



Chairman Phil Mendelson

AMENDMENT

Bill 25-775, “Prohibition of Cannabis Retailers Near Schools Emergency Amendment Act of 2024”
(Filed Version)
April 2, 2024

Amendment:

(a) Section 2 is as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) Subsection (a) is amended by adding a new paragraph (3A) to read as follows:

“(3A)(i) An unlicensed establishment that applied for a retailer license under paragraph (3) of this subsection may change the location of the proposed retail facility on its application if a protest is filed by an affected ANC pursuant to subsection (h) of this section.

“(ii) An unlicensed establishment that chooses to relocate its operations to a new compliant location due to a protest shall have one year from the date on which a protest is filed pursuant to subsection (h) of this section to submit a new location to ABCA.”.

(2) Subsection (b) is amended to read as follows:

“(b) An unlicensed establishment may relocate its operations to a compliant location prior to the filing of an application, or in accordance with paragraph (3A) of this subsection (a) of this section.”.

(3) A new subsection (c) is added to read as follows:

“(c) Subsection (c) is amended by striking the term “zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia” and inserting the phrase “not zoned residential according to Zoning Regulations adopted pursuant to D.C. Official Code § 6-641.01 *et seq.*”.

Rationale: This amendment would do two things. First, the amendment would allow—rather than force—current applicants for a medical cannabis retailer license to relocate to a new location if the application is protested by an affected Advisory Neighborhood Commission. Unlicensed establishments that choose to relocate would be granted a year from the date on which a protest is filed to find a new location (Bill 25-775 would only grant these applicants 180 days, which is not enough time for many applicants to find adequate space, negotiate a lease, and plan build outs). This amendment is necessary to ensure that unlicensed establishments with pending medical cannabis retailer applications are not forced to abandon their applications altogether, a likely outcome of the filed version of the “Prohibition of Cannabis Retailers Near Schools Emergency Amendment Act of 2024” (Bill 25-775). Also, the filed version of Bill 25-775 does

not amend or “not withstand” D.C. Official Code § 7-1671.06a(b), which prohibits unlicensed establishments from relocating to an address different from the one on the initial application. Second, the amendment makes a technical change to the language in D.C. Official Code § 7-1671.06a(c) to remove a reference to “commercial or industrial” zones, as these zones do not exist in the Zoning Regulations of the District of Columbia.