

OCM 2025 Legislative Recommendations: Policy Proposals

The Office of Cannabis Management (OCM), established in August 2023 following the enactment of HF 100, is charged with implementing the operational and regulatory systems to oversee the adult-use cannabis and medical cannabis industries, and hemp derived cannabinoid programs in Minnesota.

Focused on developing the foundation for a well-regulated, safe, equitable, and sustained cannabis market, OCM has identified opportunities to build consistency and clarity to support an effective implementation of Minnesota Statutes, Chapter 342. OCM's recommendations target technical fixes, bring the office into enterprise alignment with Minnesota Statutes, section 10.65, clarify licensure and regulation of lower-potency hemp edibles, clarify application requirements for cannabis business licensure, and strengthen access and protections for medical cannabis patients.

HF1877 (Huot) / SF2372 (Dibble) - Housekeeping: Targeting clarity and consistency with technical fixes

OCM proposes a series of technical changes that will add consistency and clarity throughout the cannabis laws in Minnesota governing the adult use-industry, and the medical and hemp derived programs. The series of changes improve the office's work to effectively implement the framework to launch and sustain a well-regulated market and provide clearer information to members of the public and impacted industry. The technical changes:

- Align definitions and statutory language throughout Chapter 152 and Chapter 342 to clarify the authority of OCM to manage the medical cannabis program following the transition from the Department of Health.
- Reinstate definitions and authorities inadvertently repealed.
- Clarify authorized activities to add consistency between license types.
- Fix grammatical errors and inconsistent terminology to better align different sections of statute.
- Align definitions of bona fide labor organization and labor peace agreement with licensing requirements included in Chapter 342.
- Clarify expectations in the background check process as required in Chapter 342.

HF1310 (Stephenson) / SF1730 (Dibble; Klein) - Aligning with State Enterprise: Adding OCM to Minnesota Statutes, section 10.65

OCM proposes to add the "Office of Cannabis Management" to the definition of "agency" in Minnesota Statutes, section 10.65, Government to Government Relationship with Tribal Governments. As a new state office working to build government-government relationships with the 11 Tribes sharing geography with Minnesota, this change will align OCM with other state agencies and offices and provide clear expectations and best practices to have collaborative relationship with tribal governments in the implementation of cannabis industries across the state.

HF1271 (West) / SF1729 (Dibble; Klein) - Clarifying the Regulation of Lower-potency Hemp-derived Cannabinoid Products

OCM proposes a series of minor changes related to the licensure and regulation of lower-potency hemp-derived products. Clarity and consistency in the governing statutes allows for more effective enforcement and improved expectations for businesses and consumers. The proposed changes:

- Align the requirements for lower-potency hemp edible licensees so the expectations are the same between retailers and manufacturers.
- Ensure regulations for labeling are consistent between products to improve effectiveness of enforcement responsibilities and improve consumer understanding.
- Add clarity for enforcement of non-intoxicating cannabinoid products.

HF1734 (West) / SF1731 (Dibble; Klein) - Clarifying Application Requirements for Cannabis Business Licensure

OCM proposes minor changes related to current law's application requirements for cannabis business licensure to improve the applicant experience, remove duplicity and subjectivity, and build clarity for better implementation of the application process. The proposed changes:

- Replace optional requirements with more objective instructions.
- Clarify duplicated requirement.
- Remove the requirement for signatures of at least two officers or managing agents for applications of a corporation or association, which has proven redundant and disruptive to the process.

HF1672 (Reyer; Stephenson) / SF2371 (Dibble) - Improving Access and Protections for Medical Cannabis Patients

OCM proposes a series of minor changes to the medical cannabis program to improve both access and protections for medical cannabis patients and caregivers, add consistency in definitions in allowed activities for caregivers, and expand access for tribal medical patients under the new licensing framework to avoid significant disruption in their current access to the state's medical program. The proposed changes:

- Clarify an employee's role in distributing medical cannabis. The current requirements in section 342.51 are inconsistent with the requirements outlined in section 152.29. Updating the requirements ensures access to a remote option for patients seeking consultation and will allow for more cannabis businesses to participate in the medical program, particularly in rural areas.
- Strengthen protections for medical cannabis patients, preventing discrimination for medical cannabis patients when it comes to housing, employment, or educational opportunities among other things.
- Align existing statute with new policies implemented last session to clarify that medical cannabis caregivers may be designated by their patient to grow cannabis plants on their behalf and provide clearer expectations for allowable activities.
- Maintain Tribal reciprocity for medical patients to purchase medical products off Tribal lands at state licensed medical dispensaries, eliminating a disruption in access as the program prepares to transition to the new licensing framework.