

AN ACT

Bill 20-128
Act 20-206
effective
October 22,
2013

Codification
District of
Columbia
Official Code
2001 Edition

Medical
Marijuana
Cultivation
Center
Amendment
Act of 2013

Amend
§ 7-1671.06

To amend 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 Retail Priority Areas.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center 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:

(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).

“(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, passed on 2nd reading on October 1, 2013 (Enrolled version of Bill 20-128).

“(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, passed on 2nd reading on October 1, 2013 (Enrolled version of Bill 20-128).”.

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

“(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 of 1981, effective March 16, 1982 (D.C. Law 4-87; D.C. Official Code § 1-1041.03).

“(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, passed on 2nd reading on October 1, 2013 (Enrolled version of Bill 20-128).”.

(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. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 4. 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), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.