

1 **Amendments to Cannabis Agreements With Tribes**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronald M. Winterton

House Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill amends provisions related to medical cannabis.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ amends provisions related to medical cannabis facilities operated under an agreement
8 between the governor and a tribe.

9 **Money Appropriated in this Bill:**

10 None

11 **Other Special Clauses:**

12 None

13 **Utah Code Sections Affected:**

14 AMENDS:

15 **4-41a-105**, as last amended by Laws of Utah 2023, Chapter 273

16 *Be it enacted by the Legislature of the state of Utah:*

17 Section 1. Section **4-41a-105** is amended to read:

18 **4-41a-105 . Agreement with a tribe.**

19 (1) As used in this section, "tribe" means a federally recognized Indian tribe or Indian band.

20 (2)(a) In accordance with this section, the governor may enter into an agreement with a
21 tribe to allow [~~for the operation of~~] the tribe to operate a cannabis production
22 establishment or a medical cannabis pharmacy on tribal land located within the state.

23 (b) An agreement described in Subsection (2)(a) may not exempt any person from the
24 requirements of this chapter.

25 (c) The governor shall ensure that an agreement described in Subsection (2)(a):

26 (i) is in writing;

27 (ii) is signed by:

28 (A) the governor; and
29
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- 31 (B) the governing body of the tribe that the tribe designates and has the authority
32 to bind the tribe to the terms of the agreement;
- 33 (iii) states the effective date of the agreement;
- 34 (iv) provides that the governor shall renegotiate the agreement if the agreement is or
35 becomes inconsistent with a state statute; and
- 36 (v) includes any accommodation that the tribe makes:
- 37 (A) to which the tribe agrees; and
- 38 (B) that is reasonably related to the agreement.
- 39 (d) Before executing an agreement under this Subsection (2), the governor shall consult
40 with the department.
- 41 (e) At least 30 days before the execution of an agreement described in this Subsection (2),
42 the governor or the governor's designee shall provide a copy of the agreement in the
43 form in which the agreement will be executed to:
- 44 (i) the chairs of the Native American Legislative Liaison Committee; and
- 45 (ii) the Office of Legislative Research and General Counsel.
- 46 (3) A cannabis production establishment authorized by an agreement under this section:
- 47 (a) is exempt from the cap on cannabis production establishment licenses allowed under
48 this chapter;
- 49 (b) may transport cannabis and medical cannabis to other licensed cannabis production
50 establishments or medical cannabis pharmacies licensed in this state if done in
51 accordance with this chapter;
- 52 (c) shall comply with all requirements of this chapter; and
- 53 (d) is subject to all fees, fines, and discipline described in this chapter.

54 Section 2. **Effective Date.**

55 This bill takes effect on May 6, 2026.