§207. Application fees; license fees

The office, in accordance with the provisions of this section, shall adopt by rule a licensing fee schedule establishing fees that are designed to meet, but not to exceed, the estimated licensing, enforcement and administrative costs of the office under this chapter. [PL 2023, c. 679, Pt. B, §39 (AMD).]

1. Fees for cultivation facilities. For a cultivation facility license, the office shall require payment of an application fee and a license fee as follows:

A. For a tier 1 cultivation facility license, as described in section 301, subsection 1, an application fee of $100 and a license fee as follows:

(1) If the applicant has applied for a plant-count-based tier 1 cultivation facility license as described in section 301, subsection 1, paragraph A, a license fee of not more than $9 per mature cannabis plant for an outdoor cultivation facility and not more than $17 per mature cannabis plant for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas; or

(2) If the applicant has applied for a plant-canopy-based tier 1 cultivation facility license as described in section 301, subsection 1, paragraph B, a license fee of not more than $250 for an outdoor cultivation facility and not more than $500 for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. For a tier 2 cultivation facility license, as described in section 301, subsection 2, an application fee of $500 and a license fee of not more than $1,500 for an outdoor cultivation facility and not more than $3,000 for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas; [PL 2017, c. 409, Pt. A, §6 (NEW).]

C. For a tier 3 cultivation facility license, as described in section 301, subsection 3, an application fee of $500 and a license fee of not more than $5,000 for an outdoor cultivation facility and not more than $10,000 for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas; [PL 2017, c. 409, Pt. A, §6 (NEW).]

D. For a tier 4 cultivation facility license, as described in section 301, subsection 4, an application fee of $500 and a license fee of not more than $15,000 for an outdoor cultivation facility and not more than $30,000 for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas, except that, for a tier 4 cultivation facility license for which an increased amount of licensed plant canopy has been approved by the office pursuant to section 301, for each approved increase in the amount of licensed plant canopy, the office may increase the maximum license fee by not more than $5,000 for an outdoor cultivation facility and by not more than $10,000 for an indoor cultivation facility or a cultivation facility with both indoor and outdoor cultivation areas; and [PL 2023, c. 679, Pt. B, §39 (AMD).]

E. For a nursery cultivation facility license, as described in section 301, subsection 5, an application fee of $60 and a license fee of $350. [PL 2017, c. 409, Pt. A, §6 (NEW).]

[PL 2023, c. 679, Pt. B, §39 (AMD).]

2. Fees for products manufacturing facilities and cannabis stores. For a products manufacturing facility license or a cannabis store license, the office shall require payment of an application fee of $250 and a license fee of not more than $2,500.

[PL 2023, c. 679, Pt. B, §39 (AMD).]

3. Fees for testing facilities. For a testing facility license, the office shall require payment of an application fee of $250 and a license fee of not more than $1,000.

[PL 2023, c. 679, Pt. B, §39 (AMD).]

3-A. Fees for sample collectors. For a sample collector license, the office shall require payment of an application fee of $100 and a license fee of not more than $250.
[PL 2023, c. 679, Pt. B, §39 (AMD).]

4. Payment of fees; fees to be deposited into Adult Use Cannabis Regulatory Coordination Fund. An applicant shall pay the application fee required by the office at the time that the applicant submits an application for licensure to the office for processing. An applicant shall pay the license fee required by the office in accordance with section 205, subsection 4. All fees collected by the office pursuant to this section must be deposited into the Adult Use Cannabis Regulatory Coordination Fund established in section 1102.
[PL 2023, c. 679, Pt. B, §39 (AMD).]

5. Return of fees prohibited. The office may not return to an applicant or licensee or reimburse an applicant or licensee for any portion of an application or license fee paid by the applicant or licensee, regardless of whether the applicant withdraws its application prior to a final decision of the office on the application, the licensee voluntarily terminates its license pursuant to section 212 or the office suspends or revokes the licensee's license in accordance with the provisions of subchapter 8.
[PL 2023, c. 679, Pt. B, §39 (AMD).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2019, c. 676, §8 (AMD). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §39 (AMD).

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