

S.F. No. 2371 – Medical Cannabis Modifications

Author: Senator D. Scott Dibble

Prepared by: Olivia Syverson, Senate Counsel (olivia.syverson@mnsenate.gov)

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S.F. 2371 amends several provisions related to medical cannabis.

Sections 1 to 3 add the definitions of “Tribal medical cannabis board,” “Tribal medical cannabis program,” and “Tribal medical cannabis program patient.” Similar definitions are found in section 152.22, which is being repealed effective December 1, 2025.

Section 4 allows a registered designated caregiver to cultivate up to eight cannabis plants for no more than one patient household. In addition, a registered designated caregiver may cultivate up to eight cannabis plants for the caregiver’s personal adult use of cannabis.

Section 5 modifies the requirements that must be satisfied before distributing medical cannabis flower or medical cannabinoid products. In addition to the current requirements, a cannabis business must confirm that the patient had a consultation with an employee with a valid medical cannabis consultant certificate issued by the office or an employee who is a licensed pharmacist under chapter 151.

Section 6 provides for the distribution of medical cannabis flower or medical cannabinoid products to a Tribal medical cannabis program patient by a cannabis business with a medical cannabis retail endorsement.

A Tribal medical cannabis program patient must provide to an employee of the cannabis business a valid medical cannabis registration verification card and a valid photo ID issued by the Tribal medical cannabis program.

An employee of a cannabis business must ensure that a patient-specific label has been applied to all medical cannabis flower and medical cannabinoid products and provide any other required information.

A cannabis business with a medical cannabis retail endorsement is required to report to the office certain information on a weekly basis, for each transaction that involves a Tribal medical cannabis program patient.

A cannabis business with a medical cannabis retail endorsement may distribute medical cannabis flower and medical cannabinoid products to a Tribal medical cannabis program patient in a motor vehicle if several requirements are met.

Section 7 requires a patient who assigns the patient's right to cultivate cannabis plants to a designated caregiver to notify the office of that assignment. A patient who assigns their rights is prohibited from cultivating cannabis plants for their personal use.

Section 8 modifies several provisions related to the protections for registry program participants.

Provides a presumption that a Tribal medical cannabis program patient is engaged in the authorized use or possession of medical cannabis flower or medical cannabinoid products.

Provides that a Tribal medical cannabis program patient's use or possession of medical cannabis flower, medical cannabinoid products, or paraphernalia is not a violation of chapter 152 if distributed under section 342.51, subdivision 5.

Provides members of a Tribal medical cannabis board, board staff, and agents and contractors are not subject to civil penalties or disciplinary action by a business, occupational, or professional licensing board for participating in a Tribal medical cannabis program.

Prohibits information obtained from a Tribal medical cannabis program patient from being admitted as evidence in a criminal proceeding unless the information is independently obtained and the proceeding involves a violation of the medical cannabis program statutes.

Provides possession of a verification issued by a Tribal medical cannabis program or an application for enrollment in a Tribal medical cannabis program, by a person entitled to possess the verification or application, does not constitute probable cause or reasonable suspicion, must not be used to support a search, and must not subject the person or property to inspection by a government agency.

Prohibits an employer from discriminating against a person in hiring, termination, or a term or condition of employment based on the person's status as a Tribal medical cannabis program patient, and allows Tribal medical cannabis program patients to present verification from their Tribal medical cannabis program to explain a positive drug test result to an employer.

Prohibits a person from being denied custody, visitation, or parenting time based on the person's status as a Tribal medical cannabis program patient.

Prohibits the commissioner of corrections from prohibiting an individual from participating in a Tribal medical cannabis program, or revoking an individual's parole, supervised release, or conditional release for participating in a Tribal medical cannabis program.

Provides a patient enrolled in the registry program must not be subject to a penalty or disciplinary action by an occupational or professional licensing board solely because the

patient is enrolled in the registry program or has a positive test for cannabis components or metabolites.

Prohibits a school from penalizing or refusing to enroll a patient as a pupil solely because cannabis is a controlled substance under federal law, and prohibits a landlord from penalizing or refusing to lease property to a patient solely because cannabis is a controlled substance under federal law.

Requires employers, schools, and landlords to provide at least 14 days' written notice before taking certain actions against a patient, and specifies what the notice must include. Prohibits schools, landlords, health care facilities, and employers from retaliating against patients for asserting their rights or seeking remedies.

Allows a patient to bring an action for injunctive relief to prevent or end a violation of subdivisions 3 to 6a, and increases the minimum civil penalty amount from \$100 to \$1,000.



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95 University Ave. W., STE 3300, Saint Paul, MN, 55155