§202. General licensing criteria

An applicant for a license to operate a cannabis establishment must meet each of the following requirements, if applicable. Except as otherwise provided in this section, if the applicant is a business entity, every principal of the business entity must meet each of the requirements of this section. An applicant shall disclose in or include with its application the names and addresses of the applicant and all natural persons and business entities having a direct or indirect financial interest in the applied-for license and the nature and extent of the financial interest held by each person or entity and, if applicable, the nature and extent of any financial interest the person or entity has in any other license applied for or issued under this chapter. [PL 2023, c. 679, Pt. B, §22 (AMD).]

1. Age. The applicant must be at least 21 years of age. If the applicant is a business entity, every principal of the business entity must be at least 21 years of age.
[PL 2023, c. 679, Pt. B, §23 (AMD).]

2. Resident.

[PL 2023, c. 679, Pt. B, §24 (RP).]

3. Incorporated in State. If the applicant is a business entity, the business entity must be incorporated in the State or otherwise formed or organized under the laws of the State.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

4. No disqualifying drug offense. The applicant may not have been previously convicted of a disqualifying drug offense.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

5. Not employee of state agency. The applicant may not be employed by the department or any other state agency with regulatory authority under this chapter or the rules adopted pursuant to this chapter.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

6. Not law enforcement officer or corrections officer. The applicant may not be a law enforcement officer; a corrections officer as defined in Title 25, section 2801-A, subsection 2; or any other natural person subject to the certification requirements of Title 25, chapter 341.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

7. No license revocation. The applicant may not have had a license previously issued under this chapter revoked.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

8. No medical registry identification card or registration certificate revocation. The applicant may not have had a registry identification card or registration certificate previously issued pursuant to the Maine Medical Use of Cannabis Act revoked.
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

9. No revocation of other state cannabis license, permit, certificate or other government-issued authorization. The applicant may not have had a license, permit, certificate or other government-issued authorization issued in another jurisdiction allowing the cultivation, manufacture, testing or sale of cannabis or cannabis products revoked.
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

10. No outstanding court-ordered payments. A license may not be issued to an applicant that has any outstanding payments due in this State on court-ordered fines, court-appointed attorney's fees or court-ordered restitution.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

11. Criminal history record check. The applicant must have submitted to a criminal history record check in accordance with the requirements of section 204.
[PL 2017, c. 409, Pt. A, §6 (NEW).]

12. Compliance with application process; no false statement of material fact. The applicant must have completed all application forms required by the office fully and truthfully and complied with all information requests of the office relating to the license application. A license may not be issued to an applicant that has knowingly or recklessly made any false statement of material fact to the office in applying for a license under this chapter. The office shall revoke the license of a licensee pursuant to subchapter 8 if, subsequent to the issuance of the license, the office determines that the licensee knowingly or recklessly made a false statement of material fact to the office in applying for the license.
[PL 2023, c. 679, Pt. B, §25 (AMD).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §§22-25 (AMD).

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