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2 Councilmember Brianne K. Nadeau

Councilmember Robert C. White, Jr.

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7 Councilmember Janeese Lewis George

Councilmember Trayon White, Sr.

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12 A BILL
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17 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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22 To amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to set aside
23 medical marijuana facility registrations and to provide a preference for the remainder
24 of medical marijuana facility registrations for businesses owned by returning citizens,
25 and to create a more equitable medical cannabis industry in the District.
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27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 Act may be cited as the “Returning Citizens Cannabis Equity Emergency Amendment Act of
29 2021”.

30 Sec. 2. The Legalization of Marijuana for Medical Treatment Initiative of 1999, effective
31 February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.01 *et seq.*), is amended as
32 follows:

33 (a) Section 2 (D.C. Official Code § 7-1671.01) is amended as follows:

34 (1) Paragraph (20A) is redesignated as paragraph (20B).

35 (2) A new paragraph (20A) is added to read as follows:

36 “(20A) “Returning citizen” means a person who is a resident of the District who
37 was previously incarcerated.”.

38 (b) Section 7 (D.C. Official Code § 7-1671.06) is amended as follows:

39 (1) Subsection (d)(2)(A) is amended as follows:

40 (A) The existing text is designated as sub-subparagraph (i).

41 (B) New sub-subparagraphs (ii) and (iii) are added to read as follows:

42 “(ii) At least one dispensary shall be set aside for
43 registration by applicants that have at least 51% ownership by one or more returning citizens and
44 that have met minimum criteria established by ABRA; provided, that the returning citizen or
45 citizens were previously incarcerated for the manufacture, distribution, or possession, with intent
46 to manufacture or distribute a controlled substance; and

47 “(iii) The requirement set forth in sub-subparagraph (ii)
48 shall apply to registrations that are or become available after the applicability date of the
49 Returning Citizens Cannabis Equity Emergency Amendment Act of 2021, introduced on XX,
50 2021 (B24-XXX).”.

51 (2) Subsection (d)(3)(A) is amended as follows:

52 (A) The existing text is designated as sub-subparagraph (i).

53 (B) New sub-subparagraphs (ii) and (iii) are added to read as follows:

54 “(ii) At least one cultivation center and one testing
55 laboratory shall be set aside for registration to applicants that have at least 51% ownership by
56 one or more returning citizens and that have met minimum criteria established by ABRA;
57 provided, that the returning citizen or citizens were previously incarcerated for the manufacture,
58 distribution, or possession, with intent to manufacture or distribute a controlled substance; and

59 “(ii) The requirement set forth in sub-subparagraph (ii)
60 shall apply to registrations that are or become available after the applicability date of the
61 Returning Citizens Cannabis Equity Emergency Amendment Act of 2021, introduced on XX,
62 2021 (B24-XXX).”.

63 (3) Subsection (d)(5) is amended as follows:

64 (A) Subparagraph (A) is amended by striking the phrase “or applicant
65 eligible to be a medical cannabis certified business enterprise” and inserting the phrase “an
66 applicant eligible to be a medical cannabis certified business enterprise, or a medical cannabis
67 business with at least 51% ownership by one or more returning citizens who were previously
68 incarcerated for the manufacture, distribution, or possession, with intent to manufacture or
69 distribute a controlled substance that is determined to meet the requirements of this paragraph
70 by ABRA in coordination with the Department of Small and Local Business Development” in
71 its place.

72 (B) Subparagraph (B) is amended by striking the phrase “medical cannabis
73 certified business enterprise” and inserting the phrase “medical cannabis certified business
74 enterprise or a medical cannabis business with at least 51% ownership by one or more returning
75 citizens who were previously incarcerated for the manufacture, distribution, or possession, with
76 intent to manufacture or distribute a controlled substance” in its place.

77 (C) Subparagraph (C) is amended by striking the phrase “medical cannabis
78 certified business enterprise” and inserting the phrase “medical cannabis certified business
79 enterprise, or a medical cannabis business with at least 51% ownership by one or more returning
80 citizens who were previously incarcerated for the manufacture, distribution, or possession, with
81 intent to manufacture or distribute a controlled substance” in its place.

82 Sec. 3. Applicability.

83 This act shall apply as of March 22, 2021.

84 Sec. 4. Fiscal impact statement.

85 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
86 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
87 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

88 Sec. 5. Effective date.

89 This act shall take effect following approval by the Mayor (or in the event of veto by the
90 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
91 90 days, as provided for emergency acts of the Council of the District of Columbia in section
92 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
93 D.C. Official Code § 1-204.12(a)).