

1 (ii) physically transfer possession of marijuana from the seller to the buyer within tribal government
2 jurisdiction.

3 (b) The tribe may allow an exemption from tax for sales to the tribe, tribal enterprises, tribal
4 member-owned businesses, or tribal members on marijuana grown, produced, or processed within its
5 jurisdiction. Medical marijuana products used in the course of medical treatments by a clinic, hospital, or similar
6 facility owned and operated by a federally recognized Indian tribe within its Indian country may be exempted
7 from tax under the terms of an agreement entered into under this section.

8 (3) Any marijuana agreement relating to the production, processing, and sale of marijuana in
9 Indian country, whether for recreational or medical purposes, must address the following issues:

- 10 (a) preservation of public health and safety;
- 11 (b) security of production, processing, retail, and research facilities; and
- 12 (c) cross-border commerce in marijuana.

13
14 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$1,000 from the general fund to
15 the office of Indian affairs for the fiscal year beginning July 1, 2025, for the purposes established in [section 1].
16

17 **NEW SECTION. Section 3. Notification to tribal governments.** The secretary of state shall send a
18 copy of [this act] to each federally recognized tribal government in Montana.
19

20 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an
21 integral part of Title 18, chapter 11, and the provisions of Title 18, chapter 11, apply to [section 1].
22

23 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2025.
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