



WASHOE COUNTY

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CM/ACM	_____
Finance	_____
DA	<u>N/A</u>
Risk Mgt.	<u>N/A</u>
HR	<u>N/A</u>
Other	<u>N/A</u>

STAFF REPORT BOARD MEETING DATE: July 14, 2015

DATE: July 7, 2015

TO: Board of County Commissioners

FROM: Kevin Schiller, Assistant County Manager
328-2008, kschiller@washoecounty.us

THROUGH: John Slaughter, County Manager,
328-2060, jslaughter@washoecounty.us

SUBJECT: Update on medical marijuana establishments in the State of Nevada and Washoe County and possible action and direction to staff on allocation of a sixth medical marijuana dispensary pursuant to NRS 453A including determination of a process to select a state qualified dispensary applicant; determination of an approval process for location changes requested by existing medical marijuana dispensaries pursuant to NRS 453A; and direction to staff on other matters pertinent to medical marijuana establishments in Washoe County. (All Commission Districts)

SUMMARY

Update on medical marijuana establishments in the State of Nevada and Washoe County. Possible action and direction to staff on allocation of a sixth medical marijuana dispensary pursuant to NRS 453A including determination of a process to select a state qualified dispensary applicant; determination of an approval process for location changes requested by existing medical marijuana dispensaries pursuant to NRS 453A; and direction to staff on other matters pertinent to medical marijuana establishments in Washoe County.

Washoe County Strategic Objective: Proactive Economic development and diversification.

PREVIOUS BOARD ACTION

On May 13, 2014, the Board discussed a request by the City of Reno to increase the City's medical marijuana dispensary allocation. The County Commissioners stated that it was premature at this time to consider increasing any one local government jurisdiction's allocation of dispensaries and the Commission would consider the matter at a future date when appropriate. The Board of County Commissioners continued the item on June 17, 2014.

On June 24, 2014 the Board received an update and approved an ongoing process for updates from staff including a process to review potential dispensary locations within the County related to future action on dispensary allocation.

The Board received an update on July 8, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation, and requested a presentation on process for applicants.

The Board received an update on July 22, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation.

On August 12, 2014 the Board took action to direct staff to notify the State of Nevada of the request for an allocation of five dispensaries for Washoe County, three for the City of Reno, and two for the City of Sparks.

The Board of County Commissioners received an update on December 9, 2014 on medical marijuana establishment regulations and processes for the State of Nevada and for unincorporated Washoe County.

BACKGROUND

With the passage of legislation in the 2013 session, a working group was established to develop proposed regulations, ordinances and processes for medical marijuana establishments (MMEs) in unincorporated Washoe County. Marijuana use remains illegal under Federal laws and the Department of Justice has issued guidance on enforcement to the U.S. Attorney's Office to include protecting Federal priorities including requiring States to establish regulatory schemes. The State of Nevada, Division of Public and Behavioral Health is the regulatory agency with regulatory authority provided in NAC 453A which includes a merit based selection process to award provisional certificates and will provide a ranked ordered list of applicants to jurisdictions. The application process consisted of a 45 day notice which began on May 30, 2014 with formal acceptance of applications through August 18, 2014.

Washoe County established regulatory changes to County Code Chapters 25, 53, and 110 addressing business licensing, minor changes to criminal possession, and zoning requirements for MMEs which were approved by the Board on April 8, 2014. In accordance with State requirements, applicants that intended to establish a dispensary within unincorporated Washoe County applied for a provisional zoning information letter in compliance with the currently established regulations. In addition, pursuant to prior Board direction, regulatory code changes are forthcoming specific to business licensure and fees in a model with fixed annual or quarterly License Fee with a provision for additional license fees if reported receipts exceed a certain amount, paralleling current Washoe County Code, Chapter 30 establishing quarterly liquor fees. This provides an allowance for increased funding in conjunction with business revenue and resulting impacts.

On November 6, 2014 the State of Nevada released their ranking of MME dispensaries for the State of Nevada including Washoe County with application scores and rankings. Scores and rankings by jurisdiction from the Nevada Department of Health and Human Services are attached [Attachment A].

Following the initial ranking notification and awarding of the certificates, each applicant was required to apply for their respective business license. Attached is an update by facility type specific to status within the Washoe County business licensure process [Attachment B]. In summary, the State awarded:

- 12 cultivation facility State registration certificates with four applications to date in a pending status;
- 5 dispensary State registration certificates with 5 in a pending status; and
- 7 Production of Edible Marijuana Products or Marijuana-Infused Products State certificates with 3 applications in a pending status.

During the 2015 Legislative Session, Senate Bill 276 was passed amending NRS 453A. The bill was signed in to law and is effective June 9, 2015 [Attachment C]. Two specific areas have a more immediate impact to Washoe County which are outlined below for Board review and possible action.

NRS 453A.350(3) "A medical marijuana establishment may move to a new location under the jurisdiction of the same local government as its original location regardless of the distance from original location if the operation of the medical marijuana establishment at the new location has been approved by the local government. A local government may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing."

NRS.453A.350(3) enables a current dispensary to request a move from an another qualified location within unincorporated Washoe County. The Board may approve the move at a public meeting for which notice in writing is provided 7 working days prior to the approval. Staff is requesting direction on a process for approval of any requested moves from existing locations by an applicant.

Staff recommends the following option:

An evaluation and determination of approval or disapproval of the request in accordance with the established regulatory requirements pursuant to NRS 453A, and corresponding Washoe County Code requirements (Chapter 25, Chapter 110) within a Washoe County Board of County Commissioners meeting; (Any future code changes less restrictive or more restrictive would be applied to requests following code passage.)

In conjunction with this process, the Board previously approved code requirements in conformance with NRS 453A. The Board may provide direction to staff for review and or evaluation of future code changes for possible future action. The code changes would be applied for any future move requests of a medical marijuana dispensary following passage.

NRS453A.350(5) “Not Withstanding any other provision of law, the Division shall reallocate, on or before July 1, 2015, medical marijuana establishment registration certificates for medical marijuana dispensaries pursuant to NRS 453A.324, as amended by section 1 of this act, in the following quantities for applicants who qualify pursuant to NRS 453A.322

NRS453A.350 (Section 5) (b) “In a county whose population is 100,000 or more but less than 700,000, one certificate for the unincorporated area of such a county”

NRS453A(Section 5)(3)(c) “Shall, on or after the effective date of this act and before September 1, 2015 regardless of the Division’s ranking of the applications to operate a medical marijuana establishment registration certificate for the total number of certificates allocated unless the Division determines that the applicant is unqualified”

NRS453A(Section 5)(4)(a) “A local governmental jurisdiction may: issue a business license or deem a medical marijuana establishment in compliance with all local governmental ordinances or rules regardless of any ranking of the establishment established by the Division (b) consider diversity, location and community ties in the determining whether the medical marijuana establishment is in compliance with all applicable governmental ordinances or rules (c) Provide by ordinance a limitation on the total number of medical marijuana establishments which is less than the number allocated pursuant to subsection if the local governmental jurisdiction determines that the community is adequately served by the number of establishments”

Pursuant to the passage, staff participated in a meeting with the State of Nevada, Division of Public and Behavioral Health. Specific to the allocation of an additional dispensary the State has provided a listed ranking of all applicants who met qualifications within the previous selection process indicating the local jurisdiction must select the qualified applicant by September 1, 2015. The selection process may be determined by the local jurisdiction regardless of previously scored rankings. Pursuant to the Board seeking to utilize the additional allocation, suggested options for selection by the Board include the following:

Option 1

The Board utilize the existing applicant ranking provided by the State of Nevada, Division of Public and Behavioral Health pursuant to the previous application and scoring process, selecting the next highest qualified applicant pursuant to the previously established State review and scoring criteria.

Option 2

The Board establish an alternative selection process using the current qualified applicant list, not utilizing the State ranking, but based on the criteria outlined within NRS 453A (diversity, community ties, and location).

Additional changes to NRS 453A allow for transfer of ownership of a medical marijuana establishment including transfer of the corresponding State certificate for the facility.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

It is recommended that the Washoe County Board of County Commissioners acknowledge the update on medical marijuana establishments in the State of Nevada and Washoe County with possible action and direction to staff on allocation of a sixth medical marijuana dispensary pursuant to NRS 453A including determination of a process to select a state qualified dispensary applicant; determination of an approval process for location changes requested by existing medical marijuana dispensaries pursuant to NRS 453A; and direction to staff on other matters pertinent to medical marijuana establishments in Washoe County.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to acknowledge the update on medical marijuana establishments in the State of Nevada and Washoe County and possible direction to staff on allocation of a sixth medical marijuana dispensary pursuant to NRS 453A including determination of a process to select a state qualified dispensary applicant; determination of an approval process for location changes requested by existing medical marijuana dispensaries pursuant to NRS 453A; and direction to staff on other matters pertinent to medical marijuana establishments in Washoe County”.

MEDICAL MARIJUANA DISPENSARIES**Scores and Rankings by Jurisdiction*****Revised 2/5/2015 3pm**

***Results not shown below reflect the confidentiality of NRS 453A.700 and applicant did not provide a consent to release.**

CARSON CITY			
Rank	Business Name	Score	Provisional License Yes / No
1	Nevada Organix LLC	209.83	Y
2	CONSENT TO RELEASE NOT PROVIDED		Y
3	NNV Service III, LLC	193.35	N
4	NNV Services II, LLC	193.01	N
5	SSeat Investments LLC	186.66	N
6	CapWell, LLC	178.3	N
7	BioNeva Innovations of Carson City, LLC	161.36	N
8	CONSENT TO RELEASE NOT PROVIDED		N
9	The MedMen of Nevada 2, LLC	150.99	N
10	CONSENT TO RELEASE NOT PROVIDED		N
11	Green Grasshaper	15.67	N

CHURCHILL COUNTY			
Rank	Business Name	Score	Provisional License Yes / No
1	CONSENT TO RELEASE NOT PROVIDED		Y

CLARK COUNTY- HENDERSON			
Rank	Business Name	Score	Provisional License Yes / No
1	Livfree Wellness, LLC	208.3	Y
2	Integral Associates II, LLC	204.03	Y
3	Clear River, LLC	201.8	Y
4	CONSENT TO RELEASE NOT PROVIDED		Y
5	Waveseer of Nevada	199.38	Y
6	Henderson Organic Remedies LLC	194	N
7	Nevada Wellness Center	193.62	N
8	NuLeaf Henderson Dispensary, LLC	192.37	N
9	CONSENT TO RELEASE NOT PROVIDED		N
10	Gravitas Henderson LLC	182.4	N
11	Sagebrush Wellness, LLC	172.66	N
12	Serenity Wellness Center, LLC	169.13	N
13	360 Global Sciences, Inc.	164.71	N
14	CONSENT TO RELEASE NOT PROVIDED		N
15	BioNeva Innovations of Henderson, LLC	163.03	N
16	CONSENT TO RELEASE NOT PROVIDED		N
17	The MedMen of Nevada 2, LLC	161	N
18	CONSENT TO RELEASE NOT PROVIDED		N
19	Twelve Twelve, LLC	147.76	N
20	Green Life Dispensary, Inc.	144.93	N
21	Agua Street LLC	142.27	N
22	CONSENT TO RELEASE NOT PROVIDED		N
23	Via Vida LLC	128.69	N
24	Unifern	125.63	N
25	Unifern	124	N
26	Greenway Health Community, LLC	112.23	N
27	CONSENT TO RELEASE NOT PROVIDED		N

CLARK COUNTY- LAS VEGAS			
Rank	Business Name	Score	Provisional License Yes / No
1	Nevada Wellness Center	198.62	Y
2	Medifarm, LLC	197.72	Y
3	NuLeaf CLV Dispensary, LLC	189.71	Y
4	CONSENT TO RELEASE NOT PROVIDED		Y
5	Silver Sage Wellness, LLC	187.01	Y
6	Paradise Wellness	186.84	Y
7	Clark NMSD, LLC DBA NuVeda	185.45	Y
8	CONSENT TO RELEASE NOT PROVIDED		Y
9	CONSENT TO RELEASE NOT PROVIDED		Y
10	Desert Aire Wellness	172.33	Y
11	Serenity Wellness Center, LLC	171.8	Y
12	Nevada Wellness Project, LLC	169	Y
13	CONSENT TO RELEASE NOT PROVIDED		N
14	Samantha's Remedies	163.26	N
15	Nevada Cares, LLC	161.56	N
16	CONSENT TO RELEASE NOT PROVIDED		N
17	CONSENT TO RELEASE NOT PROVIDED		N
18	CONSENT TO RELEASE NOT PROVIDED		N
19	THC Nevada LLC	154.67	N
20	CONSENT TO RELEASE NOT PROVIDED		N
21	Red Rock Wellness LLC	153.96	N
22	CONSENT TO RELEASE NOT PROVIDED		N
23	CONSENT TO RELEASE NOT PROVIDED		N
24	CONSENT TO RELEASE NOT PROVIDED		N
25	CONSENT TO RELEASE NOT PROVIDED		N
26	CONSENT TO RELEASE NOT PROVIDED		N
27	QualCan of Las Vegas, LLC	151.29	N
28	Cannabis Renaissance Group LLC	150.65	N
29	CONSENT TO RELEASE NOT PROVIDED		N
30	CONSENT TO RELEASE NOT PROVIDED		N

MEDICAL MARIJUANA DISPENSARIES

Scores and Rankings by Jurisdiction

*Revised 2/5/2015 3pm

31	The MedMen of Nevada 2, LLC	148.33	N
32	CONSENT TO RELEASE NOT PROVIDED		N
33	Physis One LLC	143.82	N
34	Buffalo Center Medical Advocates	142.5	N
35	Primo Dispensary	137.33	N
36	CONSENT TO RELEASE NOT PROVIDED		N
37	CONSENT TO RELEASE NOT PROVIDED		N
38	Diversified Modalities Retail Ltd.	124.66	N
39	Green Leaf Farms Holdings Inc.	115.27	N
40	M'Life Wellness, LLC	113.67	N
41	CONSENT TO RELEASE NOT PROVIDED		N
42	Blossum Group, LLC	111.67	N
43	CONSENT TO RELEASE NOT PROVIDED		N
44	CONSENT TO RELEASE NOT PROVIDED		N
45	CONSENT TO RELEASE NOT PROVIDED		N
46	Valley Healing Group Inc.	96.53	N
47	CONSENT TO RELEASE NOT PROVIDED		N
48	CONSENT TO RELEASE NOT PROVIDED		N
49	CONSENT TO RELEASE NOT PROVIDED		N

CLARK COUNTY- MESQUITE

Rank	Business Name	Score	Provisional License Yes / No
1	CONSENT TO RELEASE NOT PROVIDED		Y

CLARK COUNTY- NORTH LAS VEGAS

Rank	Business Name	Score	Provisional License Yes / No
1	Waveseer of Las Vegas	197.71	Y
2	Tryke Companies SO NV, LLC	192.97	Y
3	Cheyenne Medical, LLC	191.07	Y
4	Clark NMSD, LLC DBA NuVeda	187.1	Y
5	Green Therapeutics LLC	178.33	N
6	NLV-1 LLC	164.2	N
7	360 Global Sciences, Inc.	163.37	N
8	Mountainside Health Center NV LLC	160.98	N
9	NLV Health and Wellness LLC	154	N
10	CONSENT TO RELEASE NOT PROVIDED		N
11	CONSENT TO RELEASE NOT PROVIDED		N
12	CONSENT TO RELEASE NOT PROVIDED		N
13	NLVD, LLC	137.94	N
14	Lone Mountain Partners, LLC	133.82	N
15	CONSENT TO RELEASE NOT PROVIDED		N
16	CONSENT TO RELEASE NOT PROVIDED		N
17	CONSENT TO RELEASE NOT PROVIDED		N
18	Greenway Health Community North, LLC	110.23	N
19	CONSENT TO RELEASE NOT PROVIDED		N
20	CONSENT TO RELEASE NOT PROVIDED		N
21	Medical Cannabis Healing LLC	78.01	N

CLARK COUNTY- UNINCORPORATED CLARK COUNTY

Rank	Business Name	Score	Provisional License Yes / No
1	Tryke Companies SO NV, LLC	212.97	Y
2	CONSENT TO RELEASE NOT PROVIDED		Y
3	CONSENT TO RELEASE NOT PROVIDED		Y
4	MM Development Company, LLC	203.58	Y
5	Livfree Wellness, LLC	201.64	Y
6	Medifarm, LLC	201.04	Y
7	Medifarm, LLC	200.71	Y
8	Clear River, LLC	197.46	Y
9	CONSENT TO RELEASE NOT PROVIDED		Y
10	CONSENT TO RELEASE NOT PROVIDED		Y
11	CONSENT TO RELEASE NOT PROVIDED		Y
12	NuLeaf Clark Dispensary, LLC	189.03	Y
13	CONSENT TO RELEASE NOT PROVIDED		Y
14	CONSENT TO RELEASE NOT PROVIDED		Y
15	CONSENT TO RELEASE NOT PROVIDED		Y
16	Euphoria Wellness LLC	176.32	Y
17	Gravitas Nevada LTD	176.03	Y
18	CONSENT TO RELEASE NOT PROVIDED		Y
19	Just Quality LLC	172.86	N
20	Just Quality LLC	171.19	N
21	CONSENT TO RELEASE NOT PROVIDED		N
22	CONSENT TO RELEASE NOT PROVIDED		N
23	Polaris Dispensary, LLC	163.67	N
24	CONSENT TO RELEASE NOT PROVIDED		N
25	CONSENT TO RELEASE NOT PROVIDED		N
26	CONSENT TO RELEASE NOT PROVIDED		N
27	The MedMen of Nevada	151.67	N
28	QualCan, LLC	150.95	N
29	CONSENT TO RELEASE NOT PROVIDED		N
30	CONSENT TO RELEASE NOT PROVIDED		N
31	Las Vegas Wellness Center, Inc.	143.56	N
32	Global Harmony, LLC	141.26	N
33	Nevada Medical Marijuana Dispensary, Inc.	137.18	N
34	Camelot NV LLC	132.32	N
35	CONSENT TO RELEASE NOT PROVIDED		N

MEDICAL MARIJUANA DISPENSARIES

Scores and Rankings by Jurisdiction

*Revised 2/5/2015 3pm

36	CONSENT TO RELEASE NOT PROVIDED		N
37	NXTGEN Wellness, LLC	117.01	N

NYE COUNTY

Rank	Business Name	Score	Provisional License Yes / No
1	CONSENT TO RELEASE NOT PROVIDED		Y
2	MM Development Company, LLC	206.93	N
3	Nye Natural Medicinal Solutions, LLC	186.1	N
4	Options Medical Center Pahrump, LLC	166.96	N
5	NCMM, LLC	136.95	N
6	CONSENT TO RELEASE NOT PROVIDED		N

STOREY COUNTY

Rank	Business Name	Score	Provisional License Yes / No
1	CONSENT TO RELEASE NOT PROVIDED		Y

WASHOE COUNTY- RENO

Rank	Business Name	Score	Provisional License Yes / No
1	Livfree Wellness Reno, LLC	207	Y
2	CONSENT TO RELEASE NOT PROVIDED		Y
3	MediFarm I, LLC	203.68	Y
4	CONSENT TO RELEASE NOT PROVIDED		N
5	CONSENT TO RELEASE NOT PROVIDED		N
6	The Cannavative Group, LLC	193.37	N
7	NNV Services IV, LLC	191.99	N
8	CONSENT TO RELEASE NOT PROVIDED		N
9	NuLeaf Reno Dispensary, LLC	189.37	N
10	CapWell, LLC	171.23	N
11	NeVWA, LLC	156.66	N
12	The MedMen of Nevada 2, LLC	154.99	N
13	The Canopy Reno, Inc.	153.41	N
14	Naturally Nevada LLC	150.73	N
15	CONSENT TO RELEASE NOT PROVIDED		N
16	A New Leaf Wellness Center, LLC	146.6	N
17	High Sierra Holistics	122.05	N
18	CONSENT TO RELEASE NOT PROVIDED		N
19	Wells and Taylor, LLC	88.99	N
20	Herbal Care, LLC	83.91	N
21	CONSENT TO RELEASE NOT PROVIDED		N
22	CONSENT TO RELEASE NOT PROVIDED		N
23	Green Tree Therapy, LLC	62.69	N
24	CONSENT TO RELEASE NOT PROVIDED		N
25	Green Grasshaper	21.67	N

WASHOE COUNTY- SPARKS

Rank	Business Name	Score	Provisional License Yes / No
1	Silver State Relief, LLC	225.19	Y
2	Tryke Companies Reno, LLC	202.03	Y
3	Greenleaf Wellness, Inc.	194	N
4	NNV Services IV, LLC	191	N
5	The MedMen of Nevada 2, LLC	152.33	N
6	Common Sense Botanicals	143.97	N
7	CONSENT TO RELEASE NOT PROVIDED		N
8	CONSENT TO RELEASE NOT PROVIDED		N
9	CONSENT TO RELEASE NOT PROVIDED		N

WASHOE COUNTY- UNINCORPORATED WASHOE

Rank	Business Name	Score	Provisional License Yes / No
1	Nevada Organix LLC	212.49	Y
2	Tryke Companies Reno, LLC	204.69	Y
3	NuLeaf Incline Dispensary, LLC	191.7	Y
4	CONSENT TO RELEASE NOT PROVIDED		Y
5	5Seat Investments LLC	188.34	Y
6	Washoe Dispensary, LLC	173.67	N
7	BioNeva Innovations of Washoe County, LLC	163.04	N
8	CONSENT TO RELEASE NOT PROVIDED		N
9	CONSENT TO RELEASE NOT PROVIDED		N
10	CONSENT TO RELEASE NOT PROVIDED		N
11	CONSENT TO RELEASE NOT PROVIDED		N

Medical Marijuana Establishment Business License Applications Unincorporated Washoe County Application Status

Medical Marijuana Cultivation Facilities (12 State registration certificates issued)				
Company Name	Facility Address	Community	License status	
Tryke Companies Reno, LLC	0 Ingenuity Ave New building	Spanish Springs	Pending	TMFPD requirements provided. Corrections for security plan pending. No building permit submitted.
Grow Washoe, LLC	220 Highway 395 South Suite 301 Tenant improvement	Washoe Valley	Pending	Sheriff review approved for security plan. Initial Planning review approved. TMFPD requirements provided. Pending Health and Air Quality permits. Submitted building permit and the permit is pending. Applied for fire sprinkler permit and the permit is pending.
The Clinic Nevada, LLC	2 Eric Circle Tenant improvement	Verdi	Pending	Initial Planning review approved. No building permit submitted.
MediFarm II, LLC	0 Pyramid Way New building	Spanish Springs	Pending	Initial Planning review approved. No building permit submitted.

Note: All MMEs must submit building permits for either new building construction or for tenant improvements to an existing building. Initial Planning review is for zoning and distance requirements. Environmental Health, Fire agency, and Planning final approvals can only occur after the building permits are finalized (approved). Air Quality final approval is after the building is operational (to verify air quality requirements).

Medical Marijuana Establishment Business License Applications Unincorporated Washoe County Application Status

Medical Marijuana Dispensaries (5 State registration certificates issued)

Company Name	Dispensary Address	Community	License status	
Tryke Companies Reno, LLC	10 Stateline Rd. Tenant improvement	Crystal Bay	Pending	Security plan corrections pending to Sheriff. Initial Planning review approved. No building permit submitted.
NuLeaf Incline Dispensary, LLC	877 Tahoe Blvd. Tenant improvement	Incline Village	Pending	IVGID review pending. Security plan received. Initial Planning review approved. No building permit submitted.
The Clinic Nevada, LLC	0 Mt. Rose Highway at Thomas Creek Rd. New building	Across from Chevron Station	Pending	Initial Planning review approved. No building permit submitted. New zoning letter for 17025 Mt Rose Hwy (old Lodge), may submit location change request to State.
Nevada Organix, LLC	754 Mays Blvd. #12 Tenant improvement	Incline Village	Pending	Planning requires site plan with parking and landscaping, elevation plan with height and dimension of sign; distance requirements are verified. Submitted waste management permit and it is pending.
5Seat Investments LLC	5398 Sun Valley Blvd Tenant improvements	Sun Valley	Pending	Washoe County MME business license application submitted, sent to agencies for review.

Note: All MMEs must submit building permits for either new building construction or for tenant improvements to an existing building. Initial Planning review is for zoning and distance requirements. Environmental Health, Fire agency, and Planning final approvals can only occur after the building permits are finalized (approved). Air Quality final approval is after the building is operational (to verify air quality requirements).

Medical Marijuana Establishment Business License Applications Unincorporated Washoe County Application Status

Facilities for the Production of Edible Marijuana Products or Marijuana-infused Products (7 State registration certificates issued)

Company Name	Facility Address	Community	License status	
Tryke Companies Reno, LLC	0 Ingenuity Ave New building	Spanish Springs	Pending	TMFPD requirements provided, corrections for security plan pending, no building permit submitted.
The Clinic Nevada, LLC	2 Eric Circle Tenant improvement	Verdi	Pending	Initial Planning review approved. No building permit submitted.
MediFarm II, LLC	0 Pyramid Way New building	Spanish Springs	Pending	Initial Planning review approved. No building permit submitted.

Note: All MMEs must submit building permits for either new building construction or for tenant improvements to an existing building. Initial Planning review is for zoning and distance requirements. Environmental Health, Fire agency, and Planning final approvals can only occur after the building permits are finalized (approved). Air Quality final approval is after the building is operational (to verify air quality requirements).

Senate Bill No. 276—Senators Segerblom and Farley

CHAPTER.....

AN ACT relating to medical marijuana; revising provisions relating to the allocation of medical marijuana establishment registration certificates; authorizing the transfer of a medical marijuana establishment registration certificate in certain circumstances; authorizing a medical marijuana establishment to move to a new location under certain circumstances; revising provisions governing the registration of certain medical marijuana establishments; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law limits, by the size of the population of each county, the number of certain medical marijuana establishments that may be certified in each county, and also limits the Division of Public and Behavioral Health of the Department of Health and Human Services to accepting applications for the certification of such establishments to not more than 10 days in any calendar year. (NRS 453A.324) **Section 1** of this bill requires the Division to reallocate the certificates provided for a county which has no qualified applicants to the other counties of this State. **Section 5** of this bill provides for the reallocation and issuance of such currently unused certificates.

Existing law prohibits the transfer of a medical marijuana establishment agent registration card or a medical marijuana establishment registration certificate. (NRS 453A.334) **Section 2** of this bill allows the transfer of ownership in a medical marijuana establishment and the transfer of a medical marijuana establishment registration certificate if the new owner: (1) meets the requirements of existing law relating to liquid assets; (2) submits certain information to allow the Division to perform certain background checks; and (3) proves that its acquisition of the establishment will not violate certain restrictions on holding multiple establishments.

Existing law establishes certain requirements for the location of a medical marijuana establishment. (NRS 453A.350) **Section 3** of this bill allows an establishment to move to a new location under the jurisdiction of the same local government if, after a public hearing, the local government approves the new location. **Section 4** of this bill requires the Division to revise its regulations to conform with the provisions of **section 3**.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 453A.324 is hereby amended to read as follows:

453A.324 1. Except as otherwise provided in this section and NRS 453A.326, the Division shall issue medical marijuana establishment registration certificates for medical marijuana

dispensaries in the following quantities for applicants who qualify pursuant to NRS 453A.322:

- (a) In a county whose population is 700,000 or more, 40 certificates;
- (b) In a county whose population is 100,000 or more but less than 700,000, ten certificates;
- (c) In a county whose population is 55,000 or more but less than 100,000, two certificates; and
- (d) In each other county, one certificate.

2. Notwithstanding the provisions of subsection 1, the Division ~~shall not~~:

(a) *Shall not* issue medical marijuana establishment registration certificates for medical marijuana dispensaries in such a quantity as to cause the existence within the applicable county of more than one medical marijuana dispensary for every ten pharmacies that have been licensed in the county pursuant to chapter 639 of NRS. The Division may issue medical marijuana establishment registration certificates for medical marijuana dispensaries in excess of the ratio otherwise allowed pursuant to this subsection if to do so is necessary to ensure that the Division issues at least one medical marijuana establishment registration certificate in each county of this State in which the Division has approved an application for such an establishment to operate.

(b) *Shall, for any county for which no applicants qualify pursuant to NRS 453A.322, within 2 months after the end of the period during which the Division accepts applications pursuant to subsection 4, reallocate the certificates provided for that county pursuant to subsection 1 to the other counties specified in subsection 1 in the same proportion as provided in subsection 1.*

3. With respect to medical marijuana establishments that are not medical marijuana dispensaries, the Division shall determine the appropriate number of such establishments as are necessary to serve and supply the medical marijuana dispensaries to which the Division has granted medical marijuana establishment registration certificates.

4. The Division shall not, for more than a total of 10 business days in any 1 calendar year, accept applications to operate medical marijuana establishments.

Sec. 2. NRS 453A.334 is hereby amended to read as follows:
453A.334 ~~The~~

1. *Except as otherwise provided in subsection 2, the* following are nontransferable:

~~11~~ (a) A medical marijuana establishment agent registration card.

~~12~~ (b) A medical marijuana establishment registration certificate.

2. *A medical marijuana establishment may transfer all or any portion of its ownership to another party, and the Division shall transfer the medical marijuana establishment registration certificate issued to the establishment to the party acquiring ownership, if the party who will acquire the ownership of the medical marijuana establishment submits:*

(a) *Evidence satisfactory to the Division that the party has complied with the provisions of sub-subparagraph (III) of subparagraph (2) of paragraph (a) of subsection 3 of NRS 453A.322 for the purpose of operating the medical marijuana establishment.*

(b) *For the party and each person who is proposed to be an owner, officer or board member of the proposed medical marijuana establishment, the name, address and date of birth of the person, a complete set of the person's fingerprints and written permission of the person authorizing the Division to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(c) *Proof satisfactory to the Division that, as a result of the transfer of ownership, no person, group of persons or entity will, in a county whose population is 100,000 or more, hold more than one medical marijuana establishment registration certificate or more than 10 percent of the medical marijuana establishment registration certificates allocated to the county, whichever is greater.*

Sec. 3. NRS 453A.350 is hereby amended to read as follows:
453A.350 1. Each medical marijuana establishment must:

~~11~~ (a) Be located in a separate building or facility that is located in a commercial or industrial zone or overlay;

~~12~~ (b) Comply with all local ordinances and rules pertaining to zoning, land use and signage;

~~13~~ (c) Have an appearance, both as to the interior and exterior, that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices; and

~~14~~ (d) Have discreet and professional signage that is consistent with the traditional style of signage for pharmacies and medical offices.

2. A medical marijuana establishment may move to a new location under the jurisdiction of the same local government as its original location and regardless of the distance from its original location if the operation of the medical marijuana establishment at the new location as been approved by the local government. A local government may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing.

Sec. 4. 1. The provisions of any regulation adopted by the Division of Public and Behavioral Health of the Department of Health and Human Services which conflict with the provisions of NRS 453A.350, as amended by section 3 of this act, are void and must not be given effect to the extent of the conflict.

2. The Division of Public and Behavioral Health shall amend or repeal any of its existing regulations that conflict or are inconsistent with the provisions of NRS 453A.350, as amended by section 3 of this act, as soon as practicable after the effective date of this section.

Sec. 5. 1. Notwithstanding any other provision of law, the Division shall reallocate, on or before July 1, 2015, medical marijuana establishment registration certificates for medical marijuana dispensaries pursuant to NRS 453A.324, as amended by section 1 of this act, in the following quantities for applicants who qualify pursuant to NRS 453A.322:

(a) In a county whose population is 700,000 or more, eight certificates for the unincorporated area of such a county;

(b) In a county whose population is 100,000 or more but less than 700,000, one certificate for the unincorporated area of such a county; and

(c) In addition to the certificate described in paragraph (b), in a county whose population is 100,000 or more but less than 700,000:

(1) One certificate for each city whose population is 220,000 or more; and

(2) One certificate for each city whose population is 60,000 or more but less than 220,000.

2. The provisions of NRS 453A.326 do not apply to any medical marijuana establishment registration certificate issued pursuant to subsection 1.

3. Notwithstanding any other provision of law, the Division:

(a) Shall, on or before July 1, 2015, issue a medical marijuana establishment registration certificate pursuant to subsection 1 if:

(1) The medical marijuana establishment is in compliance with paragraph (a) of subsection 4; and

(2) The issuance of such certificate does not exceed the total number of certificates allocated.

(b) May, at any time, after receiving an application to operate a medical marijuana establishment:

(1) Register the medical marijuana establishment; and

(2) Issue a medical marijuana establishment registration certificate to the applicant.

(c) Shall, on or after the effective date of this act and before September 1, 2015, regardless of the Division's ranking of the applications to operate a medical marijuana establishment, issue a medical marijuana establishment registration certificate for the total number of certificates allocated unless the Division determines that the applicant is not qualified.

(d) Shall provide the rationale for determining that an applicant to operate a medical marijuana establishment is not qualified, within 30 days after such determination, to:

(1) An applicant who is denied a medical marijuana establishment registration certificate; and

(2) The local governmental jurisdiction where the proposed medical marijuana establishment is to be located.

4. A local governmental jurisdiction may:

(a) Issue a business license or deem a medical marijuana establishment in compliance with all local governmental ordinances or rules, regardless of any ranking of the establishment established by the Division.

(b) Consider diversity, location and community ties in determining whether the medical marijuana establishment is in compliance with all applicable local governmental ordinances or rules.

(c) Provide by ordinance a limitation on the total number of medical marijuana establishments which is less than the number allocated pursuant to subsection 1, if the local governmental jurisdiction determines that the community is adequately served by the number of current establishments.

5. Any application period established by the Division pursuant to this section:

(a) Is a one-time extension of the application period opened by the Division in calendar year 2014;

(b) Must not require a new application if an application has previously been submitted;

(c) Must not require the payment of any additional application fees if such fees have previously been paid; and

(d) Is separate and apart from and must not be included within the 10-day period for the acceptance of applications pursuant to subsection 4 of NRS 453A.324, as amended by section 1 of this act.

6. As used in this section:

(a) "Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services.

(b) "Local governmental jurisdiction" means a city, town, township or unincorporated area within a county.

Sec. 6. 1. This section and sections 1 and 5 of this act become effective upon passage and approval.

2. Section 5 of this act expires by limitation on December 31, 2015.

3. Sections 2, 3 and 4 of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on October 1, 2015, for all other purposes.