

**TITLE 442. OKLAHOMA MEDICAL MARIJUANA AUTHORITY
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 442:1-1-7. Summary suspension of licensee [AMENDED]
- 442:1-1-12. Summary order for destruction [NEW]
- 442:1-1-13. Appeal of adverse credential determination [NEW]
- 442:1-1-14. Declaratory rulings [NEW]
- 442:1-1-15. Emergency cease and desist [NEW]

SUMMARY:

The amendments establish administrative rules governing proceedings before the agency, including provisions regarding proper notice, pleadings, disclosure requirements, and appearance by parties. The amendments establish administrative rules required for the implementation of SB 1704 governing proceedings before the agency, including provisions regarding appeal of adverse credential determinations. The rules are intended to ensure consistent process is afforded to both the Agency as well as commercial licensees subject to administrative actions, penalties, fines, and adverse agency orders affecting licenses. In exigent circumstances that require emergency action, the Executive Director of the Authority may summarily suspend a license, while providing a hearing right to the licensee. In exigent circumstances that require emergency action, the Executive Director of the Authority or assigned administrative law judge may summarily order for destruction any marijuana or marijuana product, and licensees that own or possess the marijuana or marijuana product are afforded a hearing.

AUTHORITY:

Executive Director of the Oklahoma Medical Marijuana Authority; 63 O.S. § 420-430

COMMENT PERIOD:

January 16, 2024 through February 16, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 16, 2024 at the following address: Oklahoma Medical Marijuana Authority, P.O. Box 262266, Oklahoma City, Oklahoma 73126 or by submitting public comment on the agency website at www.omma.ok.gov/rules.

PUBLIC HEARING:

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 16, 2024 at the Oklahoma State Capitol, 2300 N. Lincoln Boulevard, Oklahoma City, OK 73105 in Room 535 at 9:00 a.m. Anyone who wishes to speak must sign in at the door by 9:05a.m. The alternate date and time in the event of an office closure due to inclement weather is February 16, 2024 at the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105 in Room 400 at 1:00 p.m. Anyone who wishes to speak must sign in at the door by 1:05p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, within the comment period, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through February 16, 2024 at 5:00 p.m., the close of business, on the public comment form listed at www.omma.ok.gov/rules.

COPIES OF PROPOSED RULES:

The proposed rules may be obtained for review from the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105. The proposed rules are also available on the agency website at www.omma.ok.gov/rules.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement has been prepared and is available at the Oklahoma Medical Marijuana Authority at the above address or on the agency website at www.omma.ok.gov/rules.

CONTACT PERSON:

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