

1
2 Councilmember Kenyan McDuffie

Chairman Phil Mendelson

3
4
5
6
7 A PROPOSED RESOLUTION
8

9
10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
11

12
13 To declare the existence of an emergency, due to congressional review, to help legitimate
14 medical marijuana businesses with respect to the need to set a new expiration date
15 for the issuance of two year qualifying patient and caregiver registration cards, to
16 establish sunset date for qualifying patients and caregivers whose registration cards
17 expired on or after March 1, 2020 to continue to purchase medicinal marijuana, to
18 ease registration burdens for seniors entering and remaining in the medical cannabis
19 program until September 30, 2022 by allowing seniors 65 years and older to self-
20 certify that they are utilizing cannabis for medical, to increase the amount of dried
21 cannabis a qualifying patient may possess at any one time from 4 ounces to 8
22 ounces, to amend Title 22-C of the District of Columbia Municipal Regulations to
23 allow qualifying patients to establish residency in the District with one document,
24 including a telephone bill or bank statement containing a District address, to declare
25 a 4/20 medical cannabis sales tax holiday week to retain and bring patients back to
26 the medical cannabis program, and to repeal the Medical Marijuana Patient Access
27 Temporary Amendment Act of 2021.

28
29 RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
30 this resolution may be cited as the “Medical Marijuana Patient Access Extension
31 Congressional Review Emergency Declaration Resolution of 2022”.

32 Sec. 2. (a) On November 2, 2021, the Council approved the Medical Marijuana
33 Patient Access Emergency Amendment Act of 2021 (D.C. Act 24-206), which took effect
34 on November 5, 2021. The emergency legislation, which expires on February 3, 2022, is
35 intended to ease the burdens for qualifying patients to access medical cannabis in light of
36 the mass expiration of patient registration at the end of the public health emergency on

1 July 25, 2021, and the continuing threat posed by illicit cannabis storefronts and delivery
2 services.

3 (b) It is estimated that the illicit cannabis market in the District logs \$600 million
4 in sales annually, including those by illicit cannabis storefronts and delivery services, and
5 this, in turn, is economically harming the medical cannabis program.

6 (b) Two of the provisions of the emergency legislation are set to expire on
7 January 31, 2022. The emergency legislation, including these two provisions, played a
8 significant role in November 2021 dispensary sales being the highest that the medical
9 cannabis program has experienced for any month of November. Cultivation Center sales
10 were also the second highest for a month since this data started being tracked in April
11 2018. There remains a need to continue this momentum in patient access by continuing
12 these two provisions until September 30, 2022.

13 (d) There remains a need to accommodate seniors seeking to enter or remain in
14 the medical cannabis program by allowing them to self-certify on a form provided by
15 ABRA that they are utilizing cannabis for medical purposes as part of the registration
16 process until September 30, 2022.

17 (e) Additional medical cannabis patients can be attracted back to the program
18 through the creation of a “4/20 Medical Cannabis Sales Tax Holiday Week” where
19 medical cannabis patients would not pay the 6% sales tax for the period of Friday, April
20 15, 2022 through Sunday, April 24, 2022.

21 (f) On February 1, 2022, the Council passed the Medical Marijuana Patient
22 Access Extension Emergency Amendment Act of 2022, effective February 11, 2022
23 (D.C. Act 24-323; 69 DCR 1268), which expires on May 1, 2022.

1 (g) On February 1, 2022, the Council passed the Medical Marijuana Patient
2 Access Extension Temporary Amendment Act of 2022 on second reading (D.C. Act 24-
3 364; 69 DCR 2670) (“temporary act”), which was transmitted to Congress on April 6,
4 2022, with a projected law date of June 8, 2022.

5 (h) This identical emergency legislation is necessary to prevent a gap in the law
6 between the expiration of the emergency act and the effective date of the temporary
7 measure.

8 Sec. 3. The Council of the District of Columbia determines that the circumstances
9 in section 2 constitute emergency circumstances, making it necessary that the Medical
10 Marijuana Patient Access Extension Congressional Review Emergency Amendment Act
11 of 2022 be adopted after a single reading.

12 Sec. 4. This resolution shall take effect immediately.