles, or hemp-derived consumer products subject to testing. Disclosure must be made
80.26 to the cannabis testing facility and must include information about all applications by any
80.27 person, whether intentional or accidental.

80.28 (c) The cannabis testing facility shall select one or more representative samples from
80.29 each batch, test the samples for the presence of contaminants, and test the samples for
80.30 potency and homogeneity and to allow the cannabis flower, cannabis product, artificially
80.31 derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product to be
80.32 accurately labeled with its cannabinoid profile. Testing for contaminants must include testing
80.33 for residual solvents, foreign material, microbiological contaminants, heavy metals, pesticide
80.34 residue, mycotoxins, and any items identified pursuant to paragraph (b), and may include

81.1 testing for other contaminants. A cannabis testing facility must destroy or return to the
81.2 cannabis business or hemp business any part of the sample that remains after testing.

81.3 Sec. 90. Minnesota Statutes 2023 Supplement, section 342.61, subdivision 5, is amended
81.4 to read:

81.5 Subd. 5. **Test results.** (a) If a sample meets the applicable testing standards, a cannabis
81.6 testing facility shall issue a certification to a cannabis microbusiness, cannabis
81.7 mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler with an
81.8 endorsement to import products, lower-potency hemp edible manufacturer, ~~medical cannabis~~
81.9 ~~cultivator, medical cannabis processor,~~ or medical cannabis combination business and the
81.10 cannabis business or hemp business may then sell or transfer the batch of cannabis flower,
81.11 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
81.12 hemp-derived consumer products from which the sample was taken to another cannabis
81.13 business or hemp business, or offer the cannabis flower, cannabis products, lower-potency
81.14 hemp edibles, or hemp-derived consumer products for sale to customers or patients. If a
81.15 sample does not meet the applicable testing standards or if the testing facility is unable to
81.16 test for a substance identified pursuant to subdivision 4, paragraph (b), the batch from which
81.17 the sample was taken shall be subject to procedures established by the office for such batches,
81.18 including destruction, remediation, or retesting.

81.19 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
81.20 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
81.21 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
81.22 medical cannabis combination business must maintain the test results for cannabis flower,
81.23 cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or
81.24 hemp-derived consumer products grown, manufactured, or imported by that cannabis
81.25 business or hemp business for at least five years after the date of testing.

81.26 (c) A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis
81.27 manufacturer, cannabis wholesaler with an endorsement to import products, lower-potency
81.28 hemp edible manufacturer, ~~medical cannabis cultivator, medical cannabis processor,~~ or
81.29 medical cannabis combination business shall make test results maintained by that cannabis
81.30 business or hemp business available for review by any member of the public, upon request.
81.31 Test results made available to the public must be in plain language.

82.1 Sec. 91. Minnesota Statutes 2023 Supplement, section 342.62, is amended by adding a
82.2 subdivision to read:

82.3 Subd. 4. **Prohibition of the sale of certain empty packaging.** No person shall sell,
82.4 offer for sale, or facilitate the sale of empty packaging that, if used, would be a violation of
82.5 any provision of this section. Enforcement of this subdivision is subject to section 8.31.

82.6 Sec. 92. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 2, is amended
82.7 to read:

82.8 Subd. 2. **Content of label; cannabis.** All cannabis flower and hemp-derived consumer
82.9 products that consist of hemp plant parts sold to customers or patients must have affixed
82.10 on the packaging or container of the cannabis flower or hemp-derived consumer product a
82.11 label that contains at least the following information:

82.12 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
82.13 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp
82.14 grower where the cannabis flower or hemp plant part was cultivated;

82.15 (2) the net weight or volume of cannabis flower or hemp plant parts in the package or
82.16 container;

82.17 (3) the batch number;

82.18 (4) the cannabinoid profile;

82.19 (5) a universal symbol established by the office indicating that the package or container
82.20 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
82.21 hemp-derived consumer product;

82.22 (6) verification that the cannabis flower or hemp plant part was tested according to
82.23 section 342.61 and that the cannabis flower or hemp plant part complies with the applicable
82.24 standards;

82.25 (7) ~~the maximum dose, quantity, or consumption that may be considered medically safe~~
82.26 ~~within a 24-hour period~~ information on the usage of the cannabis flower or hemp-derived
82.27 consumer product;

82.28 (8) the following statement: "Keep this product out of reach of children."; and

82.29 (9) any other statements or information required by the office.

83.1 Sec. 93. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 3, is amended
83.2 to read:

83.3 Subd. 3. **Content of label; cannabinoid products.** (a) All cannabis products,
83.4 lower-potency hemp edibles, hemp-derived consumer products other than products subject
83.5 to the requirements under subdivision 2, medical cannabinoid products, and hemp-derived
83.6 topical products sold to customers or patients must have affixed to the packaging or container
83.7 of the cannabis product a label that contains at least the following information:

83.8 (1) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
83.9 cannabis cultivator, medical cannabis ~~cultivator~~ combination business, or industrial hemp
83.10 grower that cultivated the cannabis flower or hemp plant parts used in the cannabis product,
83.11 lower-potency hemp edible, hemp-derived consumer product, or medical cannabinoid
83.12 product;

83.13 (2) the name and license number of the cannabis microbusiness, cannabis mezzobusiness,
83.14 cannabis manufacturer, lower-potency hemp edible manufacturer, medical cannabis ~~processor~~
83.15 combination business, or industrial hemp grower that manufactured the cannabis concentrate,
83.16 hemp concentrate, or artificially derived cannabinoid and, if different, the name and license
83.17 number of the cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer,
83.18 lower-potency hemp edible manufacturer, or medical cannabis ~~processor~~ combination
83.19 business that manufactured the product;

83.20 (3) the net weight or volume of the cannabis product, lower-potency hemp edible, or
83.21 hemp-derived consumer product in the package or container;

83.22 (4) the type of cannabis product, lower-potency hemp edible, or hemp-derived consumer
83.23 product;

83.24 (5) the batch number;

83.25 (6) the serving size;

83.26 (7) the cannabinoid profile per serving and in total;

83.27 (8) a list of ingredients;

83.28 (9) a universal symbol established by the office indicating that the package or container
83.29 contains cannabis flower, a cannabis product, a lower-potency hemp edible, or a
83.30 hemp-derived consumer product;

83.31 (10) a warning symbol developed by the office in consultation with the commissioner
83.32 of health and the Minnesota Poison Control System that:

- 84.1 (i) is at least three-quarters of an inch tall and six-tenths of an inch wide;
- 84.2 (ii) is in a highly visible color;
- 84.3 (iii) includes a visual element that is commonly understood to mean a person should
- 84.4 stop;
- 84.5 (iv) indicates that the product is not for children; and
- 84.6 (v) includes the phone number of the Minnesota Poison Control System;
- 84.7 (11) verification that the cannabis product, lower-potency hemp edible, hemp-derived
- 84.8 consumer product, or medical cannabinoid product was tested according to section 342.61
- 84.9 and that the cannabis product, lower-potency hemp edible, hemp-derived consumer product,
- 84.10 or medical cannabinoid product complies with the applicable standards;
- 84.11 (12) ~~the maximum dose, quantity, or consumption that may be considered medically~~
- 84.12 ~~safe within a 24-hour period~~ information on the usage of the product;
- 84.13 (13) the following statement: "Keep this product out of reach of children."; and
- 84.14 (14) any other statements or information required by the office.
- 84.15 (b) The office may by rule establish alternative labeling requirements for lower-potency
- 84.16 hemp edibles that are imported into the state provided that those requirements provide
- 84.17 consumers with information that is substantially similar to the information described in
- 84.18 paragraph (a).
- 84.19 Sec. 94. Minnesota Statutes 2023 Supplement, section 342.63, subdivision 6, is amended
- 84.20 to read:
- 84.21 Subd. 6. **Additional information.** (a) A cannabis microbusiness, cannabis mezzobusiness,
- 84.22 cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination business must
- 84.23 provide customers and patients with the following information:
- 84.24 (1) factual information about impairment effects and the expected timing of impairment
- 84.25 effects, side effects, adverse effects, and health risks of cannabis flower, cannabis products,
- 84.26 lower-potency hemp edibles, and hemp-derived consumer products;
- 84.27 (2) a statement that customers and patients must not operate a motor vehicle or heavy
- 84.28 machinery while under the influence of cannabis flower, cannabis products, lower-potency
- 84.29 hemp edibles, and hemp-derived consumer products;

85.1 (3) resources customers and patients may consult to answer questions about cannabis
85.2 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer
85.3 products, and any side effects and adverse effects;

85.4 (4) contact information for the poison control center and a safety hotline or website for
85.5 customers to report and obtain advice about side effects and adverse effects of cannabis
85.6 flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer
85.7 products;

85.8 (5) substance use disorder treatment options; and

85.9 (6) any other information specified by the office.

85.10 (b) A cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, or medical
85.11 cannabis ~~retailer~~ combination business may include the information described in paragraph

85.12 (a) on the label affixed to the packaging or container of cannabis flower, cannabis products,
85.13 lower-potency hemp edibles, and hemp-derived consumer products by:

85.14 (1) posting the information in the premises of the cannabis microbusiness, cannabis
85.15 mezzobusiness, cannabis retailer, ~~medical cannabis retailer~~, or medical cannabis combination
85.16 business; or

85.17 (2) providing the information on a separate document or pamphlet provided to customers
85.18 or patients when the customer purchases cannabis flower, a cannabis product, a lower-potency
85.19 hemp edible, or a hemp-derived consumer product.

85.20 Sec. 95. Minnesota Statutes 2023 Supplement, section 342.73, subdivision 4, is amended
85.21 to read:

85.22 Subd. 4. **Loan financing grants.** (a) The CanGrow revolving loan account is established
85.23 in the special revenue fund. Money in the account, including interest, is appropriated to the
85.24 ~~commissioner~~ office to make loan financing grants under the CanGrow program.

85.25 (b) The office must award grants to nonprofit corporations through a competitive grant
85.26 process.

85.27 (c) To receive grant money, a nonprofit corporation must submit a written application
85.28 to the office using a form developed by the office.

85.29 (d) In awarding grants under this subdivision, the office shall give weight to whether
85.30 the nonprofit corporation:

85.31 (1) has a board of directors that includes individuals experienced in agricultural business
85.32 development;

86.1 (2) has the technical skills to analyze projects;

86.2 (3) is familiar with other available public and private funding sources and economic
86.3 development programs;

86.4 (4) can initiate and implement economic development projects;

86.5 (5) can establish and administer a revolving loan account; and

86.6 (6) has established relationships with communities where long-term residents are eligible
86.7 to be social equity applicants.

86.8 The office shall make grants that will help farmers enter the legal cannabis industry
86.9 throughout the state.

86.10 (e) A nonprofit corporation that receives grants under the program must:

86.11 (1) establish an office-certified revolving loan account for the purpose of making eligible
86.12 loans; and

86.13 (2) enter into an agreement with the office that the office shall fund loans that the
86.14 nonprofit corporation makes to farmers entering the legal cannabis industry. The office shall
86.15 review existing agreements with nonprofit corporations every five years and may renew or
86.16 terminate an agreement based on that review. In making this review, the office shall consider,
86.17 among other criteria, the criteria in paragraph (d).

86.18 Sec. 96. Minnesota Statutes 2023 Supplement, section 342.80, is amended to read:

86.19 **342.80 LAWFUL ACTIVITIES.**

86.20 (a) Notwithstanding any law to the contrary, the cultivation, manufacturing, possessing,
86.21 and selling of cannabis flower, cannabis products, artificially derived cannabinoids,
86.22 lower-potency hemp edibles, and hemp-derived consumer products by a licensed cannabis
86.23 business or hemp business in conformity with the rights granted by a cannabis business
86.24 license or hemp business license is lawful and may not be the grounds for the seizure or
86.25 forfeiture of property, arrest or prosecution, or search or inspections except as provided by
86.26 this chapter.

86.27 (b) A person acting as an agent of a cannabis microbusiness, cannabis mezzobusiness,
86.28 cannabis retailer, medical cannabis combination business, or lower-potency hemp edible
86.29 retailer who sells or otherwise transfers cannabis flower, cannabis products, lower-potency
86.30 hemp edibles, or hemp-derived consumer products to a person under 21 years of age is not
86.31 subject to arrest, prosecution, or forfeiture of property if the person complied with section
86.32 342.27, subdivision 4, and any rules promulgated pursuant to this chapter.

87.1 Sec. 97. Laws 2023, chapter 63, article 1, section 2, the effective date, is amended to read:

87.2 **EFFECTIVE DATE.** This section is effective July 1, 2023, ~~except for subdivision 3,~~
87.3 ~~which is effective March 1, 2025.~~

87.4 Sec. 98. Laws 2023, chapter 63, article 1, section 51, the effective date, is amended to
87.5 read:

87.6 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

87.7 Sec. 99. Laws 2023, chapter 63, article 1, section 52, the effective date, is amended to
87.8 read:

87.9 **EFFECTIVE DATE.** This section is effective ~~March 1, 2025~~ the day following final
87.10 enactment.

87.11 Sec. 100. Laws 2023, chapter 63, article 1, section 53, the effective date, is amended to
87.12 read:

87.13 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

87.14 Sec. 101. Laws 2023, chapter 63, article 1, section 54, the effective date, is amended to
87.15 read:

87.16 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

87.17 Sec. 102. Laws 2023, chapter 63, article 1, section 55, the effective date, is amended to
87.18 read:

87.19 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

87.20 Sec. 103. Laws 2023, chapter 63, article 1, section 56, the effective date, is amended to
87.21 read:

87.22 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

87.23 Sec. 104. Laws 2023, chapter 63, article 1, section 57, the effective date, is amended to
87.24 read:

87.25 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

88.1 Sec. 105. Laws 2023, chapter 63, article 1, section 58, the effective date, is amended to
88.2 read:

88.3 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

88.4 Sec. 106. Laws 2023, chapter 63, article 1, section 59, the effective date, is amended to
88.5 read:

88.6 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

88.7 Sec. 107. Laws 2023, chapter 63, article 1, section 61, the effective date, is amended to
88.8 read:

88.9 **EFFECTIVE DATE.** This section is effective ~~March~~ July 1, 2025.

88.10 Sec. 108. Laws 2023, chapter 63, article 6, section 73, the effective date, is amended to
88.11 read:

88.12 **EFFECTIVE DATE.** Paragraph (a) is effective ~~March~~ July 1, 2025. Paragraph (b) is
88.13 effective August 1, 2023. Paragraph (c) is effective July 1, 2023.

88.14 Sec. 109. **EMPLOYEE TRANSFER.**

88.15 (a) The powers and duties of the Department of Health with respect to the sale of certain
88.16 cannabinoid products under Minnesota Statutes, section 151.72, are transferred to the Office
88.17 of Cannabis Management under Minnesota Statutes, section 15.039.

88.18 (b) The following protections shall apply to employees who are transferred from the
88.19 Department of Health to the Office of Cannabis Management:

88.20 (1) the employment status and job classification of a transferred employee shall not be
88.21 altered as a result of the transfer;

88.22 (2) transferred employees who were represented by an exclusive representative prior to
88.23 the transfer shall continue to be represented by the same exclusive representative after the
88.24 transfer;

88.25 (3) the applicable collective bargaining agreements with exclusive representatives shall
88.26 continue in full force and effect for such transferred employees after the transfer;

88.27 (4) the state must meet and negotiate with the exclusive representatives of the transferred
88.28 employees about any proposed changes affecting or relating to the transferred employees'

89.1 terms and conditions of employment to the extent such changes are not addressed in the
89.2 applicable collective bargaining agreement; and

89.3 (5) for an employee in a temporary unclassified position transferred to the Office of
89.4 Cannabis Management, the total length of time that the employee has served in the
89.5 appointment shall include all time served in the appointment at the transferring agency and
89.6 the time served in the appointment at the Office of Cannabis Management. An employee
89.7 in a temporary unclassified position who was hired by a transferring agency through an
89.8 open competitive selection process in accordance with a policy enacted by Minnesota
89.9 Management and Budget shall be considered to have been hired through such process after
89.10 the transfer.

89.11 **EFFECTIVE DATE.** This section is effective July 1, 2024.

89.12 Sec. 110. **TRANSFER OF ACTIVE AND INACTIVE COMPLAINTS.**

89.13 The Department of Health shall transfer all data, including not public data as defined in
89.14 Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive
89.15 complaints involving alleged violations of Minnesota Statutes 2023 Supplement, section
89.16 151.72, as well as registration data collected under Minnesota Statutes 2023 Supplement,
89.17 section 151.72, subdivision 5b, to the Office of Cannabis Management. The Department of
89.18 Health and the Office of Cannabis Management shall ensure that the transfer takes place in
89.19 a manner and on a schedule that prioritizes public health.

89.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

89.21 Sec. 111. **TRANSFER OF MEDICAL PROGRAM.**

89.22 (a) Notwithstanding the data's classification under Minnesota Statutes, chapter 13, the
89.23 Office of Cannabis Management may access data maintained by the commissioner of health
89.24 related to the responsibilities transferred under Minnesota Statutes, section 342.02,
89.25 subdivision 3. Data sharing authorized by this subdivision includes not public data as defined
89.26 in Minnesota Statutes, section 13.02, subdivision 8a, on active complaints and inactive
89.27 complaints involving any alleged violation of Minnesota Statutes, sections 152.22 to 152.37
89.28 by a medical cannabis manufacturer. Data sharing under this paragraph further includes
89.29 data in patient files maintained by the commissioner and the health care practitioner, and
89.30 data submitted to or by a medical cannabis manufacturer classified as private data on
89.31 individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic
89.32 data, as defined in Minnesota Statutes, section 13.02, subdivision 9. Any data shared under
89.33 this section retain the data's classification from the agency holding the data.

90.1 (b) All rules adopted by the commissioner of health pursuant to Minnesota Statutes,
 90.2 sections 152.22 to 152.37, including but not limited to Minnesota Rules, chapter 4770,
 90.3 remain effective and shall be enforced until amended or repealed consistent with Minnesota
 90.4 Statutes, section 15.039, subdivision 3.

90.5 Sec. 112. **REPEALER.**

90.6 (a) Minnesota Statutes 2023 Supplement, sections 342.01, subdivision 28; 342.18,
 90.7 subdivision 1; 342.27, subdivision 13; and 342.29, subdivision 9, are repealed.

90.8 (b) Minnesota Statutes 2023 Supplement, sections 342.47; 342.48; 342.49; and 342.50,
 90.9 are repealed.

90.10 (c) Laws 2023, chapter 63, article 7, sections 4; and 6, are repealed.

90.11 **EFFECTIVE DATE.** Paragraphs (a) and (c) are effective the day following final
 90.12 enactment. Paragraph (b) is effective July 1, 2025.

90.13 Sec. 113. **EFFECTIVE DATE.**

90.14 Except as otherwise provided, this act is effective the day following final enactment."

90.15 Delete the title and insert:

90.16 "A bill for an act

90.17 relating to cannabis; transferring enforcement of edible cannabinoid products to the
 90.18 Office of Cannabis Management; clarifying workplace testing for cannabis; making
 90.19 technical changes related to the taxation of cannabis and related products; replacing
 90.20 medical cannabis licenses with endorsements; establishing a petition process to
 90.21 designate cannabinoids as nonintoxicating or approved for use in lower-potency
 90.22 hemp edibles; authorizing lower-potency hemp edibles to contain certain artificially
 90.23 derived cannabinoids created in making delta-9 tetrahydrocannabinol; allowing
 90.24 testing of certain hemp products to be performed by labs meeting accreditation
 90.25 standards regardless of licensing status; authorizing patients enrolled in the registry
 90.26 program to obtain cannabis flower from registered designated caregivers;
 90.27 authorizing registered designated caregivers to cultivate cannabis plants on behalf
 90.28 of a patient enrolled in the registry program; authorizing the Office of Cannabis
 90.29 Management to recall certain cannabis and related products; transferring the duties
 90.30 of the medical cannabis program to the Office of Cannabis Management on July
 90.31 1, 2025; authorizing the appointment of deputy directors; clarifying the process
 90.32 for transfer of certain licenses; providing for license preapproval; removing the
 90.33 requirement that local governments perform certain inspections; removing the
 90.34 requirement that license applications be scored based on identified criteria and
 90.35 requiring that license applications be assessed based on certain minimum criteria;
 90.36 requiring employees of cannabis businesses to meet certain background check
 90.37 requirements; establishing social equity licenses; limiting the number of certain
 90.38 licenses that can be made available in an application period; providing for the
 90.39 conversion of a registration to sell certain hemp-derived products into a hemp
 90.40 business license; providing for a cannabis research license classification; authorizing
 90.41 the Office of Cannabis Management to adjust limits on cultivation area; permitting
 90.42 certain businesses to transport cannabis and related products between facilities

91.1 operated by the business; replacing the prohibition on certain sales of lower-potency
91.2 hemp products with a prohibition on selling to an obviously intoxicated person;
91.3 providing for enforcement of unlicensed businesses engaging in activities that
91.4 require a license; making technical and conforming changes; amending Minnesota
91.5 Statutes 2022, sections 181.950, subdivision 10; 181.952, as amended; Minnesota
91.6 Statutes 2023 Supplement, sections 3.9224, subdivision 1; 151.72, subdivisions
91.7 1, 2, 3, 4, 5a, 5b, 6, 7; 181.951, subdivisions 4, 5, 8; 181.954, subdivision 1;
91.8 290.0132, subdivision 29; 290.0134, subdivision 19; 297A.70, subdivision 2;
91.9 342.01, subdivisions 14, 17, 19, 48, 50, 52, 54, 64, 65, 66, by adding subdivisions;
91.10 342.02, subdivisions 2, 3, 6; 342.06; 342.07, subdivision 3; 342.09, subdivision
91.11 3; 342.10; 342.11; 342.12; 342.13; 342.14; 342.15, by adding a subdivision; 342.17;
91.12 342.18, subdivisions 2, 3, by adding subdivisions; 342.19, by adding a subdivision;
91.13 342.22; 342.24, subdivisions 1, 2; 342.28, subdivision 2, by adding subdivisions;
91.14 342.29, subdivision 4, by adding a subdivision; 342.30, subdivision 4; 342.31,
91.15 subdivision 4; 342.32, subdivision 4; 342.35, subdivision 1; 342.37, subdivision
91.16 1; 342.40, subdivision 7; 342.41, subdivision 3; 342.46, subdivision 8; 342.51;
91.17 342.515, subdivision 1, by adding a subdivision; 342.52, subdivisions 1, 2, 3, 4,
91.18 5, 9, 11; 342.54; 342.55, subdivisions 1, 2; 342.56, subdivisions 1, 2; 342.57,
91.19 subdivisions 1, 2, 4; 342.60; 342.61, subdivisions 1, 4, 5; 342.62, by adding a
91.20 subdivision; 342.63, subdivisions 2, 3, 6; 342.73, subdivision 4; 342.80; Laws
91.21 2023, chapter 63, article 1, sections 2; 51; 52; 53; 54; 55; 56; 57; 58; 59; 61; article
91.22 6, section 73; proposing coding for new law in Minnesota Statutes, chapter 342;
91.23 repealing Minnesota Statutes 2023 Supplement, sections 342.01, subdivision 28;
91.24 342.18, subdivision 1; 342.27, subdivision 13; 342.29, subdivision 9; 342.47;
91.25 342.48; 342.49; 342.50; Laws 2023, chapter 63, article 7, sections 4; 6."