



Chairman Phil Mendelson

**AMENDMENT**

Bill 25-872, "Medical Cannabis Conditional License and Unlicensed Establishment Closure Clarification  
Emergency Amendment Act of 2024"  
(Filed Version)  
June 24, 2024

---

**Amendment:**

**(a) Section 2(d) is amended to read as follows:**

(d) Section 9 (D.C. Official Code § 7-1671.08) is amended by adding a new subsection (g) to read as follows:

“(g)(1) Notwithstanding sections 7(b) and 9(f), ABCA shall have the authority to inspect an unlicensed establishment. If, after an inspection, ABCA determines that an unlicensed establishment presents an imminent danger to the health or safety of the public, as described in paragraph (2) of this subsection, the ABC Board may summarily close and order the padlocking, by ABCA or MPD without a prior hearing, of the unlicensed establishment, and ABCA may seize all cannabis or cannabis products found at the premises.

“(2) For the purpose of this subsection, the term “imminent danger to the health or safety of the public” includes any of the following:

“(A) The unlicensed establishment distributes or attempts to distribute cannabis or a cannabis product to one or more persons under the age of 21.

“(B) Once a testing laboratory has been licensed under this act, the unlicensed establishment distributes or attempts to distribute cannabis or a cannabis product untested by a testing laboratory licensed under this act.

“(C) The unlicensed establishment fails to comply with a cease and desist order.

“(D) The unlicensed establishment engages in any activity or operation established as an imminent danger to the health or safety of the public by the Board by rule.

**“(E) The unlicensed establishment distributes or attempts to distribute Schedule I substances, or products that contain Schedule I substances, as enumerated in § 48-902.04.**

“(3) ABCA shall provide the unlicensed establishment’s owner and the property owner with written notice of the summary closure and the right to request a hearing.

“(4) The owner of the unlicensed establishment shall have 5 business days after service of the notice of summary closure to request a hearing with the Board, which shall hold a hearing within 5 business days of a timely request.”

“(5) The Board shall issue a written decision within 5 business days after the hearing.”.

**Rationale:** This amendment adds the bolded and underlined text in subparagraph (E) of new subsection (g)(1) to the proposed emergency bill.

Currently, many unlicensed cannabis establishments also sell products containing psilocybin, dimethyltryptamine (DMT), and delta-8-tetrahydrocannabinol, all of which are Schedule I substances in the District (and federally). Because these substances are under Schedule I, the products being sold by these unlicensed establishments are completely unregulated. Customers do not know what they contain (or do not contain), how they were made, or where the underlying substances originate from. To address the sale of these illegal products in the District, this amendment expands the activities that warrant summary closure and padlocking of an unlicensed establishment.