

Subject Medical cannabis
Authors Reyer and Stephenson
Analyst Elisabeth Klarqvist
Date April 9, 2025

Overview

This bill modifies provisions in the medical cannabis program administered by the Office of Medical Cannabis. Changes include modifying requirements for distribution of medical cannabis flower and medical cannabinoid products; allowing a cannabis business with a medical cannabis retail endorsement to distribute medical cannabis flower or medical cannabinoid products to visiting patients; requiring patients to provide notice to the office if they assign their right to cultivate cannabis plants to a registered designated caregiver; extending protections to Tribal medical cannabis program patients; modifying the minimum civil penalty that may be assessed for certain violations of law; and authorizing actions for injunctive relief to prevent or end certain violations of law.

Summary

Section	Description
1	Tribal medical cannabis board. Adds subd. 69c to § 342.01. Adds a definition of Tribal medical cannabis board to chapter 342 (cannabis). A similar definition is found in section 152.22 and is being repealed effective December 1, 2025.
2	Tribal medical cannabis program. Adds subd. 69d to § 342.01. Adds a definition of Tribal medical cannabis program to chapter 342. A similar definition is found in section 152.22 and is being repealed effective December 1, 2025.
3	Tribal medical cannabis program patient. Adds subd. 69e to § 342.01. Adds a definition of Tribal medical cannabis program patient to chapter 342. A similar definition is found in section 152.22 and is being repealed effective December 1, 2025.

Section	Description
4	<p>Visiting patient.</p> <p>Amends § 342.01, subdivision 71. Includes individuals who are Tribal medical cannabis program patients in the definition of visiting patient.</p>
5	<p>Home cultivation of cannabis for personal adult use.</p> <p>Amends § 342.09, subd. 2. In the subdivision on home cultivation of cannabis for personal adult use, specifies a registered designated caregiver may cultivate up to eight cannabis plants for one patient household, and up to eight cannabis plants for the caregiver’s personal adult use. Provides no more than eight of the plants grown at the caregiver’s residence may be mature, flowering plants.</p>
6	<p>Distribution requirements.</p> <p>Amends § 342.51, subd. 2. Modifies requirements that must be satisfied before distributing medical cannabis flower or medical cannabinoid products to a patient, to:</p> <ul style="list-style-type: none">▪ allow any employee of the cannabis business, rather than an employee with a medical cannabis consultant certificate or an employee who is a licensed pharmacist, to review and confirm the patient’s eligibility and the identity of the person requesting distribution, apply a label to the medical cannabis flower or medical cannabinoid product being distributed, and provide other required information; and▪ require the employee to confirm that the patient consulted with an employee with a medical cannabis consultant certificate or an employee who is a licensed pharmacist on the proper product, dosage, and paraphernalia.
7	<p>Distribution to visiting patients.</p> <p>Adds subd. 2a to § 342.51. Para. (a) allows a cannabis business with a medical cannabis retail endorsement to distribute medical cannabis flower or medical cannabinoid products to visiting patients.</p> <p>Para. (b) provides, before receiving medical cannabis flower or medical cannabinoid products, a visiting patient must provide an employee of a cannabis business with the patient’s medical cannabis registration verification issued under the laws and regulations of another state, district, commonwealth, Tribal Nation, or territory and a valid photo identification.</p> <p>Para. (c) provides, before distributing medical cannabis flower or medical cannabinoid products, an employee of the cannabis business must ensure the item being distributed has a patient-specific label, and must provide other information required by the office.</p>

Section	Description
	<p>Para. (d) lists information on transactions involving visiting patients that a cannabis business with a medical cannabis retail endorsement must report to the office on a weekly basis.</p> <p>Para. (e) allows a cannabis business with a medical cannabis retail endorsement to distribute medical cannabis flower and medical cannabinoid products to visiting patients in motor vehicles if the listed requirements are met.</p>
8	<p>Registered designated caregiver.</p> <p>Amends § 342.52, subd. 9. Requires a patient who assigns the patient's right to cultivate cannabis plants to a designated caregiver to notify the office of that assignment.</p>
9	<p>Protections for registry program participants.</p> <p>Amends § 342.57. Extends protections for registry program patients and others to Tribal medical cannabis program patients and other participants in a Tribal medical cannabis program:</p> <ul style="list-style-type: none"><li data-bbox="415 957 1390 1108">▪ provides there is a presumption that a Tribal medical cannabis program patient is engaged in the authorized use or possession of medical cannabis flower and medical cannabinoid products, and that the presumption can be rebutted;<li data-bbox="415 1119 1390 1270">▪ provides a Tribal medical cannabis program patient's use or possession of medical cannabis flower, medical cannabinoid products, or paraphernalia is not a violation of chapter 152 if distributed under section 342.51, subd. 5;<li data-bbox="415 1281 1390 1432">▪ provides members of a Tribal medical cannabis board, board staff, and agents and contractors are not subject to civil penalties or disciplinary action by a business, occupational, or professional licensing board for participating in a Tribal medical cannabis program;<li data-bbox="415 1442 1390 1593">▪ prohibits information obtained from a Tribal medical cannabis program patient from being admitted as evidence in a criminal proceeding unless the information is independently obtained and the proceeding involves a violation of the medical cannabis program statutes;<li data-bbox="415 1604 1390 1822">▪ provides possession of a verification issued by a Tribal medical cannabis program or an application for enrollment in a Tribal medical cannabis program, by a person entitled to possess the verification or application, does not constitute probable cause or reasonable suspicion, must not be used to support a search, and must not subject the person or property to inspection by a government agency;

Section **Description**

- specifies a Tribal medical cannabis program patient’s use of medical cannabis as authorized by the Tribal medical cannabis program does not disqualify the patient from needed medical care;
- prohibits an employer from discriminating against a person in hiring, termination, or a term or condition of employment based on the person’s status as a Tribal medical cannabis program patient, and allows Tribal medical cannabis program patients to present verification from their Tribal medical cannabis program to explain a positive drug test result to an employer;
- prohibits a person from being denied custody, visitation, or parenting time based on the person’s status as a Tribal medical cannabis program patient; and
- prohibits the commissioner of corrections from prohibiting an individual from participating in a Tribal medical cannabis program, or revoking an individual’s parole, supervised release, or conditional release for participating in a Tribal medical cannabis program.

Provides a patient enrolled in the registry program or Tribal medical cannabis program must not be penalized or disciplined by an occupational or professional licensing board solely because the patient is enrolled in the registry program or has a positive test for cannabis components or metabolites.

Prohibits a school from penalizing or refusing to enroll a patient as a pupil solely because cannabis is a controlled substance under federal law, and prohibits a landlord from penalizing or refusing to lease property to a patient solely because cannabis is a controlled substance under federal law. Requires employers, schools, and landlords to provide at least 14 days’ written notice before taking certain actions against a patient, and specifies what the notice must include. Prohibits schools, landlords, health care facilities, and employers from retaliating against patients for asserting their rights or seeking remedies. Allows a patient to bring an action for injunctive relief to prevent or end a violation of certain provisions, and increases the minimum civil penalty amount from \$100 to \$1,000.



**MN HOUSE
RESEARCH**

Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn.gov/hrd | 651-296-6753 | Third Floor, Centennial Office Building | St. Paul, MN 55155