§303. Increase in cultivation tier upon renewal

A licensee seeking renewal of a cultivation facility license may, if applicable and in accordance with this section, apply for a tier of cultivation facility license with a greater area of authorized plant canopy than is authorized under the licensee's current cultivation facility license. [PL 2017, c. 409, Pt. A, §6 (NEW).]

1. Approval criteria. The office may issue the applied-for tier of cultivation facility license if the licensee otherwise meets all applicable requirements for continued licensure under this chapter and the rules adopted pursuant to this chapter and the licensee has demonstrated to the office's satisfaction that:

A. The licensee has over the current period of licensure sold at least 85% of the adult use cannabis cultivated by the licensee at its cultivation facility; and [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. The approval of the applied-for tier of cultivation facility license will not cause the licensee to exceed the combined plant canopy limitation in section 205, subsection 2, paragraph A. [PL 2017, c. 409, Pt. A, §6 (NEW).]

[PL 2023, c. 679, Pt. B, §50 (AMD).]

2. Consideration of renewal of current license tier if approval criteria not met. If the office determines that the licensee has failed to satisfy the requirements of this section for the applied-for tier of cultivation facility license, the office shall consider renewing the license at the current tier.
[PL 2023, c. 679, Pt. B, §50 (AMD).]

This section does not apply to a nursery cultivation facility licensee. [PL 2017, c. 409, Pt. A, §6 (NEW).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §50 (AMD).

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