



Bill Number: S.B. 1713

Gowan Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Requires the Arizona Department of Health Services (DHS) to issue a nonprofit medical marijuana dispensary registration certificate to each entity that is issued a marijuana establishment license and allow registration certificate holders to relocate their retail site only to another unserved rural community.
2. Removes the requirement that DHS issue nonprofit medical marijuana dispensary registration certificates to each licensee that is qualified pursuant to the rural opportunity initiative.
3. Caps the amount of marijuana establishment licenses that DHS may issue pursuant to the rural opportunity initiative at 18.
4. Requires each entity that is issued a marijuana establishment license and a nonprofit medical marijuana dispensary registration certificate to open the entity's retail site within 18 months after being issued a marijuana establishment license or the marijuana establishment license becomes invalid.
5. Makes technical and conforming changes.

GOWAN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1713
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Subject to the requirements of article IV, part 1,
3 section 1, Constitution of Arizona, section 36-2803.01, Arizona Revised
4 Statutes, is amended to read:

5 36-2803.01. New dispensary registration certificates;
6 issuance; priority; requirements; definition

7 A. [EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION.] beginning
8 on April 1, 2020, the department shall issue all new nonprofit medical
9 marijuana dispensary registration certificates in the following order of
10 priority based on the dispensary's geographic area as described in the
11 registration certificate application:

12 1. The geographic area had a registered nonprofit medical marijuana
13 dispensary move from the geographic area and the geographic area is at
14 least twenty-five miles from another dispensary that has been issued a
15 dispensary registration certificate.

16 2. The geographic area is at least twenty-five miles from another
17 dispensary that has been issued a dispensary registration certificate.

18 3. According to rule, [+f] there are no dispensary registration
19 certificate applications as described in paragraph 1 or 2 of this
20 subsection.

21 B. If the department receives multiple applications as described in
22 subsection A, paragraph 1 of this section from previously approved
23 nonprofit medical marijuana dispensary locations, the department shall
24 approve the certificate for the application that serves the most
25 qualifying patients within five miles of the proposed dispensary location.
26 If the department receives multiple applications as described in
27 subsection A, paragraph 2 of this section or if there are no applications
28 from previously approved dispensary locations, the department may issue
29 the registration certificate by random drawing.

1 C. A nonprofit medical marijuana dispensary that receives a
2 registration certificate pursuant to subsection A, paragraph 1 or 2 [OR
3 SUBSECTION E] of this section on or after April 1, 2020 must open the
4 dispensary at the approved location within eighteen months after the
5 application is approved or the registration certificate becomes invalid.

6 D. A nonprofit medical marijuana dispensary that is issued a
7 registration certificate pursuant to subsection A, paragraph 1 or 2 of
8 this section may relocate only as follows:

9 1. If the dispensary is located within a city or town, only within
10 that city or town.

11 2. If the dispensary is located within an unincorporated area, only
12 within the unincorporated area of the county where the dispensary is
13 located but not within twenty-five miles from another dispensary that has
14 been issued a dispensary registration certificate.

15 [E. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, THE
16 DEPARTMENT SHALL ISSUE A NONPROFIT MEDICAL MARIJUANA DISPENSARY
17 REGISTRATION CERTIFICATE TO EACH ENTITY THAT IS ISSUED A MARIJUANA
18 ESTABLISHMENT LICENSE PURSUANT TO SECTION 36-2854, SUBSECTION A, PARAGRAPH
19 1, SUBDIVISION (g) AND ALLOW THESE REGISTRATION CERTIFICATE HOLDERS TO
20 RELOCATE THEIR RETAIL SITE ONLY TO ANOTHER UNSERVED RURAL COMMUNITY IN
21 ACCORDANCE WITH SECTION 36-2857.01.]

22 [F.] [E.] For the purposes of this section, "geographic area"
23 means a city, town or unincorporated area of a county.>>

24 Sec. 2. Subject to the requirements of article IV, part 1,
25 section 1, Constitution of Arizona, section 36-2854, Arizona Revised
26 Statutes, is amended to read:

27 36-2854. Rules; licensing; early applicants; fees; civil
28 penalty; legal counsel

29 A. The department shall adopt rules to implement and enforce this
30 chapter and regulate marijuana, marijuana products, marijuana
31 establishments and marijuana testing facilities. Those rules shall
32 include requirements for:

33 1. Licensing marijuana establishments and marijuana testing
34 facilities, including conducting investigations and background checks to
35 determine eligibility for licensing for marijuana establishment and
36 marijuana testing facility applicants, except that:

37 (a) An application for a marijuana establishment license or
38 marijuana testing facility license may not require the disclosure of the
39 identity of any person who is entitled to a share of less than ten percent
40 of the profits of an applicant that is a publicly traded corporation.

41 (b) The department may not issue more than one marijuana
42 establishment license for every ten pharmacies that have registered under
43 section 32-1929, that have obtained a pharmacy permit from the Arizona
44 board of pharmacy and that operate within this state.

45 (c) Notwithstanding subdivision (b) of this paragraph, the
46 department may issue a marijuana establishment license to not more than
47 two marijuana establishments per county that contains no registered

1 nonprofit medical marijuana dispensaries, or one marijuana establishment
2 license per county that contains one registered nonprofit medical
3 marijuana dispensary. Any license issued pursuant to this subdivision
4 shall be for a fixed county and may not be relocated outside of that
5 county.

6 (d) The department shall accept applications for marijuana
7 establishment licenses from early applicants beginning January 19, 2021
8 through March 9, 2021. Not later than sixty days after receiving an
9 application pursuant to this subdivision, the department shall issue a
10 marijuana establishment license to each qualified early applicant. If the
11 department has not adopted final rules pursuant to this section at the
12 time marijuana establishment licenses are issued pursuant to this
13 subdivision, licensees shall comply with the rules adopted by the
14 department to implement chapter 28.1 of this title except those that are
15 inconsistent with this chapter.

16 (e) After issuing marijuana establishment licenses to qualified
17 early applicants, the department shall issue marijuana establishment
18 licenses available under subdivisions (b) and (c) of this paragraph by
19 random selection and according to rules adopted pursuant to this section.
20 At least sixty days before any random selection, the department shall
21 prominently publicize the random selection on its website and through
22 other means of general distribution intended to reach as many interested
23 parties as possible and shall provide notice through an email notification
24 system to which interested parties can subscribe.

25 (f) Notwithstanding subdivisions (b) and (c) of this paragraph, and
26 not later than six months after the department adopts final rules to
27 implement a social equity ownership program pursuant to paragraph 9 of
28 this subsection, the department shall issue twenty-six additional
29 marijuana establishment licenses to entities that are qualified pursuant
30 to the social equity ownership program.

31 (g) NOTWITHSTANDING SUBDIVISIONS (b) AND (c) OF THIS PARAGRAPH, THE
32 DEPARTMENT SHALL ISSUE [A] MARIJUANA ESTABLISHMENT [~~LICENSES AND NONPROFIT~~
33 ~~MEDICAL MARIJUANA DISPENSARY REGISTRATION CERTIFICATES~~] [~~LICENSE~~] TO
34 [~~ENTITIES~~] [~~EACH ENTITY~~] THAT [~~ARE~~] [~~IS~~] QUALIFIED PURSUANT TO THE RURAL
35 OPPORTUNITY INITIATIVE. THE LICENSES [~~AND CERTIFICATES~~] ISSUED PURSUANT
36 TO THIS SUBDIVISION SHALL BE FOR A FIXED COMMUNITY THAT HAS NOT OPTED OUT
37 OF THE RURAL OPPORTUNITY INITIATIVE, AND THE [~~DUAL LICENSEE'S~~] [~~ENTITY'S~~]
38 RETAIL SITE MAY BE RELOCATED ONLY TO AN UNSERVED RURAL COMMUNITY IN
39 ACCORDANCE WITH SECTION 36-2857.01. [~~THE DEPARTMENT MAY NOT ISSUE MORE~~
40 ~~THAN EIGHTEEN MARIJUANA ESTABLISHMENT LICENSES PURSUANT TO THIS~~
41 ~~SUBDIVISION.~~]

42 ~~(g)~~ (h) Licenses issued by the department to marijuana
43 establishments and marijuana testing facilities shall be valid for a
44 period of two years. A dual licensee's initial renewal date, which will
45 be the ongoing renewal date for both the dual licensee's marijuana
46 establishment license and nonprofit medical marijuana dispensary
47 registration, is the earlier of:

1 (i) The date of the marijuana establishment license renewal.

2 (ii) The date of the nonprofit medical marijuana dispensary
3 registration renewal.

4 ~~(iii)~~ (i) The department may not issue a marijuana establishment or
5 marijuana testing facility license to an applicant who has an ownership
6 interest in an out-of-state marijuana establishment or marijuana testing
7 facility, or the other state's equivalent, that has had its license
8 revoked by the other state.

9 2. Licensing fees and renewal fees for marijuana establishments and
10 marijuana testing facilities in amounts that are reasonable and related to
11 the actual cost of processing applications for licenses and renewals and
12 that do not exceed five times the fees prescribed by the department to
13 register or renew a nonprofit medical marijuana dispensary.

14 3. The security of marijuana establishments and marijuana testing
15 facilities.

16 4. Marijuana establishments to safely cultivate, process and
17 manufacture marijuana and marijuana products. The department shall
18 require licensees to procure, develop, acquire and maintain a system to
19 track marijuana and marijuana products at all points of cultivation,
20 manufacturing and sale. The system developed and maintained pursuant to
21 this paragraph shall:

22 (a) Ensure an accurate accounting and reporting of the production,
23 processing and sale of marijuana and marijuana products.

24 (b) Ensure compliance with rules adopted by the department.

25 (c) Be capable of tracking, at a minimum:

26 (i) The propagation of immature marijuana plants and the production
27 of marijuana by a marijuana establishment.

28 (ii) The processing of marijuana and marijuana products by a
29 marijuana establishment.

30 (iii) The sale and purchase of marijuana and marijuana products
31 between licensees.

32 (iv) The transfer of marijuana and marijuana products between
33 premises for which licenses have been issued.

34 (v) The disposal of marijuana waste.

35 (vi) The identity of the person making the entry in the system and
36 the time, date and location of each entry into the system, including any
37 corrections or changes to that information.

38 (vii) Any other information that the department determines is
39 reasonably necessary to accomplish the duties, functions and powers of the
40 department.

41 (d) Contain a transactional stamp to ensure accuracy, provide for
42 chain of custody of the information and foreclose tampering of the data,
43 human error or intentional misreporting.

44 5. Tracking, testing, labeling consistent with section 36-2854.01
45 and packaging marijuana and marijuana products, including requirements
46 that marijuana and marijuana products be:

1 (a) Sold to consumers in clearly and conspicuously labeled
2 containers that contain accurate warnings regarding the use of marijuana
3 or marijuana products.

4 (b) Placed in child-resistant packaging on exit from a marijuana
5 establishment.

6 6. Forms of government-issued identification that are acceptable by
7 a marijuana establishment verifying a consumer's age and procedures
8 related to verifying a consumer's age consistent with section 4-241.
9 Until the department adopts final rules related to verifying a consumer's
10 age, marijuana establishments shall comply with the proof of legal age
11 requirements prescribed in section 4-241.

12 7. The potency of edible marijuana products that may be sold to
13 consumers by marijuana establishments at reasonable levels on
14 consideration of industry standards, except that the rules:

15 (a) Shall limit the strength of edible marijuana products to not
16 more than ten milligrams of tetrahydrocannabinol per serving or one
17 hundred milligrams of tetrahydrocannabinol per package.

18 (b) Shall require that if a marijuana product contains more than
19 one serving, it must be delineated or scored into standard serving sizes
20 and homogenized to ensure uniform disbursement throughout the marijuana
21 product.

22 8. Ensuring the health, safety and training of employees of
23 marijuana establishments and marijuana testing facilities.

24 9. The creation and implementation of a social equity ownership
25 program to promote the ownership and operation of marijuana establishments
26 and marijuana testing facilities by individuals from communities
27 disproportionately impacted by the enforcement of previous marijuana laws.

28 10. Prohibiting a marijuana testing facility from having any direct
29 or indirect familial relationship with or financial ownership interest in
30 a marijuana establishment or related marijuana business entity or
31 management company. The rules shall include prohibiting a marijuana
32 establishment from having any direct or indirect familial relationship
33 with or financial ownership interest in a marijuana testing facility or
34 related marijuana business entity or management company.

35 11. Requiring marijuana establishments to display in a conspicuous
36 location a sign that warns pregnant women about the potential dangers to
37 fetuses caused by smoking or ingesting marijuana while pregnant or to
38 infants while breastfeeding and the risk of being reported to the
39 department of child safety during pregnancy or at the birth of the child
40 by persons who are required to report. The rules shall include the
41 specific warning language that must be included on the sign. The cost and
42 display of the sign required by rule shall be borne by the marijuana
43 establishment.

44 12. ESTABLISHING AND IMPLEMENTING A RURAL OPPORTUNITY INITIATIVE IN
45 ACCORDANCE WITH SECTION 36-2857.01 TO CREATE TAX REVENUE AND ECONOMIC
46 OPPORTUNITIES FOR RURAL COMMUNITIES.

47 B. The department may:

1 1. Subject to title 41, chapter 6, article 10, deny any application
2 submitted or deny, suspend or revoke, in whole or in part, any
3 registration or license issued under this chapter if the registered or
4 licensed party or an officer, agent or employee of the registered or
5 licensed party does any of the following:

6 (a) Violates this chapter or any rule adopted pursuant to this
7 chapter.

8 (b) Has been, is or may continue to be in substantial violation of
9 the requirements for licensing or registration and, as a result, the
10 health or safety of the general public is in immediate danger.

11 2. Subject to title 41, chapter 6, article 10, and unless another
12 penalty is provided elsewhere in this chapter, assess a civil penalty
13 against a person that violates this chapter or any rule adopted pursuant
14 to this chapter in an amount not to exceed \$2,000 for each violation.
15 Each day a violation occurs constitutes a separate violation. In
16 determining the amount of a civil penalty assessed against a person, the
17 department shall consider all of the factors set forth in section 36-2816,
18 subsection H. All civil penalties collected by the department pursuant to
19 this paragraph shall be deposited in the smart and safe Arizona fund
20 established by section 36-2856.

21 3. At any time during regular hours of operation, visit and inspect
22 a marijuana establishment, marijuana testing facility or dual licensee to
23 determine if it complies with this chapter and rules adopted pursuant to
24 this chapter. The department shall make at least one unannounced visit
25 annually to each facility licensed pursuant to this chapter.

26 4. Adopt any other rules that are not expressly stated in this
27 section and that are necessary to ensure the safe and responsible
28 cultivation, sale, processing, manufacture, testing and transport of
29 marijuana and marijuana products.

30 C. Until the department adopts rules allowing and regulating
31 delivery by marijuana establishments pursuant to subsection D of this
32 section, delivery is unlawful under this chapter.

33 D. On or after January 1, 2023, the department may, and not later
34 than January 1, 2025 the department shall, adopt rules to allow and
35 regulate delivery by marijuana establishments. The rules shall:

36 1. Require that delivery and the marijuana and marijuana products
37 to be delivered originate from a designated retail location of a marijuana
38 establishment and only after an order is made with the marijuana
39 establishment by a consumer. The rules may not limit the distance between
40 the delivery location and the originating designated retail location of
41 the marijuana establishment.

42 2. Prohibit delivery to any property owned or leased by the United
43 States, this state, a political subdivision of this state or the Arizona
44 board of regents.

45 3. Limit the amount of marijuana and marijuana products based on
46 retail price that may be in a delivery vehicle during a single trip from
47 the designated retail location of a marijuana establishment.

1 4. Prohibit extra or unallocated marijuana or marijuana products in
2 delivery vehicles.

3 5. Require that deliveries be made only by marijuana facility
4 agents in unmarked vehicles that are equipped with a global positioning
5 system or similar location tracking system and video surveillance and
6 recording equipment, and that contain a locked compartment in which
7 marijuana and marijuana products must be stored. The rules may not limit
8 the number of vehicles that a marijuana establishment may use for
9 delivery.

10 6. Require delivery logs necessary to ensure compliance with this
11 subsection and rules adopted pursuant to this subsection.

12 7. Require inspections to ensure compliance with this subsection
13 and rules adopted pursuant to this subsection.

14 8. Include any other provisions necessary to ensure safe and
15 restricted delivery.

16 9. Require dual licensees to comply with the rules adopted pursuant
17 to this subsection.

18 E. Except as provided in subsection D of this section, the
19 department may not allow delivery of marijuana or marijuana products under
20 this chapter by any individual or entity. In addition to any other
21 penalty imposed by law, an individual or entity that delivers marijuana or
22 marijuana products in a manner that is not authorized by this chapter
23 shall pay a civil penalty of \$20,000 per violation to the smart and safe
24 Arizona fund established by section 36-2856. This subsection may be
25 enforced by the attorney general.

26 F. All rules adopted by the department pursuant to this section
27 shall be consistent with the purpose of this chapter.

28 G. The department may not adopt any rule that:

29 1. Prohibits the operation of marijuana establishments, either
30 expressly or through requirements that make the operation of a marijuana
31 establishment unduly burdensome.

32 2. Prohibits or interferes with the ability of a dual licensee to
33 operate a marijuana establishment and a nonprofit medical marijuana
34 dispensary at shared locations.

35 H. Notwithstanding section 41-192, the department may employ legal
36 counsel and make an expenditure or incur an indebtedness for legal
37 services for the purposes of:

38 1. Defending this chapter or rules adopted pursuant to this
39 chapter.

40 2. Defending chapter 28.1 of this title or rules adopted pursuant
41 to chapter 28.1 of this title.

42 I. The department shall deposit all license fees, application fees
43 and renewal fees paid to the department pursuant to this chapter in the
44 smart and safe Arizona fund established by section 36-2856.

45 J. On request, the department of health services shall share with
46 the department of revenue information regarding a marijuana establishment,

1 marijuana testing facility or dual licensee, including its name, physical
2 address, cultivation site and transaction privilege tax license number.

3 K. Notwithstanding any other law, the department may:

4 1. License an independent third-party laboratory to also operate as
5 a marijuana testing facility.

6 2. Operate a marijuana testing facility.

7 L. The department shall maintain and publish a current list of all
8 marijuana establishments and marijuana testing facilities by name and
9 license number.

10 M. Notwithstanding any other law, the issuance of an occupational,
11 professional or other regulatory license or certification to a person by a
12 jurisdiction or regulatory authority outside this state does not entitle
13 that person to be issued a marijuana establishment license, a marijuana
14 testing facility license, or any other license, registration or
15 certification under this chapter.

16 N. Until the department adopts rules as required by subsection A,
17 paragraph 10 of this section:

18 1. A marijuana testing facility is prohibited from having any
19 direct or indirect familial relationship with or financial ownership
20 interest in a marijuana establishment or related marijuana business entity
21 or management company.

22 2. A marijuana establishment is prohibited from having any direct
23 or indirect familial relationship with or financial ownership interest in
24 a marijuana testing facility or related marijuana business entity or
25 management company.

26 Sec. 3. Subject to the requirements of article IV, part 1,
27 section 1, Constitution of Arizona, title 36, chapter 28.2, Arizona
28 Revised Statutes, is amended by adding section 36-2857.01, to read:

29 36-2857.01. Rural opportunity initiative; applicant
30 requirements; opt out; definition

31 A. ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL ADOPT RULES
32 ESTABLISHING A RURAL OPPORTUNITY INITIATIVE IN ACCORDANCE WITH THIS
33 SECTION.

34 B. ON OR BEFORE AUGUST 1, 2026, THE DEPARTMENT SHALL POST ON THE
35 DEPARTMENT'S PUBLIC WEBSITE A FORM THAT ALLOWS UNSERVED RURAL COMMUNITIES
36 TO COMMUNICATE TO THE DEPARTMENT THE [UNSERVED RURAL] COMMUNITY'S
37 INTENTION TO OPT OUT OF PARTICIPATION IN THE RURAL OPPORTUNITY INITIATIVE.
38 FOR THE PURPOSES OF THIS SECTION, A COUNTY MAY OPT OUT OF PARTICIPATION ON
39 BEHALF OF CENSUS-DESIGNATED AREAS IN THE COUNTY, NOT INCLUDING CITIES OR
40 TOWNS. AN UNSERVED RURAL COMMUNITY MAY WITHDRAW ITS OPT-OUT FORM AT ANY
41 TIME.

42 C. ON OR BEFORE OCTOBER 1, 2026, THE DEPARTMENT SHALL POST AND
43 MAINTAIN ON THE DEPARTMENT'S PUBLIC WEBSITE A CURRENT LIST OF UNSERVED
44 RURAL COMMUNITIES THAT HAVE OPTED OUT OF THE RURAL OPPORTUNITY INITIATIVE.

45 D. BEGINNING OCTOBER 1, 2026, THE DEPARTMENT SHALL ACCEPT
46 APPLICATIONS FROM QUALIFIED APPLICANTS. WITHIN SIXTY DAYS AFTER RECEIVING
47 THE FIRST APPLICATION FROM A QUALIFIED APPLICANT THAT SEEKS TO SERVE A

1 SPECIFIC UNSERVED RURAL COMMUNITY, THE DEPARTMENT SHALL ~~[AWARD AND~~
2 ~~ALLOCATE]~~ [ISSUE] A MARIJUANA ESTABLISHMENT LICENSE [PURSUANT TO SECTION
3 36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION (g)] AND A NONPROFIT
4 MEDICAL MARIJUANA DISPENSARY REGISTRATION CERTIFICATE [PURSUANT TO SECTION
5 36-2803.01, SUBSECTION E] TO THE QUALIFIED APPLICANT THAT FIRST APPLIES TO
6 SERVE THE UNSERVED RURAL COMMUNITY.

7 E. TO QUALIFY FOR A LICENSE PURSUANT TO THE RURAL OPPORTUNITY
8 INITIATIVE, AN APPLICANT SHALL COMPLETE AND SUBMIT A DEPARTMENT-APPROVED
9 FORM OR FORMS SHOWING THAT THE APPLICANT HAS A LANDOWNER'S CONSENT TO USE
10 PROPERTY IN THE ELIGIBLE UNSERVED RURAL COMMUNITY FOR A MARIJUANA RETAIL
11 SITE AND A DEPARTMENT-APPROVED FORM OR FORMS SHOWING THE PROPERTY IS IN
12 COMPLIANCE WITH LOCAL ZONING RESTRICTIONS APPLICABLE TO WHERE A ~~[DUAL~~
13 ~~LICENSEE]~~ [RETAIL SITE OPERATING PURSUANT TO BOTH A MARIJUANA
14 ESTABLISHMENT LICENSE AND A NONPROFIT MEDICAL MARIJUANA DISPENSARY
15 REGISTRATION CERTIFICATE AND THIS SECTION] MAY BE LOCATED.

16 F. A LANDOWNER MAY NOT EXECUTE OR AGREE TO EXECUTE MULTIPLE
17 LANDOWNER CONSENT FORMS CONCERNING THE SAME PROPERTY ADDRESS FOR THE RURAL
18 OPPORTUNITY INITIATIVE. THE LANDOWNER CONSENT FORM EXECUTED FIRST IN TIME
19 IS THE ONLY VALID LANDOWNER CONSENT FORM.

20 G. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER OR CHAPTER
21 28.1 OF THIS TITLE, ~~[ENTITIES]~~ [EACH ENTITY] THAT ~~[BECOME A DUAL LICENSEE]~~
22 [IS ISSUED A MARIJUANA ESTABLISHMENT LICENSE] PURSUANT TO ~~[THIS]~~ SECTION
23 [36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION (g) AND A NONPROFIT
24 MEDICAL MARIJUANA DISPENSARY REGISTRATION CERTIFICATE PURSUANT TO SECTION
25 36-2803.01, SUBSECTION E]:

26 1. SHALL BE LICENSED BY THE DEPARTMENT TO OPERATE ONLY ONE RETAIL
27 LOCATION AND ONE OFF-SITE LOCATION AT WHICH THE ~~[DUAL LICENSEE]~~ [ENTITY]
28 MAY CULTIVATE MARIJUANA AND MANUFACTURE MARIJUANA PRODUCTS.

29 2. MAY OPERATE AN OFF-SITE LOCATION ONLY AT A PROPERTY WHERE
30 CULTIVATION OPERATIONS WERE CONDUCTED PURSUANT TO THE DEPARTMENT'S
31 APPROVAL FOR AT LEAST ONE DAY DURING THE EIGHTEEN MONTHS IMMEDIATELY
32 PRECEDING ~~[A DUAL LICENSEE'S]~~ [THE ENTITY'S] DATE OF APPLICATION TO
33 OPERATE AT THE OFF-SITE CULTIVATION LOCATION.

34 3. ~~[ARE]~~ [IS] NOT REQUIRED TO OPERATE THE ~~[DUAL LICENSEE'S]~~
35 [ENTITY'S] RETAIL SITE FOR MORE THAN TWENTY-FOUR HOURS EACH WEEK.

36 [4. SHALL OPEN THE ENTITY'S RETAIL SITE WITHIN EIGHTEEN MONTHS
37 AFTER BEING ISSUED A MARIJUANA ESTABLISHMENT LICENSE PURSUANT TO SECTION
38 36-2854, SUBSECTION A, PARAGRAPH 1, SUBDIVISION (g) OR THE MARIJUANA
39 ESTABLISHMENT LICENSE BECOMES INVALID.]

40 H. [NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER OR CHAPTER
41 28.1 OF THIS TITLE,] ANY ENTITY THAT [BECOMES A DUAL LICENSEE] [IS ISSUED
42 A MARIJUANA ESTABLISHMENT LICENSE] PURSUANT TO ~~[THIS]~~ SECTION [36-2854,
43 SUBSECTION A, PARAGRAPH 1, SUBDIVISION (g) AND A NONPROFIT MEDICAL
44 MARIJUANA DISPENSARY REGISTRATION CERTIFICATE PURSUANT TO SECTION
45 36-2803.01, SUBSECTION E] MAY MOVE ITS RETAIL SITE ONLY TO ANOTHER
46 UNSERVED RURAL COMMUNITY THAT HAS NOT OPTED OUT OF THE RURAL OPPORTUNITY
47 INITIATIVE PURSUANT TO THIS SECTION.

1 I. FOR THE PURPOSES OF THIS SECTION, "UNSERVED RURAL COMMUNITY"
2 MEANS A CITY, TOWN OR CENSUS-DESIGNATED AREA THAT HAS A POPULATION OF LESS
3 THAN FIFTY THOUSAND PERSONS AND CONTAINS ONE OR MORE PARCELS OF PROPERTY
4 THAT ARE AT LEAST TWENTY-FIVE MILES FROM A MARIJUANA RETAIL SITE, AS
5 MEASURED FROM THE CLOSEST POINTS OF BOTH PROPERTIES.

6 Sec. 4. Requirements for enactment; three-fourths vote

7 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
8 ~~[section]~~ [sections 36-2803.01 and] 36-2854, Arizona Revised Statutes, as
9 amended by this act, and section 36-2857.01, Arizona Revised Statutes, as
10 added by this act, are effective only on the affirmative vote of at least
11 three-fourths of the members of each house of the legislature.

12 Enroll and engross to conform

13 Amend title to conform

DAVID GOWAN

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C: MH