

SECOND REGULAR SESSION

HOUSE BILL NO. 1896

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROBERTS (161).

4303H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 195, RSMo, by adding thereto one new section relating to background checks in the medical marijuana industry.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be known as section 195.815, to read as follows:

195.815. 1. The department of health and senior services shall require all officers, managers, contractors, employees, and other support staff of licensed or certified medical marijuana facilities, and all owners of such medical marijuana facilities with access to the facilities or to the facilities' medical marijuana, to submit fingerprints to the Missouri state highway patrol for the purpose of conducting state and federal fingerprint-based criminal background checks.

2. The department shall require that such fingerprint submissions be made as a part of a medical marijuana facility application for licensure or certification and an individual's application for an identification card authorizing such individual to be an owner, officer, manager, contractor, employee, or other support staff of a medical marijuana facility.

3. Fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal history repository and shall also be forwarded to the Federal Bureau of Investigation for the searching of the federal criminal history files under section 43.540. The patrol shall notify the department of any criminal history information or lack of criminal history information on the individual. Notwithstanding the provisions of section

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **610.120, all records related to any criminal history information shall be available to the**
19 **department.**

20 **4. The director may promulgate all necessary rules and regulations for the**
21 **administration of this section. Any rule or portion of a rule, as that term is defined in**
22 **section 536.010, that is created under the authority delegated in this section shall become**
23 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
24 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**
25 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
26 **the effective date, or to disapprove and annul a rule are subsequently held**
27 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
28 **after August 28, 2020, shall be invalid and void.**

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