



Councilmember Kenyan R. McDuffie



Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to define the term non-resident cardholder and amend the definition for qualifying patient, to establish a sunset date for qualifying patients and caregivers whose registration cards expired on or after March 1, 2020 to continue to purchase medicinal marijuana, to increase the amount of dried cannabis a qualifying patient may possess at any one time from 4 ounces to 8 ounces, to create a temporary non-resident qualifying patient registration process, to allow for the issuance of two-year qualifying patient and caregiver registration cards, to provide the Board with the authority to issue patient and caregiver registration cards at no cost, and to amend Title 22-C of the District of Columbia Municipal Regulations to allow qualifying patients to establish residency in the District with one document, including a telephone bill or bank statement containing a District address.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Patient Access Extension Second Emergency Amendment Act of 2022”.

Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as follows:

(a) Section 2 ((D.C. Official Code § 7-1671.01) is amended as follows:

(1) A new paragraph (13B) is added to read as follows:

37 “(13B) “Non-resident cardholder” means a person who is not a resident of the
38 District of Columbia who is not currently enrolled in another jurisdiction’s medical marijuana
39 program that has submitted documentation required by ABRA for a temporary thirty (30) day
40 registration card and has received confirmation of registration.”.

41 (2) Paragraph 19 is amended by adding the phrase “or another jurisdiction that is
42 registered with ABRA” after the phrase “resident of the District”.

43 (b) Section 3 (D.C. Official Code § 7-1671.02) is amended by adding a new subsection
44 (c-1) to read as follows:

45 “(c-1) Where a qualifying patient’s or caregiver’s registration identification card has
46 expired or will expire at any time between March 1, 2020, and to March 31, 2023, and the
47 qualifying patient or caregiver has not submitted an application for a new registration
48 identification card, the qualifying patient or caregiver may continue to purchase, possess and
49 administer medical marijuana in accordance with this act and the rules issued pursuant to section
50 14 until March 31, 2023. On or after April 1, 2023, the qualifying patient or caregiver
51 must possess a valid registration identification card to continue to purchase, possess, and
52 administer medical marijuana.”.

53 (c) Section 4(a) (D.C. Official Code § 7-1671.03(a)) is amended by striking the phrase
54 “is 2 ounces of dried medical marijuana; provided, that the Mayor, through rulemaking, may
55 increase the quantity of dried medical marijuana that may be possessed up to 4 ounces; and” and
56 inserting the phrase “is 8 ounces of dried medical marijuana. The Mayor” in its place.

57 (d) Section 6 (D.C. Official Code § 7-1671.05) is amended as follows:

58 (1) A new paragraph (1)(C) is added to read as follows:

59 “(C) As part of the registration process, a non-resident qualifying patient visiting
60 the District of Columbia may apply to ABRA to receive a temporary non-resident registration
61 identification card. A temporary non-resident registration identification card issued to a non-
62 resident cardholder shall be valid for thirty (30) days. After the expiration of the temporary non-
63 resident registration identification card, a non-resident qualifying patient may apply to ABRA to
64 be issued another thirty (30) day temporary non-resident identification card.”.

65 (2) Paragraph 3 is amended to read as follows:

66 “(3) Issue nontransferable registration identification cards that expire annually to
67 registered persons and entities, which may be presented to and used by law enforcement to
68 confirm whether a person or entity is authorized to administer, cultivate, dispense, distribute,
69 test, or possess medical marijuana, or manufacture, possess, or distribute paraphernalia; provided
70 that, qualifying patients and caregivers who register after November 5, 2021, and prior to
71 March 31, 2023, shall be issued nontransferable registration identification cards that expire
72 biennially.”.

73 (3) Paragraph 9 is amended to read as follows:

74 “(9) Establish registration and annual renewal fees for all persons and entities
75 required to register pursuant to this chapter; provided that the Board, by rule, may make
76 qualifying patient and caregiver registrations available at no cost to attract and retain qualifying
77 patients; however, the registration and annual renewal fees for dispensaries, cultivation centers,
78 and testing laboratories and for the directors, officers, members, incorporators, agents, and
79 employees of dispensaries, cultivation centers, and testing laboratories shall be sufficient to
80 offset the costs of administering this chapter.”.

81 (e) Section 8(b) (D.C. Official Code § 7-1671.07(b)) is repealed.

82 Sec. 3. Section 501.2(b) of Title 22-C of the District of Columbia Municipal Regulations
83 (22-C DCMR § 501.2(b)), is amended as follows:

84 (a) The lead-in language is amended by striking the phrase “two (2)” and inserting the
85 phrase “one (1)” in its place.

86 (b) Subparagraph (9) is amended to read as follows:

87 “(9) Utility bills from a period within the two (2) months immediately preceding
88 the application date in the name of the applicant on a District of Columbia residential address;”.

89 (c) Subparagraph (10) is redesignated as subparagraph (11).

90 (d) A new subparagraph (10) is added to read as follows:

91 “(10) A bank statement addressed to the applicant from a period within the two
92 (2) months immediately preceding the application date in the name of the applicant on a District
93 of Columbia residential address; or”.

94 Sec. 4. Applicability.

95 This act shall apply as of September 30, 2022.

96 Sec. 5. Fiscal impact statement.

97 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
98 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
99 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

100 Sec. 6. Effective date.

101 This act shall take effect following approval by the Mayor (or in the event of veto by the
102 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
103 90 days, as provided for emergency acts of the Council of the District of Columbia in section
104 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;

105 D.C. Official Code § 1-204.12(a).