

Proposed Conceptual Amendments to SB 235
Proposed By: Senator Harris

1. Clarify the language in the bill to ensure efficient implementation of the intent:

*Allow all holders of an adult- use cannabis establishment license for an adult-use cannabis retail store to sell medical cannabis products without the requirement to hold a medical cannabis establishment license for a medical cannabis dispensary, subject to all applicable rules regarding the sale of medical cannabis products.

*Sunset the authority to issue new medical cannabis establishment licenses for medical cannabis dispensaries. During the sunset period, prohibit new licenses, except in local jurisdictions that have not reached the cap set forth in NRS 678B.220.

2. Authorize the Cannabis Compliance Board (“CCB”) to issue a single adult- use cannabis establishment license for an adult-use cannabis retail store to an applicant that meets the following requirements:

1) applied for, but was not granted, an adult- use cannabis establishment license for an adult-use cannabis retail store in the 2018 application process;

2) is a dual licensee on the effective date of the act;

3) meets the requirements of NRS 678B.250;

4) has obtained all applicable local government land use approvals to operate the proposed adult-use cannabis retail store; and

5) And any other requirements deemed necessary by the Board.

3. The CCB’s authority to accept applications for the licenses described in #2 shall commence on the effective date of the act, and expire on December 31, 2022.

4. Provide that the provisions of NRS 678B.260 do not apply to licenses issued pursuant to #2.

FUTURE LICENSING APPLICATIONS

5. Define “social equity applicant” as an applicant that has been adversely affected by provisions of previous laws which criminalized activity relating to cannabis, including, without limitation, adverse affects on an owner, officer or board member of the applicant or on the geographic area in which the applicant will operate.

6. Require the CCB to adopt regulations that establish the criteria for determining whether an applicant qualifies as a social equity applicant.

7. Require the CCB to adopt regulations governing all future competitive application processes that:

- 1) establish clear and objective criteria to score the applications;
- 2) establish guidelines used for scoring applications based on the criteria;
- 3) set forth the relative weight of each criteria;
- 4) set forth the minimum and maximum number of points assigned to each criteria;
- 5) require a preference for social equity applicants;
- 6) permit a cap on the number of licenses issued to, or held by, any one applicant;
- 7) require the use of a system that provides the same information to all applicants;
- 8) takes into account geographic diversity of licensees;
- 8) prohibit the distribution of information to any applicant unless it is distributed to all applicants; and

9) include any other provision the CCB deems necessary or desirable to ensure that the process is fair, transparent and complies with applicable law.

8. Remove the requirement in statute and the Nevada Cannabis Compliance Regulations that owners, officers, board members, and employees of cannabis establishments may not have been convicted of an “excluded felony offense.”

9. Beginning March 1, 2022, the CCB shall study the market demand and determine how many licenses would be awarded in a future licensing round. The CCB should complete this study of

market demand by February 1, 2023.

10. If the CCB determines that the market demand warrants additional licenses, the CCB shall offer a competitive, merit-based licensing round open to any interested market participant no later than July 1, 2023, pursuant to the regulations established in #7.