

COUNCIL OF THE DISTRICT OF COLUMBIA
D.C. Act 20-263, effective January 9, 2014 (Expiration date March 12, 2014)
(Retroactive applicability)

20 DCSTAT 3027

AN ACT

Bill 20-614

**Emergency
Declaration
Res. 20-363
20 DCStat 3071**

To amend, on an emergency basis, due to Congressional review, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to limit the number of medical marijuana cultivation centers and dispensaries that may locate in an election ward in the District of Columbia and to prohibit locating medical marijuana cultivation centers in certain Retail Priority Areas.

**Codification
District of
Columbia
Official Code
2001 Edition**

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Second Congressional Review Emergency Amendment Act of 2013”.

**Medical
Marijuana
Cultivation
Center Second
Congressional
Review
Emergency
Amendment
Act of 2013**

Sec. 2. Section 7 of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06), is amended as follows:

**Note,
§ 7-1671.06**

(a) Subsection (d) is amended to as follows:

(1) Paragraph (2) is amended to read as follows:

“(2)(A) No more than 5 dispensaries shall be registered to operate in the District; provided, that the Mayor may increase the number to as many as 8 by rulemaking to ensure that qualifying patients have adequate access to medical marijuana; provided further, that no more than 2 dispensaries shall be registered to operate within an election ward established by the Council in section 4 of the Redistricting Procedure Act of 1981, effective March 16, 1982 (D.C. Law 4-87; D.C. Official Code § 1-1041.03)(“Redistricting Procedure Act”).

“(B) The prohibition of no more than 2 dispensaries being registered to operate within an election ward set forth in subparagraph (A) of this paragraph shall apply to applications pending as of the effective date of the Medical Marijuana Cultivation Center Amendment Act of 2013, returned unsigned by the Mayor on October 21, 2013 (D.C. Act 20-206; 60 DCR 15484).

“(C)(i) No more than one dispensary may be registered to operate in any election ward in which 5 or more cultivation centers have been registered to operate.

“(ii) The prohibition of no more than one dispensary being registered to operate within an election ward in which 5 or more cultivation centers have been registered to operate set forth in sub-subparagraph (i) of this subparagraph shall apply to applications pending as of the effective date of the Medical Marijuana Cultivation Center Amendment Act of 2013, returned unsigned by the Mayor on October 21, 2013 (D.C. Act 20-206; 60 DCR 15484).”.

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

**D.C. Act 20-263, effective January 9, 2014 (Expiration date March 12, 2014)
(Retroactive applicability)**

“(3)(A) The number of cultivation centers that may be registered to operate in the District shall be determined by rulemaking; provided, that no more than 6 cultivation centers shall be registered to operate within an election ward established by the Council in section 4 of the Redistricting Procedure Act.

“(B) The prohibition of no more than 6 cultivation centers being registered to operate within an election ward set forth in subparagraph (A) of this paragraph shall apply to applications pending as of the effective date of the Medical Marijuana Cultivation Center Amendment Act of 2013, returned unsigned by the Mayor on October 21, 2013 (D.C. Act 20-206; 60 DCR 15484).”.

(b) A new subsection (g-1) is added to read as follows:

“(g-1)(1) A cultivation center shall not be located within a Retail Priority Area, as designated pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73), and as approved by the Council pursuant to the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194).

“(2) Any applicant that had an application pending as of the effective date of the Medical Marijuana Cultivation Center Temporary Amendment Act of 2012, effective June 20, 2012 (D.C. Law 19-146; 59 DCR 4164), for a registration to operate a cultivation center within a Retail Priority Area as identified in paragraph (1) of this subsection, shall be allowed to modify the application within 180 days of the effective date of the Medical Marijuana Cultivation Center Temporary Amendment Act of 2013, effective May 1, 2013 (D.C. Law 20-1; 60 DCR 3962), without negatively affecting the current status of the application.”.

Sec. 3. Applicability.

This act shall apply as of December 12, 2013.

**Retroactive
Applicability**

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).