

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 95—Medical Marijuana

PROPOSED RESCISSION

19 CSR 30-95.040 Medical Marijuana Facilities Generally. Under Article XIV, Section 1 of the Missouri Constitution, the Department of Health and Senior Services was authorized to regulate and control the operations of Cultivation, Infused Product Manufacturing, Dispensary, Testing, and Transportation facilities, and to grant, refuse, suspend, fine, restrict, or revoke the licenses and certifications for such facilities. This rule explained how this authority would be exercised.

PURPOSE: On November 8, 2022, the people of the State of Missouri passed Amendment 3 to the Missouri Constitution, which revised and added to Article XIV. Amendment 3 took effect on December 8, 2022, and conflicts with the rules currently in place pertaining to Article XIV of the Missouri Constitution.

AUTHORITY: sections 1.3.(1)(b) and 1.3.(2) of Article XIV, Mo. Const. and section 195.820, RSMo Supp. 2019. Emergency rule filed May 24, 2019, effective June 3, 2019, expired Feb. 27, 2020. Original rule filed May 24, 2019, effective Jan. 30, 2020. Original authority: 195.820, RSMo 2019. Emergency rescission filed January 20, 2023, effective February 3, 2023, expires August 1, 2023. Rescinded: Filed January 20, 2023.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Health and Senior Services, MMPublicComment@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

RECEIVED

By JCAR at 10:39 am, Jan 20, 2023