

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to section 12 of the Legalization of Marijuana for Medical Treatment Initiative of 1999 to require the Department of Health to authorize the Mayor to approve the relocation of dispensaries and cultivation centers to any ward.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Medical Marijuana Relocation Emergency Declaration Resolution of 2018”.

Sec. 2. (a) 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) established a medical marijuana program in the District. Pursuant to this act, the Department of Health can register a maximum of 8 dispensaries to ensure that qualifying patients have adequate access to medical marijuana.

(b) Around 12 am on Monday, August 19th, DC Fire and EMS were called to a fire in the 1300 block of North Capitol Street, NW. The fire destroyed the roof decks of two four story dwellings. One of the dwellings housed a medical marijuana dispensary and resulted in

significant water damage to the facility. As a result of the fire and associated water damage, the dispensary has been unable to reopen.

(c) The Council of the District of Columbia recognizes the potentially adverse health impacts on registered patients served by this dispensary or any dispensary shuttered due to unforeseen circumstances. There are approximately 6017 registered patients and demand tends to be far greater than supply for these patients' needs which means the city cannot afford to allow Capital City Care or any facility to remain closed unnecessarily.

(d) To assist to any dispensary or cultivation center to reopen quickly, D.C. Code 7-1671.06 needs to be amended to permit the relocation of a dispensary or cultivation center with the permission of the Mayor to any ward in the District of Columbia as long as the relocation does not exceed the current per ward cap on the number of dispensaries and cultivation centers.

(e) Authorizing the Mayor to approve the relocation of a dispensary or cultivation center to underserved wards can serve to increase patient health access and delivery.

(f) Requiring the Mayor to approve the relocation of a dispensary or cultivation provided that the relocation does not result in more than 2 dispensaries and 6 cultivation centers being registered to operate within an election ward established by the Council in § 1-1041.03.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Relocation Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.