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ASSEMBLY BILL NO. 533—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE OFFICE OF THE GOVERNOR)

MAY 14, 2019

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Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to cannabis.  
(BDR 60-1217)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Executive Budget.

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

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AN ACT relating to cannabis; creating the Cannabis Advisory Commission; prescribing the membership and duties of the Commission; creating the Cannabis Compliance Board; prescribing the membership and duties of the Board; transferring the authority to license and regulate persons and establishments engaged in certain activities relating to cannabis from the Department of Taxation to the Board; repealing, reenacting, revising and reorganizing certain provisions related to cannabis; establishing requirements for the licensure and operation of cannabis consumption lounges; establishing requirements relating to the delivery of cannabis and cannabis products to a consumer; revising provisions relating to inventory control systems; authorizing the Board to adopt regulations relating to certain commodities or products made using industrial hemp and certain similar products; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law: (1) exempts a person who holds a valid registry identification  
2 card or letter of approval from state prosecution for possession, delivery and  
3 production of marijuana; and (2) generally decriminalizes the purchase, possession  
4 and use of marijuana and marijuana paraphernalia for persons who are 21 years of  
5 age or older. Existing law also generally exempts a person who holds a valid  
6 medical marijuana establishment registration certification or license to operate a



7 marijuana establishment from state prosecution for possession, delivery and  
8 production of marijuana and provides for the licensing and regulation of such  
9 establishments by the Department of Taxation. (Chapters 453A and 453D of NRS)  
10 **Section 245** of this bill repeals the provisions of existing law governing the medical  
11 use of marijuana and the use of marijuana by persons 21 years of age or older in  
12 this State. **Sections 2-187** of this bill generally: (1) reenact, revise and reorganize  
13 these provisions into a new title of NRS; and (2) transfer the authority to license  
14 and regulate persons and establishments involved in the marijuana industry in this  
15 State to the Cannabis Compliance Board created by **section 54** of this bill.

16 Under the provisions of this bill, the term “marijuana,” as used under the  
17 provisions of existing law governing the marijuana industry in this State, is  
18 replaced with the term “cannabis.”

19 **Section 16** of this bill designates the use of cannabis by a person 21 years of  
20 age or older as the “adult use of cannabis.” **Section 8** of this bill designates certain  
21 establishments that engage in certain business related to the adult use of cannabis as  
22 “adult-use cannabis establishments.” Similarly, **section 46** of this bill designates the  
23 use of cannabis by a person to mitigate the symptoms or effects of a chronic or  
24 debilitating medical condition, as defined in **section 128** of this bill, as the “medical  
25 use of cannabis.” **Section 39** of this bill designates certain establishments that  
26 engage in certain business related to the medical use of cannabis as “medical  
27 cannabis establishments.”

28 **Section 52** of this bill creates the Cannabis Advisory Commission, which  
29 includes ex officio members and members appointed by the Governor, for the  
30 purposes of studying issues and making recommendations to the Cannabis  
31 Compliance Board related to the regulation of cannabis in this State. **Section 54** of  
32 this bill creates the Cannabis Compliance Board, consisting of five members  
33 appointed by the Governor and generally modeled after the Nevada Gaming  
34 Control Board.

35 **Section 58** of this bill sets the annual salaries for each member of the Board.

36 **Sections 59-82** of this bill set forth the powers and duties of the Board, which  
37 generally consist of the regulation, licensing and registration of establishments and  
38 persons engaged in the production and sale of cannabis and cannabis products in  
39 this State. **Section 65** of this bill sets forth procedures by which the Board is  
40 authorized to adopt regulations. **Section 66** of this bill provides that certain records,  
41 information and data relating to certain licensees or registrants are confidential.  
42 **Section 67** of this bill requires the Board to perform certain audits of the accounts,  
43 programs, funds, activities and functions of licensees. **Sections 68-82** of this bill set  
44 forth the procedures by which the Board may take disciplinary action against a  
45 licensee or registrant.

46 **Sections 84-123** of this bill reenact and revise provisions of existing law  
47 governing the licensure of marijuana establishments, medical marijuana  
48 establishments and medical marijuana establishment agents, and reorganize these  
49 provisions into a new chapter of NRS governing the licensure of cannabis  
50 establishments and registration of cannabis establishment agents. **Section 104** of  
51 this bill requires each person who holds an ownership interest of more than 5  
52 percent in a cannabis establishment to obtain a cannabis establishment agent  
53 registration card for a cannabis executive. **Section 106** of this bill authorizes the  
54 Board to impose certain requirements and standards on a licensee that is a business  
55 entity under certain circumstances.

56 **Section 100** of this bill authorizes the Board to decide whether to accept  
57 applications for and issue licenses to operate cannabis consumption lounges. If the  
58 Board decides to accept applications for and issue such licenses, **section 100** sets  
59 forth requirements for a person to obtain such a license. **Sections 119-121** of this  
60 bill set forth requirements for the operation of a cannabis consumption lounge.



61 Existing law prohibits a person from opening or maintaining a place for the  
62 purpose of unlawfully selling, giving away or using any controlled substance. (NRS  
63 453.316) **Section 215** of this bill exempts a licensed cannabis consumption lounge  
64 that does not sell or give away a controlled substance from the application of this  
65 provision.

66 **Section 116** of this bill prohibits a person who does not hold a license issued  
67 pursuant to the provisions of this bill from: (1) engaging in certain advertising  
68 relating to cannabis; (2) selling, offering to sell or appearing to sell cannabis or  
69 cannabis products; or (3) allowing the submission of an order for cannabis or  
70 cannabis products.

71 **Sections 125-171** of this bill reenact and revise provisions of existing law  
72 governing the medical use of marijuana and reorganize such provisions into a new  
73 chapter of NRS governing the medical use of cannabis.

74 **Sections 139-144 and 166-169** of this bill reenact provisions of existing law  
75 governing the issuance of registry identification cards and letters of approval and  
76 the regulation of the holders of such cards and letters by the Division of Public and  
77 Behavioral Health of the Department of Health and Human Services. The  
78 reenactment of those provisions is not intended to substantively change those  
79 provisions, but merely to recodify the existing law alongside the other provisions of  
80 this bill.

81 **Sections 173-187** of this bill reenact and revise provisions of existing law  
82 governing the use of marijuana by persons 21 years of age or older and reorganize  
83 such provisions into a new chapter of NRS governing the adult use of cannabis.

84 Existing law provides that it is lawful, and must not be the basis for prosecution  
85 or penalty by the State or a political subdivision of this State and must not in this  
86 State be a basis for seizure or forfeiture of assets, for a person 21 years of age or  
87 older to engage in certain actions relating to marijuana. (NRS 453D.110, 453D.130)  
88 Existing law similarly provides that it is lawful for certain marijuana establishments  
89 to engage in certain actions relating to marijuana. (NRS 453D.120) **Section 178** of  
90 this bill provides for similar protections for persons and establishments engaged in  
91 certain actions relating to the adult use of cannabis. However, **section 178** is  
92 modeled after the provisions of **section 137** of this bill and provides an exemption  
93 from State prosecution for persons 21 years of age or older and cannabis  
94 establishments from certain actions relating to the adult use of cannabis.

95 **Sections 150 and 185** of this bill allow a dual licensee to combine the  
96 inventory of its medical cannabis establishments and adult-use cannabis  
97 establishments for the purpose of maintaining its inventory control system and  
98 require a dual licensee to designate a sale to be pursuant to either the provisions of  
99 this bill relating to the medical use of cannabis or the provisions of this bill relating  
100 to the adult use of cannabis.

101 **Sections 151 and 185** of this bill authorize a medical cannabis dispensary and  
102 an adult-use cannabis retail store to contract with a third party or intermediary  
103 business to deliver cannabis or cannabis products under certain circumstances.

104 **Section 196** of this bill exempts the Cannabis Compliance Board from the  
105 requirements of the Nevada Administrative Procedure Act. (NRS 233B.039)

106 Existing law authorizes the State Department of Agriculture to adopt certain  
107 regulations relating to the testing of crops of industrial hemp and commodities and  
108 products made using industrial hemp by an independent testing laboratory. (NRS  
109 557.270) **Sections 223 and 227** of this bill divide the responsibility for the adoption  
110 of regulations relating to industrial hemp and commodities and products made  
111 using hemp between the State Department of Agriculture and the Cannabis  
112 Compliance Board. **Section 223** of this bill authorizes the Board to adopt  
113 regulations: (1) setting forth quality standards for commodities and products made  
114 using industrial hemp and certain similar products containing cannabidiol which are  
115 intended for human or animal consumption; (2) governing the testing and labeling



116 of such commodities and products; and (3) governing the conduct of persons who  
117 produce such commodities and products. **Section 227** of this bill authorizes the  
118 State Department of Agriculture to adopt regulations governing all other industrial  
119 hemp and all other commodities and products made using industrial hemp.  
120 **Sections 188-195, 197-222, 224-226 and 229-237** of this bill make conforming  
121 changes.

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

1 **Section 1.** NRS is hereby amended by adding thereto a new  
2 title, designated title 60 of NRS, to consist of the provisions set forth  
3 as sections 3 to 82, inclusive, 84 to 123, inclusive, 125 to 171,  
4 inclusive, and 173 to 187, inclusive, of this act.

5 **Sec. 2.** The title of NRS created by section 1 of this act is  
6 hereby amended by adding thereto a new chapter to consist of the  
7 provisions set forth as sections 3 to 82, inclusive, of this act.

8 **Sec. 3.** *The Legislature hereby finds, and declares to be the*  
9 *public policy of this State, that:*

10 1. *The cannabis industry is beneficial to the economy of the*  
11 *State and the general welfare of its residents.*

12 2. *The continued growth and success of the cannabis industry*  
13 *is dependent upon public confidence and trust that:*

14 (a) *Residents who suffer from chronic or debilitating medical*  
15 *conditions will be able to obtain medical cannabis safely and*  
16 *conveniently;*

17 (b) *Residents who choose to engage in the adult use of*  
18 *cannabis may also obtain adult-use cannabis in a safe and*  
19 *efficient manner;*

20 (c) *Cannabis establishments do not unduly impact the quality*  
21 *of life enjoyed by residents of the surrounding neighborhoods;*

22 (d) *Cannabis licenses and registration cards are issued in a*  
23 *fair and equitable manner;*

24 (e) *The holders of cannabis licenses and registration cards are*  
25 *representative of their communities; and*

26 (f) *The cannabis industry is free from criminal and corruptive*  
27 *elements.*

28 3. *Public confidence and trust can only be maintained by*  
29 *strict regulation of all persons, locations, practices, associations*  
30 *and activities related to the operation of cannabis establishments.*

31 4. *All cannabis establishments and cannabis establishment*  
32 *agents must therefore be licensed, controlled and assisted to*  
33 *protect the public health, safety, morals, good order and general*  
34 *welfare of the inhabitants of the State, to foster the stability and*



1 *success of the cannabis industry and to preserve the competitive*  
2 *economy and policies of free competition of the State of Nevada.*

3 **Sec. 4.** *As used in this title, unless the context otherwise*  
4 *requires, the words and terms defined in sections 5 to 51,*  
5 *inclusive, of this act have the meanings ascribed to them in those*  
6 *sections.*

7 **Sec. 5.** *“Administer” has the meaning ascribed to it in*  
8 *NRS 453.021.*

9 **Sec. 6.** *“Adult-use cannabis cultivation facility” means a*  
10 *business that:*

11 1. *Is licensed by the Board pursuant to section 96 of this act;*  
12 *and*

13 2. *Acquires, possesses, cultivates, delivers, transfers, supplies*  
14 *or sells cannabis and related supplies to:*

- 15 (a) *Adult-use cannabis retail stores;*
- 16 (b) *Adult-use cannabis production facilities; or*
- 17 (c) *Other adult-use cannabis cultivation facilities.*

18 **Sec. 7.** *“Adult-use cannabis distributor” means a business*  
19 *that:*

20 1. *Is licensed by the Board pursuant to section 96 of this act;*  
21 *and*

22 2. *Transports cannabis or adult-use cannabis products from*  
23 *an adult-use cannabis establishment to another adult-use*  
24 *cannabis establishment.*

25 **Sec. 8.** *“Adult-use cannabis establishment” means:*

- 26 1. *An adult-use cannabis independent testing laboratory;*
- 27 2. *An adult-use cannabis cultivation facility;*
- 28 3. *An adult-use cannabis production facility;*
- 29 4. *An adult-use cannabis retail store; or*
- 30 5. *An adult-use cannabis distributor.*

31 **Sec. 9.** *“Adult-use cannabis establishment license” means a*  
32 *license that is issued by the Board pursuant to section 96 of this*  
33 *act to authorize the operation of an adult-use cannabis*  
34 *establishment.*

35 **Sec. 10.** *“Adult-use cannabis independent testing*  
36 *laboratory” means a facility described in section 117 of this act*  
37 *that:*

38 1. *Is licensed by the Board pursuant to section 96 of this act;*  
39 *and*

- 40 2. *Tests:*
  - 41 (a) *Cannabis intended for the adult use of cannabis.*
  - 42 (b) *Adult-use cannabis products.*

43 **Sec. 11.** 1. *“Adult-use cannabis-infused product” means a*  
44 *product intended for the adult use of cannabis that:*

- 45 (a) *Is infused with cannabis or an extract thereof; and*



1 (b) *Is intended for use or consumption by humans through*  
2 *means other than inhalation or oral ingestion.*

3 2. *The term includes, without limitation, topical products,*  
4 *ointments, oils and tinctures.*

5 **Sec. 12.** *“Adult-use cannabis product” means:*

6 1. *An adult-use edible cannabis product; or*

7 2. *An adult-use cannabis-infused product.*

8 **Sec. 13.** *“Adult-use cannabis production facility” means a*  
9 *business that:*

10 1. *Is licensed by the Board pursuant to section 96 of this act;*  
11 *and*

12 2. *Acquires, possesses, manufactures, delivers, transfers,*  
13 *supplies or sells adult-use cannabis products to adult-use cannabis*  
14 *retail stores.*

15 **Sec. 14.** *“Adult-use cannabis retail store” means a business*  
16 *that:*

17 1. *Is licensed by the Board pursuant to section 96 of this act;*  
18 *and*

19 2. *Acquires, possesses, delivers, transfers, supplies, sells or*  
20 *dispenses cannabis or related supplies to a consumer or to another*  
21 *adult-use cannabis retail store.*

22 **Sec. 15.** *“Adult-use edible cannabis product” means a*  
23 *product intended for the adult use of cannabis that:*

24 1. *Contains cannabis or an extract thereof;*

25 2. *Is intended for human consumption by oral ingestion; and*

26 3. *Is presented in the form of a foodstuff, extract, oil, tincture*  
27 *or other similar product.*

28 **Sec. 16.** *“Adult use of cannabis” means:*

29 1. *The possession, delivery, production or use of cannabis;*

30 2. *The possession, delivery or use of paraphernalia used to*  
31 *administer cannabis; or*

32 3. *Any combination of the acts described in subsections 1*  
33 *and 2,*

34 *↳ by a person 21 years of age or older.*

35 **Sec. 17.** *“Board” means the Cannabis Compliance Board*  
36 *created by section 54 of this act.*

37 **Sec. 18.** *“Cannabis” has the meaning ascribed to the term*  
38 *“marijuana” in NRS 453.096.*

39 **Sec. 19.** *“Cannabis consumption lounge” means a business*  
40 *that:*

41 1. *Is licensed by the Board pursuant to section 100 of this act;*  
42 *and*

43 2. *Allows cannabis or cannabis products to be consumed on*  
44 *the premises of the business.*



1       **Sec. 20.** *“Cannabis consumption lounge license” means a*  
2 *license that is issued by the Board pursuant to section 100 of this*  
3 *act to authorize the operation of a cannabis consumption lounge.*

4       **Sec. 21.** *“Cannabis cultivation facility” means:*

- 5       1. *A medical cannabis cultivation facility; or*
- 6       2. *An adult-use cannabis cultivation facility.*

7       **Sec. 22.** *“Cannabis establishment” means:*

- 8       1. *An adult-use cannabis establishment;*
- 9       2. *A medical cannabis establishment; or*
- 10      3. *A cannabis consumption lounge.*

11      **Sec. 23.** *“Cannabis establishment agent” means an owner,*  
12 *officer, board member, employee or volunteer of a cannabis*  
13 *establishment, an independent contractor who provides labor*  
14 *relating to the cultivation or processing of cannabis or the*  
15 *production of usable cannabis or cannabis products for a*  
16 *cannabis establishment or an employee of such an independent*  
17 *contractor.*

18      **Sec. 24.** *“Cannabis establishment agent registration card”*  
19 *means a registration card that is issued by the Board pursuant to*  
20 *section 103 of this act to authorize a person:*

- 21      1. *To be an owner, officer or board member of a cannabis*  
22 *establishment; or*
- 23      2. *To volunteer or work at or contract to provide labor for a*  
24 *cannabis establishment.*

25      **Sec. 25.** *“Cannabis establishment agent registration card for*  
26 *a cannabis executive” means a registration card issued by the*  
27 *Board pursuant to section 104 of this act.*

28      **Sec. 26.** *“Cannabis independent testing laboratory” means:*

- 29      1. *An adult-use cannabis independent testing laboratory; or*
- 30      2. *A medical cannabis independent testing laboratory.*

31      **Sec. 27.** *“Cannabis product” means:*

- 32      1. *An adult-use cannabis product; or*
- 33      2. *A medical cannabis product.*

34      **Sec. 28.** *“Cannabis production facility” means:*

- 35      1. *An adult-use cannabis production facility; or*
- 36      2. *A medical cannabis production facility.*

37      **Sec. 29.** *“Cannabis sales facility” means:*

- 38      1. *An adult-use cannabis retail store; or*
- 39      2. *A medical cannabis dispensary.*

40      **Sec. 30.** *“Commission” means the Cannabis Advisory*  
41 *Commission created by section 52 of this act.*

42      **Sec. 31.** *“Deliver” or “delivery” has the meaning ascribed to*  
43 *it in NRS 453.051.*

44      **Sec. 32.** *“Dual licensee” means a person or group of persons*  
45 *who possess a current, valid medical cannabis establishment*



1 *license and a current, valid adult-use cannabis establishment*  
2 *license.*

3 **Sec. 33.** *“Electronic verification system” means an electronic*  
4 *database that:*

5 *1. Keeps track of data in real time; and*

6 *2. Is accessible by the Board and by the cannabis*  
7 *establishment.*

8 **Sec. 34.** *“Executive Director” means the Executive Director*  
9 *of the Cannabis Compliance Board appointed pursuant to section*  
10 *61 of this act.*

11 **Sec. 35.** *“License” means:*

12 *1. An adult-use cannabis establishment license;*

13 *2. A medical cannabis establishment license; or*

14 *3. A cannabis consumption lounge license.*

15 **Sec. 36.** *“Licensee” means the holder of a license.*

16 **Sec. 37.** *“Medical cannabis cultivation facility” means a*  
17 *business that:*

18 *1. Is licensed by the Board pursuant to section 91 of this act;*  
19 *and*

20 *2. Acquires, possesses, cultivates, delivers, transfers,*  
21 *transports, supplies or sells cannabis and related supplies to:*

22 *(a) Medical cannabis dispensaries;*

23 *(b) Medical cannabis production facilities; or*

24 *(c) Other medical cannabis cultivation facilities.*

25 **Sec. 38.** *“Medical cannabis dispensary” means a business*  
26 *that:*

27 *1. Is licensed by the Board pursuant to section 91 of this act;*  
28 *and*

29 *2. Acquires, possesses, delivers, transfers, transports,*  
30 *supplies, sells or dispenses cannabis or related supplies and*  
31 *educational materials to the holder of a valid registry*  
32 *identification card, as defined in section 133 of this act, or to*  
33 *another medical cannabis dispensary.*

34 **Sec. 39.** *“Medical cannabis establishment” means:*

35 *1. A medical cannabis independent testing laboratory;*

36 *2. A medical cannabis cultivation facility;*

37 *3. A medical cannabis production facility; or*

38 *4. A medical cannabis dispensary.*

39 **Sec. 40.** *“Medical cannabis establishment license” means a*  
40 *license that is issued by the Board pursuant to section 91 of this*  
41 *act to authorize the operation of a medical cannabis*  
42 *establishment.*

43 **Sec. 41.** *“Medical cannabis independent testing laboratory”*  
44 *means a facility described in section 117 of this act that:*





1 *1. Is licensed by the Board pursuant to section 91 of this act;*  
2 *and*

3 *2. Tests:*

4 *(a) Cannabis intended for the medical use of cannabis.*

5 *(b) Medical cannabis products.*

6 **Sec. 42. 1. “Medical cannabis-infused product” means a**  
7 **product intended for the medical use of cannabis that:**

8 *(a) Is infused with cannabis or an extract thereof; and*

9 *(b) Is intended for use or consumption by humans through*  
10 *means other than inhalation or oral ingestion.*

11 *2. The term includes, without limitation, topical products,*  
12 *ointments, oils and tinctures.*

13 **Sec. 43. “Medical cannabis product” means:**

14 *1. A medical edible-cannabis product; or*

15 *2. A medical cannabis-infused product.*

16 **Sec. 44. “Medical cannabis production facility” means a**  
17 **business that:**

18 *1. Is licensed by the Board pursuant to section 91 of this act;*  
19 *and*

20 *2. Acquires, possesses, manufactures, delivers, transfers,*  
21 *transports, supplies or sells medical cannabis products to medical*  
22 *cannabis dispensaries.*

23 **Sec. 45. “Medical edible cannabis product” means a product**  
24 **intended for the medical use of cannabis that:**

25 *1. Contains cannabis or an extract thereof;*

26 *2. Is intended for human consumption by oral ingestion; and*

27 *3. Is presented in the form of a foodstuff, extract, oil, tincture*  
28 *or other similar product.*

29 **Sec. 46. “Medical use of cannabis” means:**

30 *1. The possession, delivery, production or use of cannabis;*

31 *2. The possession, delivery or use of paraphernalia used to*  
32 *administer cannabis; or*

33 *3. Any combination of the acts described in subsections 1*  
34 *and 2,*

35 *↳ as necessary for the exclusive benefit of a person to mitigate the*  
36 *symptoms or effects of his or her chronic or debilitating medical*  
37 *condition, as defined in section 128 of this act.*

38 **Sec. 47. “Paraphernalia” means accessories, devices and**  
39 **other equipment that is necessary or useful for a person to engage**  
40 **in the medical use of cannabis or the adult use of cannabis.**

41 **Sec. 48. “Production” has the meaning ascribed to it in**  
42 **NRS 453.131.**

43 **Sec. 49. “Registrant” means the holder of a registration**  
44 **card.**

45 **Sec. 50. “Registration card” means:**



- 1 *1. A cannabis establishment agent registration card; or*
- 2 *2. A cannabis establishment agent registration card for a*
- 3 *cannabis executive.*

4 **Sec. 51.** *“THC” means delta-9-tetrahydrocannabinol, which*  
5 *is the primary active ingredient in cannabis.*

6 **Sec. 52. 1.** *The Cannabis Advisory Commission is hereby*  
7 *created for the purposes of studying issues related to, and making*  
8 *recommendations to the Cannabis Compliance Board regarding*  
9 *the regulation of, cannabis and any activity related to cannabis.*  
10 *The Commission consists of:*

11 *(a) The Executive Director of the Board, who shall serve as*  
12 *Chair of the Commission;*

13 *(b) The Director of the Department of Public Safety;*

14 *(c) The Attorney General;*

15 *(d) The Executive Director of the Department of Taxation;*

16 *(e) Eight members appointed by the Governor as follows:*

17 *(1) One member who possesses knowledge, skill and*  
18 *experience in the cultivation of cannabis;*

19 *(2) One member who possesses knowledge, skill and*  
20 *experience in the business of retailing cannabis;*

21 *(3) One member who possesses knowledge, skill and*  
22 *experience in laboratory sciences and toxicology;*

23 *(4) One member who possesses knowledge, skill and*  
24 *experience in the manufacturing of cannabis products;*

25 *(5) One member who is a physician licensed pursuant to*  
26 *chapter 630 or 633 of NRS and who has knowledge, skill and*  
27 *experience in the medical use of cannabis through clinical*  
28 *practice or medical research;*

29 *(6) One member who is a representative of an organization*  
30 *that advocates on behalf of patients who engage in the medical use*  
31 *of cannabis;*

32 *(7) One member who possesses knowledge, skill and*  
33 *experience in the field of criminal justice reform dealing*  
34 *specifically with the mitigation of the disproportionate impact of*  
35 *drug prosecutions on communities of color; and*

36 *(8) One member who is an attorney licensed to practice in*  
37 *this State and experienced in providing legal services to cannabis*  
38 *establishments or patients who engage in the medical use of*  
39 *cannabis in this State or another jurisdiction.*

40 *2. Each appointed member of the Commission serves a term*  
41 *of 2 years.*

42 *3. An appointed member of the Commission:*

43 *(a) May be reappointed.*

44 *(b) Shall not serve more than 8 years.*



1       4. Any vacancy occurring in the appointed membership of the  
2 Commission must be filled by the Governor not later than 90 days  
3 after the vacancy. A member appointed to fill a vacancy shall serve  
4 as a member of the Commission for the remainder of the original  
5 term of appointment.

6       5. Members of the Commission serve without compensation.

7       6. The members of the Commission may meet throughout  
8 each year at the times and places specified by a call of the Chair or  
9 a majority of its members. A majority of the members of the  
10 Commission constitutes a quorum, and a quorum may exercise all  
11 the powers conferred on the Commission.

12       7. The Cannabis Compliance Board shall provide the  
13 Commission with such staff as is necessary to carry out the duties  
14 of the Commission.

15       **Sec. 53. 1. The Commission shall:**

16       (a) Consider all matters submitted to it by the Board, the  
17 Governor or the Legislature;

18       (b) On its own initiative, recommend to the Board any  
19 guidelines, rules or regulations or any changes to existing  
20 guidelines, rules or regulations that the Commission considers  
21 important or necessary for the review and consideration of the  
22 Board; and

23       (c) Advise the Board on the preparation of any regulations  
24 adopted pursuant to this title.

25       2. The Chair of the Commission may appoint:

26       (a) A subcommittee on public health to review and make  
27 recommendations on matters related to the labeling, packaging,  
28 marketing and advertising of cannabis and cannabis products, the  
29 potency of cannabis and cannabis products and any other issue  
30 related to the effect of cannabis and cannabis products on public  
31 health. Such recommendations may include, without limitation,  
32 maximum limits for individual servings of cannabis and cannabis  
33 products.

34       (b) A subcommittee on public safety and community mitigation  
35 to review and make recommendations on matters relating to the  
36 effects of cannabis on law enforcement, property, businesses and  
37 consumers.

38       (c) A subcommittee on the cannabis industry to review and  
39 make recommendations on matters relating to the stability of the  
40 market for and the cultivation, processing, manufacturing,  
41 transportation, distribution and seed-to-sale tracking of cannabis  
42 and cannabis products.

43       (d) A subcommittee on market participation to review and  
44 make recommendations on matters relating to the participation of  
45 women-owned businesses, minority-owned businesses, veteran-



1 *owned businesses and local agriculture in the cannabis industry in*  
2 *this State.*

3 *(e) A subcommittee on the prevention of unlicensed cannabis*  
4 *sales in this State to:*

5 *(1) Review the legal authority of state agencies and local*  
6 *governments to curtail the unlicensed sale of cannabis and*  
7 *cannabis products, including, without limitation, by use of*  
8 *Internet websites, sales centers or other buildings to evade the*  
9 *laws of this State relating to the licensing of cannabis*  
10 *establishments;*

11 *(2) Review the resources available to state agencies and*  
12 *local governments to prevent the unlicensed sale of cannabis and*  
13 *cannabis products;*

14 *(3) Examine gaps in the enforcement of the laws of this*  
15 *State, including, without limitation, the importation of cannabis*  
16 *and cannabis products from other states;*

17 *(4) Identify the extent of the unlicensed sale of cannabis*  
18 *and cannabis products in this State, including, without limitation,*  
19 *the number of operations engaging in the unlicensed sale of*  
20 *cannabis and cannabis products and the most common methods*  
21 *used to engage in such sales;*

22 *(5) Examine any other issues relating to the unlicensed sale*  
23 *of cannabis or cannabis products that the Commission determines*  
24 *to be appropriate; and*

25 *(6) Make recommendations for efficiently and effectively*  
26 *closing any gaps in legal authority or enforcement identified by*  
27 *the subcommittee.*

28 *(f) Any other subcommittee the Chair deems necessary to*  
29 *expedite the work of the Board.*

30 *3. If the Chair appoints a subcommittee pursuant to*  
31 *subsection 2, the subcommittee must:*

32 *(a) Contain not more than five members, who serve at the*  
33 *pleasure of the Chair; and*

34 *(b) Be chaired by the person selected as chair of the*  
35 *subcommittee by the Chair.*

36 **Sec. 54.** *The Cannabis Compliance Board, consisting of five*  
37 *members appointed by the Governor, is hereby created.*

38 **Sec. 55.** *1. Each member of the Board must be, or within 6*  
39 *months after appointment become and remain, a resident of the*  
40 *State of Nevada.*

41 *2. No member of the Legislature, no person holding any*  
42 *elective office in the State Government, nor any officer or official*  
43 *of any political party is eligible for appointment to the Board.*

44 *3. Not more than three of the five members of the Board may*  
45 *be of the same political party.*



1       4. *It is the intention of the Legislature that the Board be*  
2 *composed of the most qualified persons available.*

3       5. *One member of the Board must:*

4       (a) *Be a certified public accountant certified or licensed by this*  
5 *State or another state of the United States or a public accountant*  
6 *qualified to practice public accounting under the provisions of*  
7 *chapter 628 of NRS, have 5 years of progressively responsible*  
8 *experience in general accounting and have a comprehensive*  
9 *knowledge of the principles and practices of corporate finance; or*

10       (b) *Possess the qualifications of an expert in the fields of*  
11 *corporate finance and auditing, general finance or economics.*

12       6. *One member of the Board must be selected with special*  
13 *reference to his or her training and experience in the fields of*  
14 *investigation or law enforcement.*

15       7. *One member of the Board must be an attorney licensed to*  
16 *practice in this State and selected with special reference to his or*  
17 *her knowledge, skill and experience in regulatory compliance.*

18       8. *One member of the Board must be selected with special*  
19 *reference to his or her knowledge, skill and experience in the*  
20 *cannabis industry.*

21       9. *One member of the Board must be a physician licensed*  
22 *pursuant to chapter 630 or 633 of NRS and who has knowledge,*  
23 *skill and experience in the area of public health.*

24       10. *In addition to any other requirements imposed by this*  
25 *section, the member who is designated as Chair of the Board must*  
26 *have at least 5 years of leadership experience in his or her field.*

27       **Sec. 56. 1.** *The term of office of each member of the Board*  
28 *is 4 years, commencing on the last Monday in January.*

29       2. *The Governor shall appoint the members of the Board and*  
30 *designate one member to serve as Chair, who shall preside over all*  
31 *official activities of the Board.*

32       3. *The Governor may remove any member for misfeasance,*  
33 *malfeasance or nonfeasance in office. Removal may be made*  
34 *after:*

35       (a) *The member has been served with a copy of the charges*  
36 *against the member; and*

37       (b) *A public hearing before the Governor is held upon the*  
38 *charges, if requested by the member charged.*

39       ↪ *The request for a public hearing must be made within 10 days*  
40 *after service upon such member of the charges. If a hearing is not*  
41 *requested, a member is removed effective 10 days after service of*  
42 *charges upon the member. A record of the proceedings at the*  
43 *public hearing must be filed with the Secretary of State.*

44       **Sec. 57. 1.** *A member of the Board must not be:*

45       (a) *A member of any political convention.*



1 (b) A member of any committee of any political party, or  
2 engage in any party activities.

3 2. A member shall not be pecuniarily interested in any  
4 business or organization holding a license under this title or doing  
5 business with any person or organization holding a license or  
6 registration card under this title.

7 3. Before entering upon the duties of office, each member  
8 shall subscribe to the constitutional oath of office and, in addition,  
9 swear that the member is not pecuniarily interested in any person,  
10 business or organization holding a license or registration card  
11 under this title or doing business with any such person, business  
12 or organization. The oath of office must be filed in the Office of  
13 the Secretary of State.

14 **Sec. 58. 1.** The Chair of the Board is entitled to receive an  
15 annual salary of \$46,000.

16 2. Each of the other members of the Board is entitled to  
17 receive an annual salary of \$40,000.

18 **Sec. 59.** The Board may employ the services of such persons  
19 as it considers necessary for the purposes of consultation or  
20 investigation.

21 **Sec. 60. 1.** The Board may hold regular and special  
22 meetings at such times and places as it may deem convenient, and  
23 it may hold at least one regular meeting each month.

24 2. All meetings of the Board are open to the public.

25 3. A majority of the members constitutes a quorum of the  
26 Board, and a majority of members present at any meeting  
27 determines the action of the Board.

28 **Sec. 61. 1.** The position of Executive Director of the  
29 Cannabis Compliance Board is hereby created.

30 2. The Executive Director:

31 (a) Is appointed by the Board and may be removed by the  
32 Board;

33 (b) Is responsible for the conduct of the administrative matters  
34 of the Board; and

35 (c) Shall, except as otherwise provided in NRS 284.143, devote  
36 his or her entire time and attention to the business of the office of  
37 Executive Director and shall not pursue any other business or  
38 occupation or hold any other office for profit.

39 3. The Executive Director is entitled to an annual salary in  
40 the amount specified by the Board within the limits of legislative  
41 appropriations or authorizations.

42 **Sec. 62. 1.** The Executive Director may, subject to the  
43 approval of the Board:

44 (a) Establish, and from time to time alter, such a plan of  
45 organization as he or she may deem expedient.



1 (b) Acquire such furnishings, equipment, supplies, stationery,  
2 books, motor vehicles and other things as he or she may deem  
3 necessary or desirable in carrying out his or her functions and the  
4 functions of the Board.

5 (c) Incur such other expenses, within the limit of money  
6 available to the Board, as he or she may deem necessary.

7 2. Except as otherwise provided in this title, all costs of  
8 administration incurred by the Board must be paid out on claims  
9 from the State General Fund in the same manner as other claims  
10 against the State are paid.

11 3. The Board shall, within the limits of legislative  
12 appropriations or authorizations, employ and fix the salaries of or  
13 contract for the services of such professional, technical and  
14 operational personnel and consultants as the execution of its  
15 duties and the operation of the Board and Commission may  
16 require.

17 4. The members of the Board and the Executive Director are  
18 exempt from the provisions of chapter 284 of NRS. The Executive  
19 Director is entitled to such leaves of absence as the Board  
20 prescribes, but such leaves must not be of lesser duration than  
21 those provided for other state employees pursuant to chapter 284  
22 of NRS. Employees described in NRS 284.148 are subject to the  
23 limitations specified in that section.

24 **Sec. 63.** In addition to any other powers granted by this title,  
25 the Board has the power to:

26 1. Enter into interlocal agreements pursuant to NRS 277.080  
27 to 277.180, inclusive.

28 2. Appoint officers and hire employees.

29 3. Establish and amend a plan of organization for the Board,  
30 including, without limitation, organizations of divisions or  
31 sections with leaders for such divisions or sections.

32 4. Appear on its own behalf before governmental agencies of  
33 the State or any of its political subdivisions.

34 5. Apply for and accept any gift, donation, bequest, grant or  
35 other source of money to carry out the provisions of this title.

36 6. Execute all instruments necessary or convenient for  
37 carrying out the provisions of this title.

38 7. Prepare, publish and distribute such studies, reports,  
39 bulletins and other materials as the Board deems appropriate.

40 8. Refer cases to the Attorney General for criminal  
41 prosecution.

42 9. Maintain an official Internet website for the Board.

43 10. Monitor federal activity regarding cannabis.





1 **Sec. 64.** *The Board may adopt regulations necessary or*  
2 *convenient to carry out the provisions of this title. Such*  
3 *regulations may include, without limitation:*

4 1. *Financial requirements for licensees.*

5 2. *Establishing such investigative and enforcement*  
6 *mechanisms as the Board deems necessary to ensure the*  
7 *compliance of a licensee or registrant with the provisions of this*  
8 *title.*

9 3. *Requirements for licensees or registrants relating to the*  
10 *cultivation, processing, manufacture, transport, distribution,*  
11 *testing, study, advertising and sale of cannabis and cannabis*  
12 *products.*

13 4. *Policies and procedures to ensure that the cannabis*  
14 *industry in this State is economically competitive, inclusive of*  
15 *racial minorities, women and persons and communities that have*  
16 *been adversely affected by cannabis prohibition and accessible to*  
17 *persons of low-income seeking to start a business.*

18 **Sec. 65.** 1. *The Board shall adopt, amend and repeal*  
19 *regulations in accordance with the following procedures:*

20 (a) *At least 30 days before a meeting of the Board at which the*  
21 *adoption, amendment or repeal of a regulation is considered,*  
22 *notice of the proposed action must be:*

23 (1) *Posted on the Internet website of the Board;*

24 (2) *Mailed to every person who has filed a request therefor*  
25 *with the Board; and*

26 (3) *When the Board deems advisable, mailed to any person*  
27 *whom the Board believes would be interested in the proposed*  
28 *action, and published in such additional form and manner as the*  
29 *Board prescribes.*

30 (b) *The notice of proposed adoption, amendment or repeal*  
31 *must include:*

32 (1) *A statement of the time, place and nature of the*  
33 *proceedings for adoption, amendment or repeal;*

34 (2) *Reference to the authority under which the action is*  
35 *proposed; and*

36 (3) *Either the express terms or an informative summary of*  
37 *the proposed action.*

38 (c) *On the date and at the time and place designated in the*  
39 *notice, the Board shall afford any interested person or his or her*  
40 *authorized representative, or both, the opportunity to present*  
41 *statements, arguments or contentions in writing, with or without*  
42 *opportunity to present them orally. The Board shall consider all*  
43 *relevant matter presented to it before adopting, amending or*  
44 *repealing any regulation.*





1 (d) Any interested person may file a petition with the Board  
2 requesting the adoption, amendment or repeal of a regulation. The  
3 petition must state, clearly and concisely:

- 4 (1) The substance or nature of the regulation, amendment  
5 or repeal requested;  
6 (2) The reasons for the request; and  
7 (3) Reference to the authority of the Board to take the  
8 action requested.

9 ↳ Upon receipt of the petition, the Board shall within 45 days  
10 deny the request in writing or schedule the matter for action  
11 pursuant to this subsection.

12 2. In emergencies, the Board may summarily adopt, amend or  
13 repeal any regulation if:

14 (a) The Board submits to the Governor:

15 (1) A written finding that such action is necessary for the  
16 immediate preservation of the public peace, health, safety, morals,  
17 good order or general welfare; and

18 (2) A written statement of the facts constituting an  
19 emergency;

20 (b) The Governor endorses the written finding and written  
21 statement described in paragraph (a) by written endorsement at  
22 the end of the full text of the written statement and written  
23 finding; and

24 (c) The Board files the written statement and written finding  
25 endorsed by the Governor at the same time it adopts, amends or  
26 repeals the regulation.

27 3. In any hearing held pursuant to this section, the Board or  
28 its authorized representative may administer oaths or affirmations,  
29 and may continue or postpone the hearing from time to time and  
30 at such places as it prescribes.

31 **Sec. 66. 1.** The Board shall cause to be made and kept a  
32 record of all proceedings at regular and special meetings of the  
33 Board. These records are open to public inspection.

34 2. Any and all information and data prepared or obtained by  
35 the Board or by an agent or employee of the Board relating to a  
36 holder of or an applicant for a medical cannabis establishment  
37 license pursuant to section 91 of this act are confidential and may  
38 be revealed in whole or in part only in the course of the necessary  
39 administration of this title or upon the lawful order of a court of  
40 competent jurisdiction. The Board may reveal such information  
41 and data to an authorized agent of any agency of the United States  
42 Government, any state or any political subdivision of a state or the  
43 government of any foreign country. Notwithstanding any other  
44 provision of state law, such information and data may not be



1 *otherwise revealed without specific authorization by the Board*  
2 *pursuant to the regulations of the Board.*

3 3. *Any information and data included in an application for*  
4 *an adult-use cannabis establishment license, a cannabis*  
5 *consumption lounge license or a registration card is confidential*  
6 *and may be revealed in whole or in part only in the course of the*  
7 *necessary administration of this title or upon the lawful order of a*  
8 *court of competent jurisdiction. The Board may reveal such*  
9 *information and data to an authorized agent of any agency of the*  
10 *United States Government, any state or any political subdivision of*  
11 *a state or the government of any foreign country. Notwithstanding*  
12 *any other provision of state law, such information and data may*  
13 *not be otherwise revealed without specific authorization by the*  
14 *Board pursuant to the regulations of the Board.*

15 4. *All files, records, reports and other information and data*  
16 *pertaining to matters related to cannabis in the possession of the*  
17 *Nevada Tax Commission or the Department of Taxation must be*  
18 *made available to the Board as is necessary to the administration*  
19 *of this title.*

20 5. *As used in this section, "information and data" means all*  
21 *information and data in any form, including, without limitation,*  
22 *any oral, written, audio, visual, digital or electronic form, and the*  
23 *term includes, without limitation, any account, book,*  
24 *correspondence, file, message, paper, record, report or other type*  
25 *of document, including, without limitation, any document*  
26 *containing self-evaluative assessments, self-critical analysis or*  
27 *self-appraisals of an applicant's or licensee's compliance with*  
28 *statutory or regulatory requirements.*

29 **Sec. 67.** 1. *As often as the Board deems necessary, the*  
30 *Board shall audit the accounts, funds, programs, activities and*  
31 *functions of all licensees.*

32 2. *A licensee shall make available to the Board all books,*  
33 *accounts, claims, reports, vouchers and other records requested by*  
34 *the Board in connection with an audit conducted pursuant to*  
35 *subsection 1.*

36 3. *If a licensee refuses to produce any of the records*  
37 *described in subsection 2, the Board may petition the district court*  
38 *to order the licensee to produce the requested records. The court*  
39 *shall order the production of all such records upon a finding that*  
40 *the requested records are within the scope of the audit.*

41 4. *All audits conducted pursuant to this section must be*  
42 *conducted with generally accepted auditing standards established*  
43 *by the American Institute of Certified Public Accountants.*

44 5. *If any audit report of the accounts, funds, programs,*  
45 *activities and functions of a licensee contains adverse or critical*



1 *audit results, the Board may require the licensee subject to the*  
2 *audit to respond, in writing, to the results of the audit. A licensee*  
3 *shall provide such response to the Board not more than 15 days*  
4 *after receiving a request from the Board.*

5 *6. On or before April 1 of each year, the Board shall submit*  
6 *to the Director of the Legislative Counsel Bureau a report*  
7 *concerning the audits conducted pursuant to this section for the*  
8 *preceding year. The report must include, without limitation:*

9 *(a) The number of audits performed pursuant to this section in*  
10 *the preceding year;*

11 *(b) A summary of the findings of the audits; and*

12 *(c) The cost of each audit.*

13 **Sec. 68. 1.** *If the Executive Director becomes aware that a*  
14 *licensee or registrant has violated, is violating or is about to violate*  
15 *any provision of this title or any regulation adopted pursuant*  
16 *thereto, the Executive Director may transmit the details of the*  
17 *suspected violation, along with any further facts or information*  
18 *related to the violation which are known to the Executive Director,*  
19 *to the Attorney General.*

20 *2. If any person other than the Executive Director becomes*  
21 *aware that a licensee or registrant has violated, is violating or is*  
22 *about to violate any provision of this title or any regulation*  
23 *adopted pursuant thereto, the person may file a written complaint*  
24 *with the Executive Director specifying the relevant facts. The*  
25 *Executive Director shall review each such complaint and, if the*  
26 *Executive Director finds the complaint not to be frivolous, may*  
27 *transmit the details of the suspected violation, along with any*  
28 *further facts or information derived from the review of the*  
29 *complaint to the Attorney General.*

30 **Sec. 69. 1.** *If the Executive Director transmits the details of*  
31 *a suspected violation to the Attorney General pursuant to section*  
32 *68 of this act, the Attorney General shall conduct an investigation*  
33 *of the suspected violation to determine whether it warrants*  
34 *proceedings for disciplinary action of the licensee or registrant. If*  
35 *the Attorney General determines that further proceedings are*  
36 *warranted, he or she shall report the results of the investigation*  
37 *together with a recommendation to the Executive Director in a*  
38 *manner which does not violate the right of the person charged in*  
39 *the complaint to due process in any later hearing on*  
40 *the complaint. The Executive Director shall transmit the*  
41 *recommendation and other information received from the*  
42 *Attorney General to the Board.*

43 *2. The Board shall promptly make a determination with*  
44 *respect to each complaint resulting in an investigation by the*  
45 *Attorney General. The Board shall:*



1 (a) *Dismiss the complaint; or*

2 (b) *Proceed with appropriate disciplinary action in accordance*  
3 *with sections 70 to 78, inclusive, of this act.*

4 **Sec. 70.** 1. *If the Board proceeds with disciplinary action*  
5 *pursuant to section 69 of this act, the Board shall serve a*  
6 *complaint upon the respondent either personally, or by registered*  
7 *or certified mail at the address of the respondent that is on file*  
8 *with the Board. Such complaint must be a written statement of*  
9 *charges and must set forth in ordinary and concise language the*  
10 *acts or omissions with which the respondent is charged. The*  
11 *complaint must specify the statutes and regulations which the*  
12 *respondent is alleged to have violated, but must not consist merely*  
13 *of charges raised in the language of the statutes or regulations.*

14 2. *The respondent must answer within 20 days after the*  
15 *service of the complaint. In the answer the respondent:*

16 (a) *Must state in short and plain terms the defenses to each*  
17 *claim asserted.*

18 (b) *Must admit or deny the facts alleged in the complaint.*

19 (c) *Must state which allegations the respondent is without*  
20 *knowledge or information to form a belief as to their truth. Such*  
21 *allegations shall be deemed denied.*

22 (d) *Must affirmatively set forth any matter which constitutes*  
23 *an avoidance or affirmative defense.*

24 (e) *May demand a hearing. Failure to demand a hearing*  
25 *constitutes a waiver of the right to a hearing and to judicial review*  
26 *of any decision or order of the Board, but the Board may order a*  
27 *hearing even if the respondent so waives his or her right.*

28 3. *Failure to answer or to appear at the hearing constitutes*  
29 *an admission by the respondent of all facts alleged in the*  
30 *complaint. The Board may take action based on such an*  
31 *admission and on other evidence without further notice to the*  
32 *respondent. If the Board takes action based on such an admission,*  
33 *the Board shall include in the record which evidence was the basis*  
34 *for the action.*

35 4. *The Board shall determine the time and place of the*  
36 *hearing as soon as is reasonably practical after receiving the*  
37 *respondent's answer. The Board shall deliver or send by registered*  
38 *or certified mail a notice of hearing to all parties at least 10 days*  
39 *before the hearing.*

40 **Sec. 71.** 1. *Before a hearing before the Board, and during*  
41 *a hearing upon reasonable cause shown, the Board shall issue*  
42 *subpoenas and subpoenas duces tecum at the request of a party.*  
43 *All witnesses appearing pursuant to subpoena, other than parties,*  
44 *officers or employees of the State of Nevada or any political*  
45 *subdivision thereof, are entitled to receive fees and mileage in the*



1 *same amounts and under the same circumstances as provided by*  
2 *law for witnesses in civil actions in the district courts. Witnesses*  
3 *entitled to fees or mileage who attend hearings at points so far*  
4 *removed from their residences as to prohibit return thereto from*  
5 *day to day are entitled, in addition to witness fees and in lieu of*  
6 *mileage, to the per diem compensation for subsistence and*  
7 *transportation authorized for state officers and employees for each*  
8 *day of actual attendance and for each day necessarily occupied in*  
9 *traveling to and from the hearings. Fees, subsistence and*  
10 *transportation expenses must be paid by the party at whose request*  
11 *the witness is subpoenaed. The Board may award as costs the*  
12 *amount of all such expenses to the prevailing party.*

13 2. *The testimony of any material witness residing within or*  
14 *without the State of Nevada may be taken by deposition in the*  
15 *manner provided by the Nevada Rules of Civil Procedure.*

16 **Sec. 72. 1. At all hearings before the Board:**

17 (a) *Oral evidence may be taken only upon oath or affirmation*  
18 *administered by the Board.*

19 (b) *Every party has the right to:*

20 (1) *Call and examine witnesses;*

21 (2) *Introduce exhibits relevant to the issues of the case;*

22 (3) *Cross-examine opposing witnesses on any matters*  
23 *relevant to the issues of the case, even though the matter was not*  
24 *covered in a direct examination;*

25 (4) *Impeach any witness regardless of which party first*  
26 *called the witness to testify; and*

27 (5) *Offer rebuttal evidence.*

28 (c) *If the respondent does not testify in his or her own behalf,*  
29 *the respondent may be called and examined as if under cross-*  
30 *examination.*

31 (d) *The hearing need not be conducted according to technical*  
32 *rules relating to evidence and witnesses. Any relevant evidence*  
33 *may be admitted and is sufficient in itself to support a finding if it*  
34 *is the sort of evidence on which responsible persons are*  
35 *accustomed to rely in the conduct of serious affairs, regardless of*  
36 *the existence of any common law or statutory rule which might*  
37 *make improper the admission of such evidence over objection in a*  
38 *civil action.*

39 (e) *The parties or their counsel may by written stipulation*  
40 *agree that certain specified evidence may be admitted even though*  
41 *such evidence might otherwise be subject to objection.*

42 2. *The Board may take official notice of any generally*  
43 *accepted information or technical or scientific matter within the*  
44 *field of cannabis, and of any other fact which may be judicially*  
45 *noticed by the courts of this State. The parties must be informed of*



1 any information, matters or facts so noticed, and must be given a  
2 reasonable opportunity, on request, to refute such information,  
3 matters or facts by evidence or by written or oral presentation of  
4 authorities, the manner of such refutation to be determined by the  
5 Board.

6 3. Affidavits may be received in evidence at any hearing of  
7 the Board in accordance with the following:

8 (a) The party wishing to use an affidavit must, not less than 10  
9 days before the day set for hearing, serve upon the opposing party  
10 or counsel, either personally or by registered or certified mail, a  
11 copy of the affidavit which the party proposes to introduce in  
12 evidence together with a notice as provided in paragraph (c).

13 (b) Unless the opposing party, within 7 days after such service,  
14 mails or delivers to the proponent a request to cross-examine the  
15 affiant, the opposing party's right to cross-examine the affiant is  
16 waived and the affidavit, if introduced in evidence, must be given  
17 the same effect as if the affiant had testified orally. If an  
18 opportunity to cross-examine an affiant is not afforded after  
19 request therefor is made in accordance with this paragraph, the  
20 affidavit may be introduced in evidence, but must be given only the  
21 same effect as other hearsay evidence.

22 (c) The notice referred to in paragraph (a) must be  
23 substantially in the following form:

24  
25 The accompanying affidavit of (here insert name of  
26 affiant) will be introduced as evidence at the hearing set for  
27 the ..... day of the month of ..... of the year ..... (Here  
28 insert name of affiant) will not be called to testify orally and  
29 you will not be entitled to question (here insert name of  
30 affiant) unless you notify the undersigned that you wish to  
31 cross-examine (here insert name of affiant). To be effective  
32 your request must be mailed or delivered to the undersigned  
33 on or before 7 days from the date this notice and the  
34 enclosed affidavit are served upon you.

35  
36 .....  
37 (Party or Counsel)

38 .....  
39 (Address)

40 **Sec. 73.** The following procedures apply at all hearings of  
41 the Board:

42 1. At least three members of the Board shall be present at  
43 every hearing, and they shall exercise all powers relating to the  
44 conduct of the hearing and shall enforce all decisions with respect  
45 thereto.



1       2. *The proceedings at the hearing must be reported either*  
2 *stenographically or by a phonographic reporter.*

3       **Sec. 74.** *After the Board has initiated a hearing pursuant to*  
4 *section 70 of this act, the members of the Board shall not*  
5 *communicate, directly or indirectly, in connection with any issue*  
6 *of fact, with any person or party, nor, in connection with any issue*  
7 *of law, with any party or the party's representative, except upon*  
8 *notice and opportunity to all parties to participate.*

9       **Sec. 75.** *The Board may, before submission of the case for*  
10 *decision, permit the filing of amended or supplemental pleadings*  
11 *and shall notify all parties thereof, and provide a reasonable*  
12 *opportunity for objections thereto.*

13       **Sec. 76.** *If any person in proceedings before the Board*  
14 *disobeys or resists any lawful order or refuses to respond to a*  
15 *subpoena, or refuses to take the oath or affirmation as a witness*  
16 *or thereafter refuses to be examined, or is guilty of misconduct*  
17 *during the hearing or so near the place thereof as to obstruct the*  
18 *proceeding, the Board may certify the facts to the district court in*  
19 *and for the county where the proceedings are held. The court shall*  
20 *thereupon issue an order directing the person to appear before the*  
21 *court and show cause why the person should not be punished as*  
22 *for contempt. The court order and a copy of the statement of the*  
23 *Board must be served on the person cited to appear. Thereafter the*  
24 *court has jurisdiction of the matter, and the same proceedings*  
25 *must be had, the same penalties may be imposed and the person*  
26 *charged may purge himself or herself of the contempt in the same*  
27 *way as in the case of a person who has committed a contempt in*  
28 *the trial of a civil action before a district court.*

29       **Sec. 77.** 1. *After the hearing of a contested matter, the*  
30 *Board shall render a written decision on the merits which must*  
31 *contain findings of fact, a determination of the issues presented*  
32 *and the penalty to be imposed, if any. The Board shall thereafter*  
33 *make and enter its written order in conformity to its decision. No*  
34 *member of the Board who did not hear the evidence may vote on*  
35 *the decision. The affirmative votes of a majority of the whole*  
36 *Board are required to impose any penalty. Copies of the decision*  
37 *and order must be served on the parties personally or sent to them*  
38 *by registered or certified mail. The decision is effective upon such*  
39 *service, unless the Board orders otherwise.*

40       2. *The Board may, upon motion made within 10 days after*  
41 *service of a decision and order, order a rehearing before the*  
42 *Board upon such terms and conditions as it may deem just and*  
43 *proper if a petition for judicial review of the decision and order*  
44 *has not been filed. The motion must not be granted except upon a*  
45 *showing that there is additional evidence which is material and*





1 *necessary and reasonably calculated to change the decision of the*  
2 *Board, and that sufficient reason existed for failure to present the*  
3 *evidence at the hearing of the Board. The motion must be*  
4 *supported by an affidavit of the moving party or his or her counsel*  
5 *showing with particularity the materiality and necessity of the*  
6 *additional evidence and the reason why it was not introduced at*  
7 *the hearing. Upon rehearing, rebuttal evidence to the additional*  
8 *evidence must be permitted. After rehearing, the Board may*  
9 *modify its decision and order as the additional evidence may*  
10 *warrant.*

11 **Sec. 78.** *If the Board finds that a licensee or registrant has*  
12 *violated a provision of this title or any regulation adopted*  
13 *pursuant thereto, the Board may take any or all of the following*  
14 *actions:*

15 *1. Limit, condition, suspend or revoke the license or*  
16 *registration card of the licensee or registrant.*

17 *2. Impose a civil penalty of not more than \$10,000 for each*  
18 *violation.*

19 **Sec. 79.** *1. Any person aggrieved by a final decision or*  
20 *order of the Board made after hearing or rehearing by the Board*  
21 *pursuant to sections 70 to 78, inclusive, of this act and whether or*  
22 *not a motion for rehearing was filed, may obtain a judicial review*  
23 *thereof in the district court of the county in which the petitioner*  
24 *resides or has his, her or its principal place of business.*

25 *2. The judicial review must be instituted by filing a petition*  
26 *within 20 days after the effective date of the final decision or*  
27 *order. A petition may not be filed while a motion for rehearing or*  
28 *a rehearing is pending before the Board. The petition must set*  
29 *forth the order or decision appealed from and the grounds or*  
30 *reasons why petitioner contends a reversal or modification should*  
31 *be ordered.*

32 *3. Copies of the petition must be served upon the Board and*  
33 *all other parties of record, or their counsel of record, either*  
34 *personally or by certified mail.*

35 *4. The court, upon a proper showing, may permit other*  
36 *interested persons to intervene as parties to the appeal or as*  
37 *friends of the court.*

38 *5. The filing of the petition does not stay enforcement of the*  
39 *decision or order of the Board, but the Board itself may grant a*  
40 *stay upon such terms and conditions as it deems proper.*

41 **Sec. 80.** *1. Upon written request of the petitioner, the*  
42 *complete record on review, or such parts thereof as are designated*  
43 *by the petitioner, must be prepared by the Board.*

44 *2. The complete record on review must include copies of:*  
45 *(a) All pleadings in the case;*





1 (b) All notices and interim orders issued by the Board in  
2 connection with the case;

3 (c) All stipulations;

4 (d) The decision and order appealed from;

5 (e) A transcript of all testimony, evidence and proceedings at  
6 the hearing;

7 (f) The exhibits admitted or rejected; and

8 (g) Any other papers in the case.

9 ↪ The original of any document may be used in lieu of a copy  
10 thereof. The record on review may be shortened by stipulation of  
11 all parties to the review proceedings.

12 3. The record on review must be filed with the reviewing  
13 court within 30 days after service of the petition for review, but the  
14 court may allow the Board additional time to prepare and transmit  
15 the record on review.

16 **Sec. 81. 1.** The reviewing court may, upon motion therefor,  
17 order that additional evidence in the case be taken by the Board  
18 upon such terms and conditions as the court deems just and  
19 proper. The motion must not be granted except upon a showing  
20 that the additional evidence is material and necessary and that  
21 sufficient reason existed for failure to present the evidence at the  
22 hearing of the Board. The motion must be supported by an  
23 affidavit of the moving party or his or her counsel showing with  
24 particularity the materiality and necessity of the additional  
25 evidence and the reason why it was not introduced in the  
26 administrative hearing. Rebuttal evidence to the additional  
27 evidence must be permitted. In cases in which additional evidence  
28 is presented to the Board, the Board may modify its decisions and  
29 orders as the additional evidence may warrant and shall file with  
30 the reviewing court a transcript of the additional evidence together  
31 with any modifications of the decision and order, all of which  
32 become a part of the record on review.

33 2. The review must be conducted by the court sitting without  
34 a jury, and must not be a trial de novo but is confined to the record  
35 on review. The filing of briefs and oral argument must be made in  
36 accordance with the rules governing appeals in civil cases unless  
37 the local rules of practice adopted in the judicial district provide a  
38 different procedure.

39 3. The reviewing court may affirm the decision and order of  
40 the Board, or it may remand the case for further proceedings or  
41 reverse the decision if the substantial rights of the petitioner have  
42 been prejudiced because the decision is:

43 (a) In violation of constitutional provisions;

44 (b) In excess of the statutory authority or jurisdiction of the  
45 Board;



- 1 (c) *Made upon unlawful procedure;*
- 2 (d) *Unsupported by any evidence; or*
- 3 (e) *Arbitrary or capricious or otherwise not in accordance with*
- 4 *law.*

5 **Sec. 82.** 1. *Any party aggrieved by the final decision in the*  
6 *district court after a review of the decision and order of the Board*  
7 *may appeal to the appellate court of competent jurisdiction*  
8 *pursuant to the rules fixed by the Supreme Court pursuant to*  
9 *Section 4 of Article 6 of the Nevada Constitution in the manner*  
10 *and within the time provided by law for appeals in civil cases. The*  
11 *appellate court of competent jurisdiction shall follow the same*  
12 *procedure thereafter as in appeals in civil actions, and may affirm,*  
13 *reverse or modify the decision as the record and law warrant.*

14 2. *The judicial review by the district court and the appellate*  
15 *court of competent jurisdiction afforded in this chapter is the*  
16 *exclusive method of review of the Board's actions, decisions and*  
17 *orders in disciplinary hearings held pursuant to sections 70 to 78,*  
18 *inclusive, of this act. Judicial review is not available for actions,*  
19 *decisions and orders of the Board relating to the denial of a*  
20 *license or registration card. Extraordinary common-law writs or*  
21 *equitable proceedings are available except where statutory judicial*  
22 *review is made exclusive or is precluded, or the use of those writs*  
23 *or proceedings is precluded by specific statute.*

24 **Sec. 83.** *The title of NRS created by section 1 of this act is*  
25 *hereby amended by adding thereto a new chapter to consist of the*  
26 *provisions set forth in sections 84 to 123, inclusive, of this act.*

27 **Sec. 84.** *As used in this chapter, unless the context otherwise*  
28 *requires, the words and terms defined in sections 85 to 89,*  
29 *inclusive, of this act have the meanings ascribed to them in those*  
30 *sections.*

31 **Sec. 85.** *"Concentrated cannabis" has the meaning ascribed*  
32 *to it in NRS 453.042.*

33 **Sec. 86.** *"Enclosed, locked facility" means a closet, display*  
34 *case, room, greenhouse or other enclosed area that meets the*  
35 *requirements of section 153 of this act and is equipped with locks*  
36 *or other security devices which allow access only by a registrant.*

37 **Sec. 87.** 1. *"Excluded felony offense" means a conviction*  
38 *of an offense that would constitute a category A felony if*  
39 *committed in this State or convictions for two or more offenses*  
40 *that would constitute felonies if committed in this State.*

41 2. *The term does not include:*

42 (a) *A criminal offense for which the sentence, including any*  
43 *term of probation, incarceration or supervised release, was*  
44 *completed more than 10 years ago; or*



1 (b) *An offense involving conduct that would be immune from*  
2 *arrest, prosecution, or penalty pursuant to this title, except that the*  
3 *conduct occurred before October 1, 2001, or was prosecuted by an*  
4 *authority other than the State of Nevada.*

5 **Sec. 88.** *“Inventory control system” means a process, device*  
6 *or other contrivance that may be used to monitor the chain of*  
7 *custody of cannabis from the point of cultivation to the end*  
8 *consumer.*

9 **Sec. 89.** *“Unreasonably impracticable” means the measures*  
10 *necessary to comply with the law or regulation require such a high*  
11 *investment of risk, money, time or any other resource or asset that*  
12 *the operation of a cannabis establishment is not worthy of being*  
13 *carried out in practice by a reasonably prudent businessperson.*

14 **Sec. 90.** *The Legislature hereby finds and declares that:*

15 1. *The purpose for licensing cannabis establishments and*  
16 *registering cannabis establishment agents is to protect the public*  
17 *health and safety and the general welfare of the people of this*  
18 *State.*

19 2. *Any:*

20 (a) *Medical cannabis establishment license issued pursuant to*  
21 *section 91 of this act;*

22 (b) *Adult-use cannabis establishment license issued pursuant*  
23 *to section 96 of this act;*

24 (c) *Cannabis consumption lounge license issued pursuant to*  
25 *section 100 of this act;*

26 (d) *Cannabis establishment agent registration card issued*  
27 *pursuant to section 103 of this act; and*

28 (e) *Cannabis establishment agent registration card for a*  
29 *cannabis executive issued pursuant to section 104 of this act,*

30 *↪ is a revocable privilege and the holder of such a license or card,*  
31 *as applicable, does not acquire thereby any vested right.*

32 **Sec. 91.** 1. *A person shall not engage in the business of a*  
33 *medical cannabis establishment unless the person holds a medical*  
34 *cannabis establishment license issued by the Board pursuant to*  
35 *this section.*

36 2. *A person who wishes to engage in the business of a*  
37 *medical cannabis establishment must submit to the Board an*  
38 *application on a form prescribed by the Board.*

39 3. *Except as otherwise provided in sections 92, 93 and 94 of*  
40 *this act, not later than 90 days after receiving an application to*  
41 *engage in the business of a medical cannabis establishment, the*  
42 *Board shall register the medical cannabis establishment and issue*  
43 *a medical cannabis establishment license and a random 20-digit*  
44 *alphanumeric identification number if:*



1 (a) *The person who wishes to operate the proposed medical*  
2 *cannabis establishment has submitted to the Board all of the*  
3 *following:*

4 (1) *The application fee, as set forth in section 107 of this*  
5 *act;*

6 (2) *An application, which must include:*

7 (I) *The legal name of the proposed medical cannabis*  
8 *establishment;*

9 (II) *The physical address where the proposed medical*  
10 *cannabis establishment will be located and the physical address of*  
11 *any co-owned additional or otherwise associated medical cannabis*  
12 *establishments, the locations of which may not be within 1,000 feet*  
13 *of a public or private school that provides formal education*  
14 *traditionally associated with preschool or kindergarten through*  
15 *grade 12 and that existed on the date on which the application for*  
16 *the proposed medical cannabis establishment was submitted to the*  
17 *Board, or within 300 feet of a community facility that existed on*  
18 *the date on which the application for the proposed medical*  
19 *cannabis establishment was submitted to the Board;*

20 (III) *Evidence that the applicant controls not less than*  
21 *\$250,000 in liquid assets to cover the initial expenses of opening*  
22 *the proposed medical cannabis establishment and complying with*  
23 *the provisions of this title;*

24 (IV) *Evidence that the applicant owns the property on*  
25 *which the proposed medical cannabis establishment will be located*  
26 *or has the written permission of the property owner to operate the*  
27 *proposed medical cannabis establishment on that property;*

28 (V) *For the applicant and each person who is proposed*  
29 *to be an owner, officer or board member of the proposed medical*  
30 *cannabis establishment, a complete set of the person's fingerprints*  
31 *and written permission of the person authorizing the Board to*  
32 *forward the fingerprints to the Central Repository for Nevada*  
33 *Records of Criminal History for submission to the Federal Bureau*  
34 *of Investigation for its report;*

35 (VI) *The name, address and date of birth of each person*  
36 *who is proposed to be an owner, officer or board member of the*  
37 *proposed medical cannabis establishment; and*

38 (VII) *The name, address and date of birth of each*  
39 *person who is proposed to be employed by or otherwise provide*  
40 *labor at the proposed medical cannabis establishment as a*  
41 *cannabis establishment agent;*

42 (3) *Operating procedures consistent with rules of the Board*  
43 *for oversight of the proposed medical cannabis establishment,*  
44 *including, without limitation:*



1 (I) Procedures to ensure the use of adequate security  
2 measures; and

3 (II) The use of an electronic verification system and an  
4 inventory control system pursuant to sections 149 and 150 of this  
5 act;

6 (4) If the proposed medical cannabis establishment will sell  
7 or deliver medical cannabis products, proposed operating  
8 procedures for handling such products which must be  
9 preapproved by the Board;

10 (5) If the city, town or county in which the proposed  
11 medical cannabis establishment will be located has enacted zoning  
12 restrictions, proof of licensure with the applicable local  
13 governmental authority or a letter from the applicable local  
14 governmental authority certifying that the proposed medical  
15 cannabis establishment is in compliance with those restrictions  
16 and satisfies all applicable building requirements; and

17 (6) Such other information as the Board may require by  
18 regulation;

19 (b) None of the persons who are proposed to be owners,  
20 officers or board members of the proposed medical cannabis  
21 establishment have been convicted of an excluded felony offense;

22 (c) None of the persons who are proposed to be owners,  
23 officers or board members of the proposed medical cannabis  
24 establishment have:

25 (1) Served as an owner, officer or board member for a  
26 cannabis establishment that has had its medical cannabis  
27 establishment license, adult-use cannabis establishment license or  
28 cannabis consumption lounge license revoked;

29 (2) Previously had a cannabis establishment agent  
30 registration card revoked; or

31 (3) Previously had a cannabis establishment agent  
32 registration card for a cannabis executive revoked; and

33 (d) None of the persons who are proposed to be owners,  
34 officers or board members of the proposed medical cannabis  
35 establishment are under 21 years of age.

36 4. For each person who submits an application pursuant to  
37 this section, and each person who is proposed to be an owner,  
38 officer or board member of a proposed medical cannabis  
39 establishment, the Board shall submit the fingerprints of the  
40 person to the Central Repository for Nevada Records of Criminal  
41 History for submission to the Federal Bureau of Investigation to  
42 determine the criminal history of that person.

43 5. Except as otherwise provided in subsection 6, if an  
44 application for registration as a medical cannabis establishment  
45 satisfies the requirements of this section, is qualified in the



1 *determination of the Board pursuant to section 105 of this act and*  
2 *the establishment is not disqualified from being registered as a*  
3 *medical cannabis establishment pursuant to this section or other*  
4 *applicable law, the Board shall issue to the establishment a*  
5 *medical cannabis establishment license. A medical cannabis*  
6 *establishment license expires 1 year after the date of issuance and*  
7 *may be renewed upon:*

8 (a) *Resubmission of the information set forth in this section,*  
9 *except that the fingerprints required to be submitted pursuant to*  
10 *subsection 4:*

11 (1) *Of each person who holds an ownership interest of less*  
12 *than 5 percent in any one medical cannabis establishment or an*  
13 *ownership interest in more than one medical cannabis*  
14 *establishment of the same kind that, when added together, is less*  
15 *than 5 percent, must only be submitted once in any 5-year period;*  
16 *and*

17 (2) *Of each person who holds an ownership interest of 5*  
18 *percent or more in any one medical cannabis establishment or an*  
19 *ownership interest in more than one medical cannabis*  
20 *establishment of the same kind that, when added together, equals*  
21 *5 percent or more, or is an officer or board member of a medical*  
22 *cannabis establishment, are not required to be submitted;*

23 (b) *If a person holds an ownership interest as described in*  
24 *subparagraph (2) of paragraph (a), submission of proof that the*  
25 *person holds a valid cannabis establishment agent registration*  
26 *card for a cannabis executive issued by the Board pursuant to*  
27 *section 104 of this act;*

28 (c) *Payment of the renewal fee set forth in section 107 of this*  
29 *act; and*

30 (d) *If the medical cannabis establishment is a medical*  
31 *cannabis independent testing laboratory, submission of proof that*  
32 *the medical cannabis independent testing laboratory is accredited*  
33 *pursuant to standard ISO/IEC 17025 of the International*  
34 *Organization for Standardization.*

35 6. *In determining whether to issue a medical cannabis*  
36 *establishment license pursuant to this section, the Board shall*  
37 *consider the criteria of merit set forth in section 94 of this act.*

38 7. *As used in this section, "community facility" means:*

39 (a) *A facility that provides day care to children.*

40 (b) *A public park.*

41 (c) *A playground.*

42 (d) *A public swimming pool.*

43 (e) *A center or facility, the primary purpose of which is to*  
44 *provide recreational opportunities or services to children or*  
45 *adolescents.*



1 (f) *A church, synagogue or other building, structure or place*  
2 *used for religious worship or other religious purpose.*

3 **Sec. 92. 1.** *Except as otherwise provided in this section and*  
4 *section 93 of this act, the Board shall issue medical cannabis*  
5 *establishment licenses for medical cannabis dispensaries in the*  
6 *following quantities for applicants who qualify pursuant to section*  
7 *91 of this act:*

8 (a) *In a county whose population is 700,000 or more, 40*  
9 *licenses;*

10 (b) *In a county whose population is 100,000 or more but less*  
11 *than 700,000, 10 licenses;*

12 (c) *In a county whose population is 55,000 or more but less*  
13 *than 100,000, two licenses;*

14 (d) *In each other county, one license; and*

15 (e) *For each incorporated city in a county whose population is*  
16 *less than 100,000, one license.*

17 **2. The Board:**

18 (a) *Shall not issue medical cannabis establishment licenses for*  
19 *medical cannabis dispensaries in such a quantity as to cause the*  
20 *existence within the applicable county of more than one medical*  
21 *cannabis dispensary for every 10 pharmacies that have been*  
22 *licensed in the county pursuant to chapter 639 of NRS. The Board*  
23 *may issue medical cannabis establishment licenses for medical*  
24 *cannabis dispensaries in excess of the ratio otherwise allowed*  
25 *pursuant to this paragraph if doing so is necessary to ensure that*  
26 *the Board issues at least one medical cannabis establishment*  
27 *license in each county of this State and, pursuant to paragraph (e)*  
28 *of subsection 1, each incorporated city of this State in which the*  
29 *Board has approved an application for such an establishment to*  
30 *operate.*

31 (b) *Shall, for any county for which no applicants qualify*  
32 *pursuant to section 91 of this act, within 2 months after the end of*  
33 *the period during which the Board accepts applications pursuant*  
34 *to section 101 of this act, reallocate the licenses provided for that*  
35 *county pursuant to subsection 1 to the other counties specified in*  
36 *subsection 1 in the same proportion as provided in subsection 1.*

37 **3. With respect to medical cannabis establishments that are**  
38 *not medical cannabis dispensaries, the Board shall:*

39 (a) *Issue a medical cannabis establishment license to at least*  
40 *one medical cannabis cultivation facility and at least one medical*  
41 *cannabis production facility in each county; and*

42 (b) *Determine the appropriate number of additional such*  
43 *establishments in each county as are necessary to serve and supply*  
44 *the medical cannabis dispensaries to which the Board has granted*  
45 *medical cannabis establishment licenses and issue such a number*





1 of medical cannabis establishment licenses for such  
2 establishments in each county.

3 **Sec. 93. 1.** Except as otherwise provided in this subsection,  
4 in a county whose population is 100,000 or more, the Board shall  
5 ensure that not more than 25 percent of the total number of  
6 medical cannabis dispensaries that may be licensed in the county,  
7 as set forth in section 92 of this act, are located in any one local  
8 governmental jurisdiction within the county. The Board may  
9 increase the percentage described in this subsection upon the  
10 request of the board of county commissioners of the county. The  
11 Board shall adopt regulations setting forth the requirements for  
12 granting such a request.

13 2. To prevent monopolistic practices, the Board shall ensure,  
14 in a county whose population is 100,000 or more, that it does not  
15 issue, to any one person, group of persons or entity, the greater of:

16 (a) One medical cannabis establishment license; or

17 (b) More than 10 percent of the medical cannabis  
18 establishment licenses otherwise allocable in the county.

19 3. As used in this section, "local governmental jurisdiction"  
20 means a city, town, township or unincorporated area within a  
21 county.

22 **Sec. 94. 1.** In determining whether to issue a medical  
23 cannabis establishment license pursuant to section 91 of this act,  
24 the Board shall, in addition to the factors set forth in that section,  
25 consider criteria of merit established by regulation of the Board.  
26 Such criteria must include, without limitation:

27 (a) Whether the applicant controls liquid assets in an amount  
28 determined by the Board to be sufficient to cover the initial  
29 expenses of opening the proposed medical cannabis establishment  
30 and complying with the provisions of this title;

31 (b) The previous experience of the persons who are proposed  
32 to be owners, officers or board members of the proposed medical  
33 cannabis establishment at operating other businesses or nonprofit  
34 organizations;

35 (c) The educational and life experience of the persons who are  
36 proposed to be owners, officers or board members of the proposed  
37 medical cannabis establishment;

38 (d) Any demonstrated knowledge or expertise on the part of the  
39 persons who are proposed to be owners, officers or board members  
40 of the proposed medical cannabis establishment with respect to the  
41 compassionate use of cannabis to treat medical conditions;

42 (e) Whether the proposed location of the proposed medical  
43 cannabis establishment would be convenient to serve the needs of  
44 persons who are authorized to engage in the medical use of  
45 cannabis;





1 (f) *The likely impact of the proposed medical cannabis*  
2 *establishment on the community in which it is proposed to be*  
3 *located;*

4 (g) *The adequacy of the size of the proposed medical cannabis*  
5 *establishment to serve the needs of persons who are authorized to*  
6 *engage in the medical use of cannabis;*

7 (h) *Whether the applicant has an integrated plan for the care,*  
8 *quality and safekeeping of medical cannabis from seed to sale;*

9 (i) *The diversity on the basis of race, ethnicity, gender or*  
10 *veteran status of the applicant or the persons who are proposed to*  
11 *be owners, officers or board members of the proposed medical*  
12 *cannabis establishment, including, without limitation, the*  
13 *inclusion of persons of backgrounds which are disproportionately*  
14 *underrepresented as owners, officers or board members of medical*  
15 *cannabis establishments; and*

16 (j) *Any other criteria of merit that the Board determines to be*  
17 *relevant.*

18 2. *The Board shall adopt regulations for determining the*  
19 *relative weight of each criteria of merit established by the Board*  
20 *pursuant to subsection 1.*

21 **Sec. 95. 1.** *Each agency of a local government which*  
22 *performs inspections, reviews or other tasks related to ensuring*  
23 *that a medical cannabis establishment is in compliance with all*  
24 *applicable local governmental ordinances or rules pursuant to*  
25 *section 102 of this act shall maintain records of the hours its*  
26 *employees spend performing these inspections, reviews and tasks,*  
27 *the rate of pay of each such employee and the share of any costs*  
28 *for equipment for the agency which is attributable to the*  
29 *establishment.*

30 2. *Each agency of a local government shall provide records*  
31 *maintained pursuant to subsection 1 to the medical cannabis*  
32 *establishment not less than 30 days after the agency performs an*  
33 *inspection, review or other related task.*

34 3. *Except as otherwise provided in subsection 5:*

35 (a) *A medical cannabis establishment shall pay a fee to an*  
36 *agency of a local government which provides records of its costs to*  
37 *the establishment pursuant to subsection 2 in an amount equal to*  
38 *the actual costs of the agency to perform the inspection, review or*  
39 *other related task.*

40 (b) *If a medical cannabis establishment fails to pay the fee*  
41 *imposed by paragraph (a) within 30 days after receipt of the*  
42 *records provided pursuant to subsection 2, the agency may charge*  
43 *a penalty of \$500 and assess interest on the fee at a rate of 7*  
44 *percent per year, commencing 30 days after receipt of the records.*



1       4. Any revenue generated from a fee imposed pursuant to  
2 subsection 3:

3       (a) Must be expended only to pay the costs of the agency of a  
4 local government to perform an inspection, review or other task  
5 related to ensuring the medical cannabis establishment is in  
6 compliance with all applicable local governmental ordinances or  
7 rules; and

8       (b) Must not supplant any other support provided to the agency  
9 of a local government by the local government.

10       5. A medical cannabis establishment may appeal a fee  
11 imposed pursuant to subsection 3 to the appropriate local  
12 government by submitting a written request to the local  
13 government not more than 30 days after the imposition of the fee  
14 which includes documentation sufficient to show that the amount  
15 of the fee is unsubstantiated or erroneous. The obligation of the  
16 medical cannabis establishment to pay the fee is suspended until  
17 such an appeal is dismissed or the amount of the fee is  
18 redetermined pursuant to subsection 7.

19       6. A local government which receives a written request  
20 pursuant to subsection 5 shall administratively dismiss the request  
21 if it is not accompanied by documentation sufficient to show that  
22 the amount of the fee is unsubstantiated or erroneous.

23       7. A local government shall hold a hearing to determine the  
24 appropriate amount of a fee imposed pursuant to subsection 3 if  
25 the documentation which accompanies a written request submitted  
26 pursuant to subsection 5 shows that the amount of the fee was  
27 unsubstantiated or erroneous. The local government may revise  
28 the amount of the fee only if it determines that the records  
29 maintained by the agency of the local government do not support  
30 the amount of the fee imposed.

31       **Sec. 96.** 1. A person shall not engage in the business of an  
32 adult-use cannabis establishment unless the person holds an  
33 adult-use cannabis establishment license issued pursuant to this  
34 section.

35       2. A person who wishes to engage in the business of an adult-  
36 use cannabis establishment must submit to the Board an  
37 application on a form prescribed by the Board.

38       3. Except as otherwise provided in sections 97, 98 and 99 of  
39 this act, the Board shall issue an adult-use cannabis establishment  
40 license to an applicant if:

41       (a) The person who wishes to operate the proposed adult-use  
42 cannabis establishment has submitted to the Board all of the  
43 following:

44       (1) The application fee, as set forth in section 107 of this  
45 act;



1           (2) *An application, which must include:*

2           (I) *The legal name of the proposed adult-use cannabis*  
3 *establishment;*

4           (II) *The physical address where the proposed adult-use*  
5 *cannabis establishment will be located and the physical address of*  
6 *any co-owned additional or otherwise associated adult-use*  
7 *cannabis establishments, the locations of which may not be within*  
8 *1,000 feet of a public or private school that provides formal*  
9 *education traditionally associated with preschool or kindergarten*  
10 *through grade 12 and that existed on the date on which the*  
11 *application for the proposed adult-use cannabis establishment was*  
12 *submitted to the Board, or within 300 feet of a community facility*  
13 *that existed on the date on which the application for the proposed*  
14 *adult-use cannabis establishment was submitted to the Board;*

15           (III) *Evidence that the applicant controls liquid assets in*  
16 *an amount determined by the Board to be sufficient to cover the*  
17 *initial expenses of opening the proposed adult-use cannabis*  
18 *establishment and complying with the provisions of this title;*

19           (IV) *Evidence that the applicant owns the property on*  
20 *which the proposed adult-use cannabis establishment will be*  
21 *located or has the written permission of the property owner to*  
22 *operate the proposed adult-use cannabis establishment on that*  
23 *property;*

24           (V) *For the applicant and each person who is proposed*  
25 *to be an owner, officer or board member of the proposed adult-use*  
26 *cannabis establishment, a complete set of the person's fingerprints*  
27 *and written permission of the person authorizing the Board to*  
28 *forward the fingerprints to the Central Repository for Nevada*  
29 *Records of Criminal History for submission to the Federal Bureau*  
30 *of Investigation for its report;*

31           (VI) *The name, address and date of birth of each person*  
32 *who is proposed to be an owner, officer or board member of the*  
33 *proposed adult-use cannabis establishment; and*

34           (VII) *The name, address and date of birth of each*  
35 *person who is proposed to be employed by or otherwise provide*  
36 *labor at the proposed adult-use cannabis establishment as a*  
37 *cannabis establishment agent;*

38           (3) *Operating procedures consistent with rules of the Board*  
39 *for oversight of the proposed adult-use cannabis establishment,*  
40 *including, without limitation:*

41           (I) *Procedures to ensure the use of adequate security*  
42 *measures; and*

43           (II) *The use of an inventory control system;*

44           (4) *If the proposed adult-use cannabis establishment will*  
45 *sell or deliver adult-use cannabis products, proposed operating*



1 *procedures for handling such products which must be*  
2 *preapproved by the Board; and*

3 *(5) Such other information as the Board may require by*  
4 *regulation;*

5 *(b) None of the persons who are proposed to be owners,*  
6 *officers or board members of the proposed adult-use cannabis*  
7 *establishment have been convicted of an excluded felony offense;*

8 *(c) None of the persons who are proposed to be owners,*  
9 *officers or board members of the proposed adult-use cannabis*  
10 *establishment have:*

11 *(1) Served as an owner, officer or board member for a*  
12 *cannabis establishment that has had its adult-use cannabis*  
13 *establishment license, medical cannabis establishment license or*  
14 *cannabis consumption lounge license revoked;*

15 *(2) Previously had a cannabis establishment agent*  
16 *registration card revoked; or*

17 *(3) Previously had a cannabis establishment agent*  
18 *registration card for a cannabis executive revoked; and*

19 *(d) None of the persons who are proposed to be owners,*  
20 *officers or board members of the proposed adult-use cannabis*  
21 *establishment are under 21 years of age.*

22 *4. For each person who submits an application pursuant to*  
23 *this section, and each person who is proposed to be an owner,*  
24 *officer or board member of a proposed adult-use cannabis*  
25 *establishment, the Board shall submit the fingerprints of the*  
26 *person to the Central Repository for Nevada Records of Criminal*  
27 *History for submission to the Federal Bureau of Investigation to*  
28 *determine the criminal history of that person.*

29 *5. Except as otherwise provided in subsection 6, if an*  
30 *applicant for licensure to operate an adult-use cannabis*  
31 *establishment satisfies the requirements of this section, is qualified*  
32 *in the determination of the Board pursuant to section 105 of this*  
33 *act and is not disqualified from being licensed pursuant to this*  
34 *section or other applicable law, the Board shall issue to the*  
35 *applicant an adult-use cannabis establishment license. An adult-*  
36 *use cannabis establishment license expires 1 year after the date of*  
37 *issuance and may be renewed upon:*

38 *(a) Resubmission of the information set forth in this section,*  
39 *except that the fingerprints required to be submitted pursuant to*  
40 *subsection 4:*

41 *(1) Of each person who holds an ownership interest of less*  
42 *than 5 percent in any one adult-use cannabis establishment or an*  
43 *ownership interest in more than one adult-use cannabis*  
44 *establishment of the same kind that, when added together, is less*



1 *than 5 percent, must only be submitted once in any 5-year period;*  
2 *and*

3 *(2) Of each person who holds an ownership interest of 5*  
4 *percent or more in any one adult-use cannabis establishment or*  
5 *an ownership interest in more than one adult-use cannabis*  
6 *establishment of the same kind that, when added together, equals*  
7 *5 percent or more, or is an officer or board member of a medical*  
8 *cannabis establishment, are not required to be submitted;*

9 *(b) If a person holds an ownership interest as described in*  
10 *subparagraph (2) of paragraph (a), submission of proof that the*  
11 *person holds a valid cannabis establishment agent registration*  
12 *card for a cannabis executive issued by the Board pursuant to*  
13 *section 104 of this act;*

14 *(c) Payment of the renewal fee set forth in section 107 of this*  
15 *act; and*

16 *(d) If the adult-use cannabis establishment is an adult-use*  
17 *cannabis independent testing laboratory, submission of proof that*  
18 *the adult-use cannabis independent testing laboratory is*  
19 *accredited pursuant to standard ISO/IEC 17025 of the*  
20 *International Organization for Standardization.*

21 *6. In determining whether to issue an adult-use cannabis*  
22 *license pursuant to this section, the Board shall consider the*  
23 *criteria of merit set forth in section 99 of this act.*

24 *7. As used in this section, "community facility" means:*

25 *(a) A facility that provides day care to children.*

26 *(b) A public park.*

27 *(c) A playground.*

28 *(d) A public swimming pool.*

29 *(e) A center or facility, the primary purpose of which is to*  
30 *provide recreational opportunities or services to children or*  
31 *adolescents.*

32 *(f) A church, synagogue or other building, structure or place*  
33 *used for religious worship or other religious purpose.*

34 **Sec. 97. 1. Except as otherwise provided in this section and**  
35 **section 98 of this act, the Board shall issue adult-use cannabis**  
36 **establishment licenses for the operation of adult-use cannabis**  
37 **retail stores in the following quantities for applicants who qualify**  
38 **pursuant to section 96 of this act:**

39 *(a) In a county whose population is 700,000 or more, 80*  
40 *licenses;*

41 *(b) In a county whose population is 100,000 or more but less*  
42 *than 700,000, 20 licenses;*

43 *(c) In a county whose population is 55,000 or more but less*  
44 *than 100,000, four licenses; and*



1 (d) In a county whose population is less than 55,000, two  
2 licenses.

3 2. If the board of commissioners of a county submits a  
4 request to the Board requesting the issuance of additional adult-  
5 use cannabis establishment licenses for the operation of adult-use  
6 cannabis retail stores in excess of the number of licenses provided  
7 for in subsection 1, the Board may issue additional adult-use  
8 cannabis establishment licenses for the operation of adult-use  
9 cannabis retail stores for that county.

10 **Sec. 98.** Except as otherwise provided in subsection 2, to  
11 prevent monopolistic practices, the Board shall ensure, in a county  
12 whose population is 100,000 or more, that it does not issue, to any  
13 one person, group of persons or entity, the greater of:

14 1. One adult-use cannabis establishment license; or

15 2. More than 10 percent of the adult-use cannabis  
16 establishment licenses otherwise allocable in the county.

17 **Sec. 99. 1.** In determining whether to issue an adult-use  
18 cannabis establishment license pursuant to section 96 of this act,  
19 the Board shall, in addition to the factors set forth in that section,  
20 consider criteria of merit established by regulation of the Board.  
21 Such criteria must include, without limitation:

22 (a) Whether the applicant controls liquid assets in an amount  
23 determined by the Board to be sufficient to cover the initial  
24 expenses of opening the proposed adult-use cannabis  
25 establishment and complying with the provisions of this title;

26 (b) Whether the owners, officers or board members of the  
27 proposed adult-use cannabis establishment have direct experience  
28 with the operation of a cannabis establishment in this State and  
29 have demonstrated a record of operating such an establishment in  
30 compliance with the laws and regulations of this State for an  
31 adequate period of time to demonstrate success;

32 (c) The educational and life experience of the persons who are  
33 proposed to be owners, officers or board members of the proposed  
34 adult-use cannabis establishment;

35 (d) Whether the applicant has an integrated plan for the care,  
36 quality and safekeeping of cannabis from seed to sale;

37 (e) The experience of key personnel that the applicant intends  
38 to employ in operating the type of adult-use cannabis  
39 establishment for which the applicant seeks a license;

40 (f) The diversity on the basis of race, ethnicity or gender of the  
41 applicant or the persons who are proposed to be owners, officers  
42 or board members of the proposed adult-use cannabis  
43 establishment, including, without limitation, the inclusion of  
44 persons of backgrounds which are disproportionately



1 *underrepresented as owners, officers or board members of adult-*  
2 *use cannabis establishments; and*

3 *(g) Any other criteria of merit that the Board determines to be*  
4 *relevant.*

5 *2. The Board shall adopt regulations for determining the*  
6 *relative weight of each criteria of merit established by the Board*  
7 *pursuant to subsection 1.*

8 **Sec. 100.** *1. A person shall not engage in the business of a*  
9 *cannabis consumption lounge unless the person holds a cannabis*  
10 *consumption lounge license issued pursuant to this section.*

11 *2. The Board may decide whether it will accept applications*  
12 *for and issue cannabis consumption lounge licenses.*

13 *3. If the Board decides to accept applications for and issue*  
14 *cannabis consumption lounge licenses, the Board shall require a*  
15 *person who wishes to engage in the business of a cannabis*  
16 *consumption lounge to submit to the Board an application on a*  
17 *form prescribed by the Board.*

18 *4. If the Board decides to accept applications for and issue*  
19 *cannabis consumption lounge licenses, the Board shall issue a*  
20 *cannabis consumption lounge license to an applicant if:*

21 *(a) The person who wishes to operate the proposed cannabis*  
22 *consumption lounge has submitted to the Board all of the*  
23 *following:*

24 *(1) The application fee, as established by the Board*  
25 *pursuant to section 107 of this act;*

26 *(2) An application, which must include:*

27 *(I) The legal name of the proposed cannabis*  
28 *consumption lounge;*

29 *(II) The physical address where the proposed cannabis*  
30 *consumption lounge will be located;*

31 *(III) Evidence that the applicant controls liquid assets in*  
32 *an amount determined by the Board to be sufficient to cover the*  
33 *initial expenses of opening the proposed cannabis consumption*  
34 *lounge and complying with the provisions of this title;*

35 *(IV) Evidence that the applicant owns the property on*  
36 *which the proposed cannabis consumption lounge will be located*  
37 *or has the written permission of the property owner to operate the*  
38 *proposed cannabis consumption lounge on that property;*

39 *(V) For the applicant and each person who is proposed*  
40 *to be an owner, officer or board member of the proposed cannabis*  
41 *consumption lounge, a complete set of the person's fingerprints*  
42 *and written permission of the person authorizing the Board to*  
43 *forward the fingerprints to the Central Repository for Nevada*  
44 *Records of Criminal History for submission to the Federal Bureau*  
45 *of Investigation for its report;*





1 (VI) *The name, address and date of birth of each person*  
2 *who is proposed to be an owner, officer or board member of the*  
3 *proposed cannabis consumption lounge; and*

4 (VII) *The name, address and date of birth of each*  
5 *person who is proposed to be employed by or otherwise provide*  
6 *labor at the proposed cannabis consumption lounge as a cannabis*  
7 *establishment agent;*

8 (3) *Operating procedures consistent with rules of the Board*  
9 *for oversight of the proposed cannabis consumption lounge; and*

10 (4) *Such other information as the Board may require by*  
11 *regulation;*

12 (b) *The physical address of the cannabis consumption lounge*  
13 *is not:*

14 (1) *Within 1,000 feet of a public or private school that*  
15 *provides formal education traditionally associated with preschool*  
16 *or kindergarten through grade 12 and that existed on the date on*  
17 *which the application for the proposed cannabis consumption*  
18 *lounge was submitted to the Board;*

19 (2) *Within 300 feet of a community facility that existed on*  
20 *the date on which the application for the proposed cannabis*  
21 *consumption lounge was submitted to the Board;*

22 (3) *Within 1,500 feet of an establishment that holds a*  
23 *nonrestricted gaming license issued pursuant to chapter 463 of*  
24 *NRS and that existed on the date on which the application for the*  
25 *proposed cannabis consumption lounge was submitted to the*  
26 *Board; or*

27 (4) *On the property of a public airport;*

28 (c) *None of the persons who are proposed to be owners,*  
29 *officers or board members of the proposed cannabis consumption*  
30 *lounge have been convicted of an excluded felony offense;*

31 (d) *None of the persons who are proposed to be owners,*  
32 *officers or board members of the proposed cannabis consumption*  
33 *lounge have:*

34 (1) *Served as an owner, officer or board member for a*  
35 *cannabis establishment that has had its license revoked;*

36 (2) *Previously had a cannabis establishment agent*  
37 *registration card revoked; or*

38 (3) *Previously had a cannabis establishment agent*  
39 *registration card for a cannabis executive revoked; and*

40 (e) *None of the persons who are proposed to be owners,*  
41 *officers or board members of the proposed cannabis consumption*  
42 *lounge are under 21 years of age.*

43 5. *For each person who submits an application pursuant to*  
44 *this section, and each person who is proposed to be an owner,*  
45 *officer or board member of a proposed cannabis consumption*





1 lounge, the Board shall submit the fingerprints of the person to  
2 the Central Repository for Nevada Records of Criminal History  
3 for submission to the Federal Bureau of Investigation to  
4 determine the criminal history of that person.

5 6. A cannabis consumption lounge license expires 1 year  
6 after the date of issuance and may be renewed upon:

7 (a) Resubmission of the information set forth in this section,  
8 except that the fingerprints required to be submitted pursuant to  
9 subsection 5:

10 (1) Of each person who holds an ownership interest of less  
11 than 5 percent in any one cannabis consumption lounge or an  
12 ownership interest in more than one cannabis consumption  
13 lounge, when added together, is less than 5 percent, must only be  
14 submitted once in any 5-year period; and

15 (2) Of each person who holds an ownership interest of 5  
16 percent or more in any one cannabis consumption lounge or an  
17 ownership interest in more than one cannabis consumption  
18 lounge of the same kind that, when added together, equals 5  
19 percent or more, or is an officer or board member of a cannabis  
20 establishment, are not required to be submitted;

21 (b) If a person holds an ownership interest as described in  
22 subparagraph (2) of paragraph (a), submission of proof that the  
23 person holds a valid cannabis establishment agent registration  
24 card for a cannabis executive issued by the Board pursuant to 104  
25 of this act; and

26 (c) Payment of the renewal fee established by the Board  
27 pursuant to section 107 of this act.

28 7. As used in this section, "community facility" means:

29 (a) A facility that provides day care to children.

30 (b) A public park.

31 (c) A playground.

32 (d) A public swimming pool.

33 (e) A center or facility, the primary purpose of which is to  
34 provide recreational opportunities or services to children or  
35 adolescents.

36 (f) A church, synagogue or other building, structure or place  
37 used for religious worship or other religious purpose.

38 **Sec. 101.** Except as otherwise provided in this section and  
39 subsection 3 of section 92 of this act, the Board shall not, for more  
40 than a total of 10 business days in any 1 calendar year, accept  
41 applications to operate a cannabis establishment. The Board may  
42 by regulation prescribe longer periods in which it will accept  
43 applications to operate a cannabis establishment.



1       **Sec. 102. 1.** *In a local governmental jurisdiction that issues*  
2 *business licenses, the issuance by the Board of license shall be*  
3 *deemed to be provisional until such time as:*

4       (a) *The cannabis establishment is in compliance with all*  
5 *applicable local governmental ordinances or rules; and*

6       (b) *The local government has issued a business license for the*  
7 *operation of the establishment.*

8       2. *As used in this section, "local governmental jurisdiction"*  
9 *means a city, town, township or unincorporated area within a*  
10 *county.*

11       **Sec. 103. 1.** *Except as otherwise provided in this section, a*  
12 *person shall not hold an ownership interest in a cannabis*  
13 *establishment of less than 5 percent, volunteer or work at, contract*  
14 *to provide labor to or be employed by an independent contractor to*  
15 *provide labor to a cannabis establishment as a cannabis*  
16 *establishment agent unless the person is registered with the Board*  
17 *pursuant to this section.*

18       2. *A person who wishes to volunteer or work at a cannabis*  
19 *establishment, or a cannabis establishment that wishes to retain as*  
20 *a volunteer or employ such a person, shall submit to the Board an*  
21 *application on a form prescribed by the Board. The application*  
22 *must be accompanied by:*

23       (a) *The name, address and date of birth of the prospective*  
24 *cannabis establishment agent;*

25       (b) *A statement signed by the prospective cannabis*  
26 *establishment agent pledging not to dispense or otherwise divert*  
27 *cannabis to any person who is not authorized to possess cannabis*  
28 *in accordance with the provisions of this title;*

29       (c) *A statement signed by the prospective cannabis*  
30 *establishment agent asserting that he or she has not previously*  
31 *had a cannabis establishment agent registration card revoked;*

32       (d) *A complete set of the fingerprints and written permission of*  
33 *the prospective cannabis establishment agent authorizing the*  
34 *Board to forward the fingerprints to the Central Repository for*  
35 *Nevada Records of Criminal History for submission to the Federal*  
36 *Bureau of Investigation for its report;*

37       (e) *The application fee, as set forth in section 107 of this act;*  
38 *and*

39       (f) *Such other information as the Board may require by*  
40 *regulation.*

41       3. *A person who wishes to contract to provide labor to or be*  
42 *employed by an independent contractor to provide labor to a*  
43 *cannabis establishment, or a cannabis establishment that wishes*  
44 *to contract with such a person, shall submit to the Board an*  
45 *application on a form prescribed by the Board for the registration*



1 of the independent contractor and each employee of the  
2 independent contractor who will provide labor as a cannabis  
3 establishment agent. The application must be accompanied by:

4 (a) The name, address and, if the prospective cannabis  
5 establishment agent has a state business license, the business  
6 identification number assigned by the Secretary of State upon  
7 compliance with the provisions of chapter 76 of NRS;

8 (b) The name, address and date of birth of each employee of  
9 the prospective cannabis establishment agent who will provide  
10 labor as a cannabis establishment agent;

11 (c) A statement signed by the prospective cannabis  
12 establishment agent pledging not to dispense or otherwise divert  
13 cannabis to, or allow any of its employees to dispense or otherwise  
14 divert cannabis to, any person who is not authorized to possess  
15 cannabis in accordance with the provisions of this title;

16 (d) A statement signed by the prospective cannabis  
17 establishment agent asserting that it has not previously had a  
18 cannabis establishment agent registration card revoked and that  
19 none of its employees who will provide labor as a cannabis  
20 establishment agent have previously had a cannabis establishment  
21 agent registration card revoked;

22 (e) A complete set of the fingerprints of each employee of the  
23 prospective cannabis establishment agent who will provide labor  
24 as a cannabis establishment agent and written permission of the  
25 prospective cannabis establishment agent and each employee of  
26 the prospective cannabis establishment agent authorizing the  
27 Board to forward the fingerprints to the Central Repository for  
28 Nevada Records of Criminal History for submission to the Federal  
29 Bureau of Investigation for its report;

30 (f) The application fee, as set forth in section 107 of this act;  
31 and

32 (g) Such other information as the Board may require by  
33 regulation.

34 4. A person who wishes to hold an ownership interest in a  
35 cannabis establishment of less than 5 percent shall submit to the  
36 Board an application on a form prescribed by the Board. The  
37 application must be accompanied by:

38 (a) The name, address and date of birth of the prospective  
39 cannabis establishment agent;

40 (b) A statement signed by the prospective cannabis  
41 establishment agent pledging not to dispense or otherwise divert  
42 cannabis to any person who is not authorized to possess cannabis  
43 in accordance with the provisions of this title;



1 (c) A statement signed by the prospective cannabis  
2 establishment agent asserting that he or she has not previously  
3 had a cannabis establishment agent registration card revoked;

4 (d) A complete set of the fingerprints and written permission of  
5 the prospective cannabis establishment agent authorizing the  
6 Board to forward the fingerprints to the Central Repository for  
7 Nevada Records of Criminal History for submission to the Federal  
8 Bureau of Investigation for its report;

9 (e) Any information required by the Board to complete an  
10 investigation into the background of the prospective cannabis  
11 establishment agent, including, without limitation, financial  
12 records and other information relating to the business affairs of  
13 the prospective cannabis establishment agent;

14 (f) The application fee, as set forth in section 107 of this act;  
15 and

16 (g) Such other information as the Board may require by  
17 regulation.

18 5. A cannabis establishment shall notify the Board within 10  
19 business days after a cannabis establishment agent ceases to hold  
20 an ownership interest in the cannabis establishment of less than 5  
21 percent, be employed by, volunteer at or provide labor as a  
22 cannabis establishment agent to the cannabis establishment.

23 6. A person who:

24 (a) Has been convicted of an excluded felony offense;

25 (b) Is less than 21 years of age; or

26 (c) Is not qualified, in the determination of the Board pursuant  
27 to section 105 of this act,

28 ↪ shall not serve as a cannabis establishment agent.

29 7. The Board shall submit the fingerprints of an applicant for  
30 registration as a cannabis establishment agent to the Central  
31 Repository for Nevada Records of Criminal History for submission  
32 to the Federal Bureau of Investigation to determine the criminal  
33 history of the applicant.

34 8. The provisions of this section do not require a person who  
35 is an owner, officer or board member of a cannabis establishment  
36 to resubmit information already furnished to the Board at the time  
37 the establishment was licensed with the Board.

38 9. If an applicant for registration as a cannabis establishment  
39 agent satisfies the requirements of this section, is found to be  
40 qualified by the Board pursuant to section 105 of this act and is  
41 not disqualified from serving as such an agent pursuant to this  
42 section or any other applicable law, the Board shall issue to the  
43 person and, for an independent contractor, to each person  
44 identified in the independent contractor's application for  
45 registration as an employee who will provide labor as a cannabis



1 *establishment agent, a cannabis establishment agent registration*  
2 *card. If the Board does not act upon an application for a cannabis*  
3 *establishment agent registration card within 30 days after the date*  
4 *on which the application is received, the application shall be*  
5 *deemed conditionally approved until such time as the Board acts*  
6 *upon the application. A cannabis establishment agent registration*  
7 *card expires 2 years after the date of issuance and may be renewed*  
8 *upon:*

9 *(a) Resubmission of the information set forth in this section;*  
10 *and*

11 *(b) Payment of the renewal fee set forth in section 107 of this*  
12 *act.*

13 *10. A person to whom a cannabis establishment agent*  
14 *registration card is issued or for whom such a registration card is*  
15 *renewed shall submit to the Board on the date of the first*  
16 *anniversary of the issuance or renewal an affidavit attesting that*  
17 *in the preceding year there has been no change in the information*  
18 *previously provided to the Board which would subject the person*  
19 *to disciplinary action by the Board.*

20 *11. A cannabis establishment agent registration card issued*  
21 *pursuant to this section to an independent contractor or an*  
22 *employee of an independent contractor authorizes the independent*  
23 *contractor or employee to provide labor to any cannabis*  
24 *establishment in this State.*

25 *12. A cannabis establishment agent registration card issued*  
26 *pursuant to this section to a person who wishes to volunteer or*  
27 *work at a medical cannabis establishment authorizes the person to*  
28 *volunteer or work at any cannabis establishment in this State for*  
29 *which the category of the cannabis establishment agent*  
30 *registration card authorizes the person to volunteer or work.*

31 *13. Except as otherwise prescribed by regulation of the*  
32 *Board, an applicant for registration or renewal of registration as a*  
33 *cannabis establishment agent is deemed temporarily registered as*  
34 *a cannabis establishment agent on the date on which a complete*  
35 *application for registration or renewal of registration is submitted*  
36 *to the Board. A temporary registration as a cannabis*  
37 *establishment agent expires 30 days after the date upon which the*  
38 *application is received.*

39 **Sec. 104. 1.** *In addition to the requirements set forth in*  
40 *section 103 of this act, a person shall not hold an ownership*  
41 *interest in a cannabis establishment of 5 percent or more unless*  
42 *the person first secures a cannabis establishment agent*  
43 *registration card for a cannabis executive issued by the Board.*

44 *2. A person who wishes to hold an ownership interest in a*  
45 *cannabis establishment of 5 percent or more shall submit to the*



1 *Board an application on a form prescribed by the Board. The*  
2 *application must be accompanied by:*

3 (a) *The name, address and date of birth of the applicant;*

4 (b) *A statement signed by the applicant asserting that he or she*  
5 *has not previously had a cannabis establishment agent registration*  
6 *card for a cannabis executive revoked;*

7 (c) *A complete set of the fingerprints and written permission of*  
8 *the applicant authorizing the Board to forward the fingerprints to*  
9 *the Central Repository for Nevada Records of Criminal History*  
10 *for submission to the Federal Bureau of Investigation for its*  
11 *report;*

12 (d) *Any information required by the Board to complete an*  
13 *investigation into the background of the applicant, including,*  
14 *without limitation, financial records and other information*  
15 *relating to the business affairs of the applicant;*

16 (e) *The application fee, as set forth in section 107 of this act;*  
17 *and*

18 (f) *Such other information as the Board may require by*  
19 *regulation.*

20 3. *If the Board determines the applicant is qualified to receive*  
21 *a cannabis establishment agent registration card for a cannabis*  
22 *executive pursuant to section 105 of this act, the Board shall issue*  
23 *to the person a cannabis establishment agent registration card for*  
24 *a cannabis executive.*

25 4. *A cannabis establishment agent registration card for a*  
26 *cannabis executive expires 2 years after the date of issuance and*  
27 *may be renewed upon:*

28 (a) *Resubmission of the information set forth in this section;*  
29 *and*

30 (b) *Payment of the renewal fee set forth in section 107 of this*  
31 *act.*

32 5. *A person to whom a cannabis establishment agent*  
33 *registration card for a cannabis executive is issued or for whom*  
34 *such a registration card is renewed shall submit to the Board on*  
35 *the date of the first anniversary of the issuance or renewal an*  
36 *affidavit attesting that in the preceding year there has been no*  
37 *change in the information previously provided to the Board which*  
38 *would subject the person to disciplinary action by the Board.*

39 **Sec. 105.** 1. *Any person who the Board determines is*  
40 *qualified to receive a license or registration card under the*  
41 *provisions of this chapter, having due consideration for the proper*  
42 *protection of the health, safety, morals, good order and general*  
43 *welfare of the inhabitants of the State of Nevada and the declared*  
44 *policy of this State, may be issued a license or registration card.*



1 *The burden of proving an applicant's qualification to receive any*  
2 *license or registration card under this chapter is on the applicant.*

3 2. *An application to receive a license or registration card*  
4 *must not be granted unless the Board is satisfied that the applicant*  
5 *is:*

6 (a) *A person of good character, honesty and integrity;*

7 (b) *A person whose prior activities, criminal record, if any,*  
8 *reputation, habits and associations do not pose a threat to the*  
9 *public interest of this State or to the effective regulation and*  
10 *control of cannabis, or create or enhance the dangers of*  
11 *unsuitable, unfair or illegal practices, methods and activities in*  
12 *the conduct of cannabis-related activities or in the carrying on of*  
13 *the business and financial arrangements incidental thereto; and*

14 (c) *In all other respects qualified to be issued a license or*  
15 *registration card consistently with the declared policy of the State.*

16 3. *An application to receive a license or registration card*  
17 *constitutes a request for a determination of the applicant's general*  
18 *character, integrity and ability to participate or engage in, or be*  
19 *associated with a cannabis establishment. Any written or oral*  
20 *statement made in the course of an official proceeding of the*  
21 *Board by any member thereof or any witness testifying under oath*  
22 *which is relevant to the purpose of the proceeding is absolutely*  
23 *privileged and does not impose liability for defamation or*  
24 *constitute a ground for recovery in any civil action.*

25 4. *The Board may, by regulation establish such other*  
26 *qualifications for a license or registration card as it may, in its*  
27 *discretion, deem to be in the public interest and consistent with the*  
28 *declared policy of the State.*

29 5. *Any person granted a license or registration card by the*  
30 *Board must continue to meet the applicable standards and*  
31 *qualifications set forth in this section and any other qualifications*  
32 *established by the Board by regulation. The failure to continue to*  
33 *meet such standards and qualifications constitutes grounds for*  
34 *disciplinary action.*

35 6. *The Board shall, to the greatest extent practicable, ensure*  
36 *that persons who have been adversely affected by cannabis*  
37 *prohibition have equal opportunity to obtain licenses and*  
38 *registration cards and to participate in the cannabis industry in*  
39 *this State.*

40 **Sec. 106. 1.** *The policy of the State of Nevada with respect*  
41 *to the issuance of licenses to business entities is:*

42 (a) *To broaden the opportunity for investment in the cannabis*  
43 *industry through the pooling of capital in the form of a business*  
44 *entity.*





1 (b) To maintain effective control over cannabis establishments  
2 operated by licensees that are business entities.

3 (c) To restrain any speculative promotion of the stock,  
4 securities or other interests in cannabis establishments.

5 2. The Board may adopt regulations prescribing requirements  
6 for the issuances of licenses to business entities and standards for  
7 licensees that are business entities which are more stringent than  
8 the requirements and standards otherwise set forth in this chapter.  
9 Such regulations must be consistent with:

10 (a) The policy of this State set forth in subsection 1 and section  
11 3 of this act.

12 (b) The provisions of this chapter which provide for more  
13 stringent requirements and standards for a registrant that holds  
14 an ownership interest of 5 percent or more in a cannabis  
15 establishment.

16 **Sec. 107. 1.** Except as otherwise provided in subsection 2,  
17 the Board shall collect not more than the following maximum  
18 fees:

19	
20	For the initial issuance of a medical
21	cannabis establishment license for a
22	medical cannabis dispensary..... \$30,000
23	For the renewal of a medical cannabis
24	establishment license for a medical
25	cannabis dispensary ..... 5,000
26	For the initial issuance of a medical
27	cannabis establishment license for a
28	medical cannabis cultivation facility ..... 3,000
29	For the renewal of a medical cannabis
30	establishment license for a medical
31	cannabis cultivation facility ..... 1,000
32	For the initial issuance of a medical
33	cannabis establishment license for a
34	medical cannabis production facility..... 3,000
35	For the renewal of a medical cannabis
36	establishment license for a medical
37	cannabis production facility..... 1,000
38	For the initial issuance of a medical
39	cannabis establishment license for a
40	medical cannabis independent testing
41	laboratory..... 5,000
42	For the renewal of a medical cannabis
43	establishment license for a medical
44	cannabis independent testing laboratory..... 3,000



1            *For the initial issuance of an adult-use*  
2            *cannabis establishment license for an*  
3            *adult-use cannabis retail store.....* \$20,000  
4            *For the renewal of an adult-use cannabis*  
5            *establishment license for an adult-use*  
6            *cannabis retail store .....* 6,600  
7            *For the initial issuance of an adult-use*  
8            *cannabis establishment license for an*  
9            *adult-use cannabis cultivation facility.....* 30,000  
10           *For the renewal of an adult-use cannabis*  
11           *establishment license for an adult-use*  
12           *cannabis cultivation facility .....* 10,000  
13           *For the initial issuance of an adult-use*  
14           *cannabis establishment license for an*  
15           *adult-use cannabis production facility .....* 10,000  
16           *For the renewal of an adult-use cannabis*  
17           *establishment license for an adult-use*  
18           *cannabis production facility.....* 3,300  
19           *For the initial issuance of an adult-use*  
20           *cannabis establishment license for an*  
21           *adult-use cannabis independent testing*  
22           *laboratory.....* 15,000  
23           *For the renewal of an adult-use cannabis*  
24           *establishment license for an adult-use*  
25           *cannabis independent testing laboratory.....* 5,000  
26           *For the initial issuance of an adult-use*  
27           *cannabis establishment license for an*  
28           *adult-use cannabis distributor .....* 15,000  
29           *For the renewal of an adult-use cannabis*  
30           *establishment license for an adult-use*  
31           *cannabis distributor.....* 5,000  
32           *For each person identified in an application*  
33           *for the initial issuance of a cannabis*  
34           *establishment agent registration card.....* 150  
35           *For each person identified in an application*  
36           *for the renewal of a cannabis*  
37           *establishment agent registration card.....* 150

38  
39            2. *The Board shall establish by regulation fees for the*  
40            *issuance and renewal of a cannabis consumption lounge license.*

41            3. *In addition to the fees described in subsection 1, each*  
42            *applicant for a medical cannabis establishment license or adult-*  
43            *use cannabis establishment license must pay to the Board:*

44            (a) *A one-time, nonrefundable application fee of \$5,000; and*



1       ***(b) The actual costs incurred by the Board in processing the***  
2 ***application, including, without limitation, conducting background***  
3 ***checks.***

4       ***4. Any revenue generated from the fees imposed pursuant to***  
5 ***this section:***

6       ***(a) Must be expended first to pay the costs of the Board in***  
7 ***carrying out the provisions of this title; and***

8       ***(b) If any excess revenue remains after paying the costs***  
9 ***described in paragraph (a), such excess revenue must be paid over***  
10 ***to the State Treasurer to be deposited to the credit of the State***  
11 ***Distributive School Account in the State General Fund.***

12       **Sec. 108. 1. In addition to any other requirements set forth**  
13 ***in this chapter, an applicant for the issuance or renewal of a***  
14 ***license or registration card who is a natural person shall:***

15       ***(a) Include the social security number of the applicant in the***  
16 ***application submitted to the Board.***

17       ***(b) Submit to the Board the statement prescribed by the***  
18 ***Division of Welfare and Supportive Services of the Department of***  
19 ***Health and Human Services pursuant to NRS 425.520. The***  
20 ***statement must be completed and signed by the applicant.***

21       ***2. The Board shall include the statement required pursuant to***  
22 ***subsection 1 in:***

23       ***(a) The application or any other forms that must be submitted***  
24 ***for the issuance or renewal of the license or registration card; or***

25       ***(b) A separate form prescribed by the Board.***

26       ***3. A license or registration card may not be issued or renewed***  
27 ***by the Board if the applicant:***

28       ***(a) Fails to submit the statement required pursuant to***  
29 ***subsection 1; or***

30       ***(b) Indicates on the statement submitted pursuant to***  
31 ***subsection 1 that the applicant is subject to a court order for the***  
32 ***support of a child and is not in compliance with the order or a***  
33 ***plan approved by the district attorney or other public agency***  
34 ***enforcing the order for the repayment of the amount owed***  
35 ***pursuant to the order.***

36       ***4. If an applicant indicates on the statement submitted***  
37 ***pursuant to subsection 1 that the applicant is subject to a court***  
38 ***order for the support of a child and is not in compliance with the***  
39 ***order or a plan approved by the district attorney or other public***  
40 ***agency enforcing the order for the repayment of the amount owed***  
41 ***pursuant to the order, the Board shall advise the applicant to***  
42 ***contact the district attorney or other public agency enforcing the***  
43 ***order to determine the actions that the applicant may take to***  
44 ***satisfy the arrearage.***



1     **Sec. 109. 1.** *If the Board receives a copy of a court order*  
2 *issued pursuant to NRS 425.540 that provides for the suspension*  
3 *of all professional, occupational and recreational licenses,*  
4 *certificates and permits issued to a person who is the holder of a*  
5 *license or registration card, the Board shall deem the license or*  
6 *registration card issued to that person to be suspended at the end*  
7 *of the 30th day after the date on which the court order was issued*  
8 *unless the Board receives a letter issued to the holder of the*  
9 *license or registration card by the district attorney or other public*  
10 *agency pursuant to NRS 425.550 stating that the holder of the*  
11 *license or registration card has complied with the subpoena or*  
12 *warrant or has satisfied the arrearage pursuant to NRS 425.560.*

13     **2.** *The Board shall reinstate a license or registration card that*  
14 *has been suspended by a district court pursuant to NRS 425.540 if*  
15 *the Board receives a letter issued by the district attorney or other*  
16 *public agency pursuant to NRS 425.550 to the person whose*  
17 *license or registration card was suspended stating that the person*  
18 *whose license or registration card was suspended has complied*  
19 *with the subpoena or warrant or has satisfied the arrearage*  
20 *pursuant to NRS 425.560.*

21     **Sec. 110. 1.** *Except as otherwise provided by regulations*  
22 *adopted by the Board pursuant to subsection 2, the following are*  
23 *nontransferable:*

24       (a) *A cannabis establishment agent registration card.*

25       (b) *A cannabis establishment agent registration card for a*  
26 *cannabis executive.*

27       (c) *A medical cannabis establishment license.*

28       (d) *An adult-use cannabis establishment license.*

29       (e) *A cannabis consumption lounge license.*

30     **2.** *The Board shall adopt regulations which prescribe*  
31 *procedures and requirements by which a holder of a license may*  
32 *transfer the license to another party who is qualified to hold such*  
33 *a license pursuant to the provisions of this chapter.*

34     **Sec. 111. 1.** *An employee of the State Department of*  
35 *Agriculture who, in the course of his or her duties:*

36       (a) *Possesses, delivers or produces cannabis;*

37       (b) *Aids and abets another in the possession, delivery or*  
38 *production of cannabis;*

39       (c) *Performs any combination of the acts described in*  
40 *paragraphs (a) and (b); or*

41       (d) *Performs any other criminal offense in which the*  
42 *possession, delivery or production of cannabis is an element,*

43     *↪ is exempt from state prosecution for the offense. The persons*  
44 *described in this subsection must ensure that the cannabis*



1 *described in this subsection is safeguarded in an enclosed, secure*  
2 *location.*

3 *2. In addition to the provisions of subsection 1, no person*  
4 *may be subject to state prosecution for constructive possession,*  
5 *conspiracy or any other criminal offense solely for being in the*  
6 *presence or vicinity of the cannabis in accordance with the*  
7 *provisions of this title.*

8 *3. As used in this section, "cannabis" includes, without*  
9 *limitation, cannabis products.*

10 **Sec. 112.** *1. Each cannabis establishment must comply*  
11 *with all local ordinances and rules pertaining to zoning, land use*  
12 *and signage.*

13 *2. A cannabis establishment may move to a new location*  
14 *under the jurisdiction of the same local government as its original*  
15 *location and regardless of the distance from its original location if*  
16 *the operation of the cannabis establishment at the new location*  
17 *has been approved by the local government. A local government*  
18 *may approve a new location pursuant to this subsection only in a*  
19 *public hearing for which written notice is given at least 7 working*  
20 *days before the hearing.*

21 **Sec. 113.** *1. The operating documents of a cannabis*  
22 *establishment must include procedures:*

23 *(a) For the oversight of the cannabis establishment; and*

24 *(b) To ensure accurate recordkeeping.*

25 *2. Except as otherwise provided in this subsection, a cannabis*  
26 *establishment:*

27 *(a) That is a cannabis sales facility or cannabis consumption*  
28 *lounge must have a single entrance for patrons, which must be*  
29 *secure, and shall implement strict security measures to deter and*  
30 *prevent the theft of cannabis and unauthorized entrance into*  
31 *areas containing cannabis.*

32 *(b) That is not a cannabis sales facility or cannabis*  
33 *consumption lounge must have a single secure entrance and shall*  
34 *implement strict security measures to deter and prevent the theft of*  
35 *cannabis and unauthorized entrance into areas containing*  
36 *cannabis.*

37 *↳ The provisions of this subsection do not supersede any state or*  
38 *local requirements relating to minimum numbers of points of*  
39 *entry or exit, or any state or local requirements relating to fire*  
40 *safety.*

41 *3. Except as otherwise provided in section 182 of this act, all*  
42 *cultivation or production of cannabis that a cannabis cultivation*  
43 *facility carries out or causes to be carried out must take place in*  
44 *an enclosed, locked facility at the physical address provided to the*  
45 *Board during the licensing process for the cannabis cultivation*



1 *facility. Such an enclosed, locked facility must be accessible only*  
2 *by cannabis establishment agents who are lawfully associated with*  
3 *the cannabis cultivation facility, except that limited access by*  
4 *persons necessary to perform construction or repairs or provide*  
5 *other labor is permissible if such persons are supervised by a*  
6 *cannabis establishment agent.*

7 *4. A cannabis establishment that is not a cannabis*  
8 *consumption lounge shall not allow any person to consume*  
9 *cannabis on the property or premises of the establishment.*

10 *5. Cannabis establishments are subject to reasonable*  
11 *inspection by the Board at any time, and a person who holds a*  
12 *license must make himself or herself, or a designee thereof,*  
13 *available and present for any inspection by the Board of the*  
14 *cannabis establishment.*

15 *6. Each medical cannabis establishment and adult-use*  
16 *cannabis establishment shall install a video monitoring system*  
17 *which must, at a minimum:*

18 *(a) Allow for the transmission and storage, by digital or analog*  
19 *means, of a video feed which displays the interior and exterior of*  
20 *the medical cannabis establishment or adult-use cannabis*  
21 *establishment; and*

22 *(b) Be capable of being accessed remotely by a law*  
23 *enforcement agency in real-time upon request.*

24 *7. A cannabis establishment shall not dispense or otherwise*  
25 *sell cannabis or cannabis products from a vending machine or*  
26 *allow such a vending machine to be installed at the interior or*  
27 *exterior of the premises of the cannabis establishment.*

28 **Sec. 114.** *1. A cannabis sales facility may deliver cannabis*  
29 *or cannabis products to a consumer at a cannabis consumption*  
30 *lounge if:*

31 *(a) The delivery is made by a cannabis establishment agent*  
32 *who is authorized to make the delivery by the cannabis sales*  
33 *facility by which he or she is employed; or*

34 *(b) The delivery is made by a third party or intermediary*  
35 *business that has contracted with the cannabis sales facility*  
36 *pursuant to section 151 or 185 of this act.*

37 *2. The Board may adopt regulations prescribing procedures*  
38 *and protocols for deliveries conducted pursuant to subsection 1.*

39 **Sec. 115.** *1. Each cannabis sales facility and cannabis*  
40 *production facility shall, in consultation with the Board, cooperate*  
41 *to ensure that all cannabis products offered for sale:*

42 *(a) Are labeled clearly and unambiguously:*

43 *(1) As cannabis or medical cannabis with the words “THIS*  
44 *IS A MEDICAL CANNABIS PRODUCT” or “THIS IS A*  
45 *CANNABIS PRODUCT,” as applicable, in bold type; and*



1 (2) As required by the provisions of this chapter, the  
2 chapter consisting of sections 125 to 171, inclusive, of this act and  
3 the chapter consisting of sections 173 to 187, inclusive, of this act.

4 (b) Are not presented in packaging that contains an image of a  
5 cartoon character, mascot, action figure, balloon or toy, except  
6 that such an item may appear in the logo of the cannabis  
7 production facility which produced the product.

8 (c) Are regulated and sold on the basis of the concentration of  
9 THC in the products and not by weight.

10 (d) Are packaged and labeled in such a manner as to allow  
11 tracking by way of an inventory control system.

12 (e) Are not packaged and labeled in a manner which is  
13 modeled after a brand of products primarily consumed by or  
14 marketed to children.

15 (f) Are labeled in a manner which indicates the amount of  
16 THC in the product, measured in milligrams, and includes a  
17 statement that the product contains cannabis and its potency was  
18 tested with an allowable variance of the amount determined by the  
19 Board by regulation.

20 (g) Are not labeled or marketed as candy.

21 2. A cannabis production facility shall not produce cannabis  
22 products in any form that:

23 (a) Is or appears to be a lollipop.

24 (b) Bears the likeness or contains characteristics of a real or  
25 fictional person, animal or fruit, including, without limitation, a  
26 caricature, cartoon or artistic rendering.

27 (c) Is modeled after a brand of products primarily consumed  
28 by or marketed to children.

29 (d) Is made by applying concentrated cannabis, as defined in  
30 NRS 453.042, to a commercially available candy or snack food  
31 item other than dried fruit, nuts or granola.

32 3. A cannabis production facility shall:

33 (a) Seal any cannabis product that consists of cookies or  
34 brownies in a bag or other container which is not transparent.

35 (b) Affix a label to each cannabis product which includes  
36 without limitation, in a manner which must not mislead  
37 consumers, the following information:

38 (1) The words "Keep out of reach of children";

39 (2) A list of all ingredients used in the cannabis product;

40 (3) A list of all allergens in the cannabis product; and

41 (4) The total weight of cannabis contained in the cannabis  
42 product or an equivalent measure of THC concentration.

43 (c) Maintain a washing area with hot water, soap and a hand  
44 dryer or disposable towels which is located away from any area in  
45 which cannabis products are cooked or otherwise prepared.





1 (d) Require each person who handles cannabis products to  
2 wear a hair net and clean clothing and keep his or her fingernails  
3 neatly trimmed.

4 (e) Package all cannabis products produced by the cannabis  
5 production facility on the premises of the cannabis production  
6 facility.

7 4. A cannabis sales facility or cannabis production facility  
8 shall not engage in advertising that in any way makes cannabis or  
9 cannabis products appeal to children, including without  
10 limitation, advertising which uses an image of a cartoon  
11 character, mascot, action figure, balloon, fruit or toy.

12 5. Each cannabis sales facility shall offer for sale containers  
13 for the storage of cannabis and cannabis products which lock and  
14 are designed to prohibit children from unlocking and opening the  
15 container.

16 6. A cannabis sales facility shall:

17 (a) Include a written notification with each sale of cannabis or  
18 cannabis products which advises the purchaser:

19 (1) To keep cannabis and cannabis products out of the  
20 reach of children;

21 (2) That cannabis products can cause severe illness in  
22 children;

23 (3) That allowing children to ingest cannabis or cannabis  
24 products or storing cannabis or cannabis products in a location  
25 which is accessible to children may result in an investigation by an  
26 agency which provides child welfare services or criminal  
27 prosecution for child abuse or neglect;

28 (4) That the intoxicating effects of edible cannabis products  
29 may be delayed by 2 hours or more and users of edible cannabis  
30 products should initially ingest a small amount of the product,  
31 then wait at least 120 minutes before ingesting any additional  
32 amount of the product;

33 (5) That pregnant women should consult with a physician  
34 before ingesting cannabis or cannabis products;

35 (6) That ingesting cannabis or cannabis products with  
36 alcohol or other drugs, including prescription medication, may  
37 result in unpredictable levels of impairment and that a person  
38 should consult with a physician before doing so;

39 (7) That cannabis or cannabis products can impair  
40 concentration, coordination and judgment and a person should  
41 not operate a motor vehicle while under the influence of cannabis  
42 or cannabis products; and

43 (8) That ingestion of any amount of cannabis or cannabis  
44 products before driving may result in criminal prosecution for  
45 driving under the influence.



1 (b) *Enclose all cannabis and cannabis products in opaque,*  
2 *child-resistant packaging upon sale.*

3 7. *A cannabis sales facility shall allow any person who is at*  
4 *least 21 years of age to enter the premises of the cannabis sales*  
5 *facility.*

6 8. *If the health authority, as defined in NRS 446.050, where a*  
7 *cannabis production facility or cannabis sales facility which sells*  
8 *edible cannabis products is located requires persons who handle*  
9 *food at a food establishment to obtain certification, the cannabis*  
10 *production facility or cannabis sales facility shall ensure that at*  
11 *least one employee maintains such certification.*

12 9. *In addition to any other product authorized by the*  
13 *provisions of this title, a cannabis sales facility may sell:*

14 (a) *Any commodity or product made using industrial hemp, as*  
15 *defined in NRS 557.040;*

16 (b) *Any commodity or product containing cannabidiol with a*  
17 *THC concentration of not more than 0.3 percent; and*

18 (c) *Any other product specified by regulation of the Board.*

19 **Sec. 116.** *A person shall not:*

20 1. *Advertise the sale of cannabis or cannabis products by the*  
21 *person; or*

22 2. *Sell, offer to sell or appear to sell cannabis or cannabis*  
23 *products or allow the submission of an order for cannabis or*  
24 *cannabis products,*

25 *↳ unless the person holds an adult-use cannabis establishment*  
26 *license or a medical cannabis establishment license.*

27 **Sec. 117.** 1. *The Board shall establish standards for and*  
28 *certify one or more cannabis independent testing laboratories to:*

29 (a) *Test cannabis for adult use and adult-use cannabis*  
30 *products that are to be sold in this State; and*

31 (b) *Test cannabis for medical use and medical cannabis*  
32 *products that are to be sold in this State.*

33 2. *Such a cannabis independent testing laboratory must be*  
34 *able to:*

35 (a) *Determine accurately, with respect to cannabis or cannabis*  
36 *products that are sold or will be sold at cannabis sales facilities in*  
37 *this State:*

38 (1) *The concentration therein of THC and cannabidiol.*

39 (2) *The presence and identification of molds and fungus.*

40 (3) *The composition of the tested material.*

41 (4) *The presence of chemicals in the tested material,*  
42 *including, without limitation, pesticides, herbicides or growth*  
43 *regulators.*



1 (b) Demonstrate the validity and accuracy of the methods used  
2 by the cannabis independent testing laboratory to test cannabis  
3 and cannabis products.

4 3. To obtain a license to operate a cannabis independent  
5 testing laboratory, an applicant must:

6 (a) Apply successfully as required pursuant to section 91 or 96  
7 of this act, as applicable.

8 (b) Pay the fees required pursuant to section 107 of this act.

9 (c) Agree to become accredited pursuant to standard ISO/IEC  
10 17025 of the International Organization for Standardization  
11 within 1 year after licensure.

12 **Sec. 118.** 1. The Board may establish a program to ensure  
13 the integrity of all testing performed by a cannabis independent  
14 testing laboratory by subjecting each such laboratory to random  
15 laboratory assurance checks.

16 2. If the Board establishes a program pursuant to subsection  
17 1, each cannabis independent testing laboratory shall participate  
18 in the program.

19 3. If the Board establishes a program pursuant to subsection  
20 1, as part of the program, the Board shall:

21 (a) Collect samples of cannabis or cannabis products from  
22 cannabis establishments that have already been tested by cannabis  
23 independent testing laboratories in amounts deemed sufficient by  
24 the Board;

25 (b) Remove identifying characteristics from and randomize  
26 such samples; and

27 (c) Provide each cannabis independent testing laboratory with  
28 a sample for analysis.

29 4. A cannabis independent laboratory that receives a sample  
30 from the Board shall perform such quality assurance tests upon  
31 the sample as the Board may require. Such tests may include,  
32 without limitation:

33 (a) Screening the sample for pesticides, chemical residues,  
34 herbicides, growth regulators and microbial analysis;

35 (b) A potency analysis to test for and quantify the presence of  
36 the following cannabinoids:

37 (1) THC;

38 (2) Tetrahydrocannabinolic acid;

39 (3) Cannabidiol;

40 (4) Cannabidiolic acid; and

41 (5) Cannabinol; and

42 (c) Such other quality assurance tests that the Board may  
43 require.



1       5. *If the Board establishes a program pursuant to subsection*  
2 *1, the Board shall adopt regulations necessary to carry out the*  
3 *program. Such regulations:*

4       (a) *Must require each cannabis independent testing laboratory*  
5 *to perform a random laboratory assurance check at least once*  
6 *every 6 months but not more frequently than once every 3 months.*

7       (b) *May modify the procedures and requirements set forth in*  
8 *this section if the Board determines that advances in science*  
9 *necessitate such a modification.*

10       6. *As used in this section, "random laboratory assurance*  
11 *check" means the evaluation of the performance of a cannabis*  
12 *independent testing laboratory in conducting quality assurance*  
13 *tests upon a sample if required by the Board under the program*  
14 *established pursuant to subsection 1.*

15       **Sec. 119.** *A cannabis consumption lounge shall not:*

16       1. *Allow the consumption of cannabis or cannabis products*  
17 *at any place which is reasonably viewable from a public place;*

18       2. *Allow the entry of any person who is less than 21 years of*  
19 *age to the cannabis consumption lounge;*

20       3. *Allow a person to volunteer at the cannabis consumption*  
21 *lounge;*

22       4. *Employ at the cannabis consumption lounge any person*  
23 *who has been convicted of an excluded felony offense;*

24       5. *Sell alcohol or allow the consumption of alcohol on the*  
25 *premises of the cannabis consumption lounge;*

26       6. *Offer gaming, as defined in NRS 463.0153, or allow such*  
27 *gaming to occur on the premises of the cannabis consumption*  
28 *lounge; or*

29       7. *Acquire from any source or sell cannabis or cannabis*  
30 *products.*

31       **Sec. 120.** *A cannabis consumption lounge shall:*

32       1. *Require any cannabis or cannabis product brought into the*  
33 *cannabis consumption lounge by a customer to be contained in*  
34 *sealed packaging which clearly identifies the cannabis*  
35 *establishment that sold the cannabis or cannabis product;*

36       2. *Require any customer of the cannabis consumption lounge*  
37 *who exits the premises of the lounge with cannabis or cannabis*  
38 *products to seal the cannabis or cannabis product in opaque*  
39 *packaging;*

40       3. *Submit a security plan to the Board which, without*  
41 *limitation, provides for adequate security and lighting at the*  
42 *cannabis consumption lounge and for each entrance and exit of*  
43 *the cannabis consumption lounge to be adequately secured;*

44       4. *Install a ventilation and exhaust system which is capable*  
45 *of absorbing odors sufficiently that any odor generated inside the*



1 *cannabis consumption lounge cannot be easily detected from*  
2 *outside the lounge;*

3 5. *Install a ventilation system in each area inside the*  
4 *cannabis consumption lounge in which cannabis or cannabis*  
5 *products are consumed that substantially removes smoke from the*  
6 *area and segregates each such area from all other areas of the*  
7 *cannabis consumption lounge by enclosing the area on all sides by*  
8 *any combination of solid walls, windows or doors that extend from*  
9 *the floor to the ceiling;*

10 6. *Provide information on public transportation, taxis and*  
11 *transportation network companies to all customers of the cannabis*  
12 *consumption lounge;*

13 7. *Train each employee of the cannabis consumption lounge*  
14 *concerning paraphernalia, cannabis and cannabis products,*  
15 *including, without limitation, the proper use of paraphernalia, the*  
16 *potency, absorption time and effects of cannabis and cannabis*  
17 *products, the recognition of impairment from and*  
18 *overconsumption of cannabis and the safe handling of a customer*  
19 *who is impaired;*

20 8. *Make one or more employees available to customers at all*  
21 *times that the cannabis consumption lounge is open to educate the*  
22 *customers of the lounge on the safe use of cannabis and cannabis*  
23 *products and the proper use of paraphernalia;*

24 9. *Prohibit loitering outside of the cannabis consumption*  
25 *lounge at any time;*

26 10. *Collaborate with the appropriate local law enforcement*  
27 *agency to properly collect and promptly dispose of any cannabis or*  
28 *cannabis products which are left at the cannabis consumption*  
29 *lounge;*

30 11. *Comply with all local ordinances and rules pertaining to*  
31 *zoning, land use and signage; and*

32 12. *Comply with any requirements set forth by regulations*  
33 *adopted by the Board.*

34 **Sec. 121.** *A cannabis consumption lounge may:*

35 1. *Rent paraphernalia to the customers of the cannabis*  
36 *consumption lounge;*

37 2. *Sell food and nonalcoholic beverages to the customers of*  
38 *the cannabis consumption lounge; and*

39 3. *Sell opaque packaging suitable for cannabis or cannabis*  
40 *products to customers of the cannabis consumption lounge.*

41 **Sec. 122.** *It is the public policy of this State that contracts*  
42 *related to the operation of cannabis establishments under this title*  
43 *should be enforceable, and no contract entered into by the licensee*  
44 *or registrant as permitted pursuant to such a license or*  
45 *registration card, or by those who allow property to be used by a*



1 *licensee or registrant as permitted pursuant to such a license or*  
2 *registration card, shall be deemed unenforceable on the basis that*  
3 *the actions or conduct permitted pursuant to the license or*  
4 *registration card are prohibited by federal law.*

5 **Sec. 123.** *The Board shall adopt such regulations as it*  
6 *determines to be necessary or advisable to carry out the provisions*  
7 *of this chapter. Such regulations are in addition to any*  
8 *requirements set forth in statute and must, without limitation:*

9 *1. Prescribe the form and any additional required content of*  
10 *applications for licenses or registration cards issued pursuant to*  
11 *this chapter;*

12 *2. Establish procedures for the suspension or revocation of a*  
13 *license or registration card or other disciplinary action to be taken*  
14 *against a licensee or registrant;*

15 *3. Set forth rules pertaining to the safe and healthful*  
16 *operation of cannabis establishments, including, without*  
17 *limitation:*

18 *(a) The manner of protecting against diversion and theft*  
19 *without imposing an undue burden on cannabis establishments or*  
20 *compromising the confidentiality of consumers and holders of*  
21 *registry identification cards and letters of approval, as those terms*  
22 *are defined in sections 133 and 132 of this act, respectively;*

23 *(b) Minimum requirements for the oversight of cannabis*  
24 *establishments;*

25 *(c) Minimum requirements for the keeping of records by*  
26 *cannabis establishments;*

27 *(d) Provisions for the security of cannabis establishments,*  
28 *including without limitation, requirements for the protection by a*  
29 *fully operational security alarm system of each cannabis*  
30 *establishment; and*

31 *(e) Procedures pursuant to which cannabis establishments*  
32 *must use the services of cannabis independent testing laboratories*  
33 *to ensure that any cannabis or cannabis product sold by a*  
34 *cannabis sales facility to an end user is tested for content, quality*  
35 *and potency in accordance with standards established by the*  
36 *Board;*

37 *4. Establish circumstances and procedures pursuant to which*  
38 *the maximum fees set forth in section 107 of this act may be*  
39 *reduced over time to ensure that the fees imposed pursuant to*  
40 *section 107 of this act are, insofar as may be practicable, revenue*  
41 *neutral;*

42 *5. Establish different categories of cannabis establishment*  
43 *agent registration cards, including, without limitation, criteria for*  
44 *issuance of a cannabis establishment agent registration card for a*  
45 *cannabis executive and criteria for training and certification, for*



1 *each of the different types of cannabis establishments at which*  
2 *such an agent may be employed or volunteer or provide labor as a*  
3 *cannabis establishment agent;*

4 *6. As far as possible while maintaining accountability, protect*  
5 *the identity and personal identifying information of each person*  
6 *who receives, facilitates or delivers services in accordance with*  
7 *this chapter;*

8 *7. Establish procedures and requirements to enable a dual*  
9 *licensee to operate a medical cannabis establishment and an*  
10 *adult-use cannabis establishment at the same location;*

11 *8. Establish procedures to determine the fair market value at*  
12 *wholesale of cannabis;*

13 *9. Determine whether any provision of this chapter, the*  
14 *chapter consisting of sections 125 to 171, inclusive, of this act or*  
15 *the chapter consisting of sections 173 to 187, inclusive, of this act*  
16 *would make the operation of a cannabis establishment by a dual*  
17 *licensee unreasonably impracticable; and*

18 *10. Address such other matters as the Board deems necessary*  
19 *to carry out the provisions of this title.*

20 **Sec. 124.** The title of NRS created by section 1 of this act is  
21 hereby amended by adding thereto a new chapter to consist of the  
22 provisions set forth as sections 125 to 171, inclusive, of this act.

23 **Sec. 125.** *As used in this chapter, unless the context*  
24 *otherwise requires, the words and terms defined in sections 126 to*  
25 *136, inclusive, of this act have the meanings ascribed to them in*  
26 *those sections.*

27 **Sec. 126.** *“Attending provider of health care” means a*  
28 *provider of health care, as defined in NRS 629.031, who:*

29 *1. Is licensed or certified to practice a profession which*  
30 *authorizes the person to write a prescription for a medication to*  
31 *treat a chronic or debilitating medical condition; and*

32 *2. Has responsibility for the care and treatment of a person*  
33 *diagnosed with a chronic or debilitating medical condition.*

34 **Sec. 127.** *“Cachexia” means general physical wasting and*  
35 *malnutrition associated with chronic disease.*

36 **Sec. 128.** *“Chronic or debilitating medical condition”*  
37 *means:*

38 *1. Acquired immune deficiency syndrome;*

39 *2. An anxiety disorder;*

40 *3. An autism spectrum disorder;*

41 *4. An autoimmune disease;*

42 *5. Anorexia nervosa;*

43 *6. Cancer;*

44 *7. Dependence upon or addiction to opioids;*

45 *8. Glaucoma;*





1 **9. A medical condition or treatment for a medical condition**  
2 **that produces, for a specific patient, one or more of the following:**

3 (a) Cachexia;

4 (b) Muscle spasms, including, without limitation, spasms  
5 caused by multiple sclerosis;

6 (c) Seizures, including, without limitation, seizures caused by  
7 epilepsy;

8 (d) Nausea; or

9 (e) Severe or chronic pain;

10 **10. A medical condition related to the human**  
11 **immunodeficiency virus;**

12 **11. A neuropathic condition, whether or not such condition**  
13 **causes seizures; or**

14 **12. Any other medical condition or treatment for a medical**  
15 **condition that is:**

16 (a) Classified as a chronic or debilitating medical condition by  
17 regulation of the Division; or

18 (b) Approved as a chronic or debilitating medical condition  
19 pursuant to a petition submitted in accordance with section 166 of  
20 this act.

21 **Sec. 129. 1. “Designated primary caregiver” means a**  
22 **person who:**

23 (a) Is 18 years of age or older;

24 (b) Has significant responsibility for managing the well-being  
25 of a person diagnosed with a chronic or debilitating medical  
26 condition; and

27 (c) Is designated as such in the manner required pursuant to  
28 section 144 of this act.

29 **2. The term does not include the attending provider of health**  
30 **care of a person diagnosed with a chronic or debilitating medical**  
31 **condition.**

32 **Sec. 130. “Division” means the Division of Public and**  
33 **Behavioral Health of the Department of Health and Human**  
34 **Services.**

35 **Sec. 131. “Inventory control system” means a process, device**  
36 **or other contrivance that may be used to monitor the chain of**  
37 **custody of cannabis from the point of cultivation to the end**  
38 **consumer.**

39 **Sec. 132. “Letter of approval” means a document issued by**  
40 **the Division to an applicant who is under 10 years of age pursuant**  
41 **to section 140 of this act which provides that the applicant is**  
42 **exempt from state prosecution for engaging in the medical use of**  
43 **cannabis.**

44 **Sec. 133. “Registry identification card” means a document**  
45 **issued by the Division or its designee that identifies:**



1 *1. A person who is exempt from state prosecution for*  
2 *engaging in the medical use of cannabis; or*

3 *2. The designated primary caregiver, if any, of a person*  
4 *described in subsection 1.*

5 **Sec. 134.** *“State prosecution” means prosecution initiated or*  
6 *maintained by the State of Nevada or an agency or political*  
7 *subdivision of the State of Nevada.*

8 **Sec. 135.** *1. “Usable cannabis” means:*

9 *(a) The dried leaves and flowers of a plant of the genus*  
10 *Cannabis, and any mixture or preparation thereof, that are*  
11 *appropriate for the medical use of cannabis or the adult use of*  
12 *cannabis; and*

13 *(b) The seeds of a plant of the genus Cannabis.*

14 *2. The term does not include the stalks and roots of the plant.*

15 **Sec. 136.** *“Written documentation” means:*

16 *1. A statement signed by the attending provider of health care*  
17 *of a person diagnosed with a chronic or debilitating medical*  
18 *condition; or*

19 *2. Copies of the relevant medical records of a person*  
20 *diagnosed with a chronic or debilitating medical condition.*

21 **Sec. 137.** *1. Except as otherwise provided in this section*  
22 *and section 145 of this act, a person who holds a valid registry*  
23 *identification card issued to the person pursuant to section 140 or*  
24 *144 of this act is exempt from state prosecution for:*

25 *(a) The possession, delivery or production of cannabis;*

26 *(b) The possession or delivery of paraphernalia;*

27 *(c) Aiding and abetting another in the possession, delivery or*  
28 *production of cannabis;*

29 *(d) Aiding and abetting another in the possession or delivery of*  
30 *paraphernalia;*

31 *(e) Any combination of the acts described in paragraphs (a) to*  
32 *(d), inclusive; and*

33 *(f) Any other criminal offense in which the possession,*  
34 *delivery or production of cannabis or the possession or delivery of*  
35 *paraphernalia is an element.*

36 *2. In addition to the provisions of subsections 1 and 5, no*  
37 *person may be subject to state prosecution for constructive*  
38 *possession, conspiracy or any other criminal offense solely for*  
39 *being in the presence or vicinity of the medical use of cannabis in*  
40 *accordance with the provisions of this title.*

41 *3. The exemption from state prosecution set forth in*  
42 *subsection 1 applies only to the extent that a person who holds a*  
43 *registry identification card issued to the person pursuant to*  
44 *paragraph (a) of subsection 1 of section 140 of this act and the*  
45 *designated primary caregiver, if any, of such a person:*



1 (a) Engage in or assist in, as applicable, the medical use of  
2 cannabis in accordance with the provisions of this title as justified  
3 to mitigate the symptoms or effects of a person's chronic or  
4 debilitating medical condition; and

5 (b) Do not, at any one time, collectively possess with another  
6 who is authorized to possess, deliver or produce more than:

7 (1) Two and one-half ounces of usable cannabis in any one  
8 14-day period;

9 (2) Twelve cannabis plants, irrespective of whether the  
10 cannabis plants are mature or immature; and

11 (3) A maximum allowable quantity of cannabis products as  
12 established by regulation of the Board.

13 ↪ The persons described in this subsection must ensure that the  
14 usable cannabis and cannabis plants described in this subsection  
15 are safeguarded in an enclosed, secure location.

16 4. If the persons described in subsection 3 possess, deliver or  
17 produce cannabis in an amount which exceeds the amount  
18 described in paragraph (b) of that subsection, those persons:

19 (a) Are not exempt from state prosecution for the possession,  
20 delivery or production of cannabis.

21 (b) May establish an affirmative defense to charges of the  
22 possession, delivery or production of cannabis, or any  
23 combination of those acts, in the manner set forth in section 146  
24 of this act.

25 5. A person who holds a valid medical cannabis  
26 establishment license issued to the person pursuant to section 91  
27 of this act or a valid cannabis establishment agent registration  
28 card issued to the person pursuant to section 103 of this act or a  
29 valid cannabis establishment agent registration card for a  
30 cannabis executive pursuant to section 104 of this act and  
31 who confines his or her activities to those authorized by this title,  
32 and the regulations adopted by the Board pursuant thereto, is  
33 exempt from state prosecution for:

34 (a) The possession, delivery or production of cannabis;

35 (b) The possession or delivery of paraphernalia;

36 (c) Aiding and abetting another in the possession, delivery or  
37 production of cannabis;

38 (d) Aiding and abetting another in the possession or delivery of  
39 paraphernalia;

40 (e) Any combination of the acts described in paragraphs (a) to  
41 (d), inclusive; and

42 (f) Any other criminal offense in which the possession,  
43 delivery or production of cannabis or the possession or delivery of  
44 paraphernalia is an element.



1       6. *Notwithstanding any other provision of law and except as*  
2 *otherwise provided in this subsection, after a medical cannabis*  
3 *dispensary opens in the county of residence of a person who holds*  
4 *a registry identification card, including, without limitation, a*  
5 *designated primary caregiver, such a person is not authorized to*  
6 *cultivate, grow or produce cannabis. The provisions of this*  
7 *subsection do not apply if:*

8       (a) *The person who holds the registry identification card was*  
9 *cultivating, growing or producing cannabis in accordance with*  
10 *state law on or before July 1, 2013;*

11       (b) *All the medical cannabis dispensaries in the county of*  
12 *residence of the person who holds the registry identification card*  
13 *close or are unable to supply the quantity or strain of cannabis*  
14 *necessary for the medical use of the person to treat his or her*  
15 *specific medical condition;*

16       (c) *Because of illness or lack of transportation, the person who*  
17 *holds the registry identification card is unable reasonably to travel*  
18 *to a medical cannabis dispensary; or*

19       (d) *No medical cannabis dispensary was operating within 25*  
20 *miles of the residence of the person who holds the registry*  
21 *identification card at the time the person first applied for his or*  
22 *her registry identification card.*

23       7. *As used in this section, "cannabis" includes, without*  
24 *limitation, cannabis products.*

25       **Sec. 138. 1.** *Except as otherwise provided in this section*  
26 *and section 145 of this act, a person who holds a valid letter of*  
27 *approval issued pursuant to section 140 of this act is exempt from*  
28 *state prosecution for:*

29       (a) *The possession of cannabis;*

30       (b) *The possession of paraphernalia;*

31       (c) *Any combination of the acts described in paragraphs (a)*  
32 *and (b); and*

33       (d) *Any other criminal offense in which the possession of*  
34 *cannabis or paraphernalia is an element.*

35       2. *The exemption from state prosecution set forth in*  
36 *subsection 1 applies only to the extent that the person who holds a*  
37 *letter of approval:*

38       (a) *Engages in the medical use of cannabis in accordance with*  
39 *the provisions of this chapter as justified to mitigate the symptoms*  
40 *or effects of the person's chronic or debilitating medical*  
41 *condition; and*

42       (b) *Does not, at any one time, collectively possess with his or*  
43 *her designated primary caregiver an amount of cannabis for*  
44 *medical purposes that exceeds the limits set forth in section 137 of*  
45 *this act.*



1 3. As used in this section, "cannabis" includes, without  
2 limitation, cannabis products.

3 **Sec. 139.** 1. The Division shall establish and maintain a  
4 program for the issuance of registry identification cards and  
5 letters of approval to persons who meet the requirements of this  
6 section.

7 2. Except as otherwise provided in subsections 3 and 5 and  
8 section 141 of this act, the Division or its designee shall issue a  
9 registry identification card to a person who is a resident of this  
10 State and who submits an application on a form prescribed by the  
11 Division accompanied by the following:

12 (a) A signature from the person's attending provider of health  
13 care affirming that:

14 (1) The person has been diagnosed with a chronic or  
15 debilitating medical condition;

16 (2) The medical use of cannabis may mitigate the symptoms  
17 or effects of that condition;

18 (3) The attending provider of health care has explained the  
19 possible risks and benefits of the medical use of cannabis; and

20 (4) The attending provider of health care will keep, in the  
21 files maintained by the attending provider of health care for the  
22 person, valid, written documentation and make such written  
23 documentation available to the Division upon request;

24 (b) The name, address, telephone number and date of birth of  
25 the person;

26 (c) Proof satisfactory to the Division that the person is a  
27 resident of this State;

28 (d) The name, address and telephone number of the person's  
29 attending provider of health care;

30 (e) If the person elects to designate a primary caregiver at the  
31 time of application:

32 (1) The name, address and telephone number of the  
33 designated primary caregiver; and

34 (2) A signature from the person's attending provider of  
35 health care affirming that the attending provider of health care  
36 approves of the designation of the primary caregiver; and

37 (f) If the person elects to designate a medical cannabis  
38 dispensary at the time of application, the name of the medical  
39 cannabis dispensary.

40 3. The Division or its designee shall issue a registry  
41 identification card to a person who is at least 10 years of age but  
42 less than 18 years of age or a letter of approval to a person who is  
43 less than 10 years of age if:

44 (a) The person submits the materials required pursuant to  
45 subsection 2; and



1 (b) *The custodial parent or legal guardian with responsibility*  
2 *for health care decisions for the person under 18 years of age*  
3 *signs a written statement setting forth that:*

4 (1) *The attending provider of health care of the person*  
5 *under 18 years of age is a physician licensed pursuant to chapter*  
6 *630 or 633 of NRS and has explained to that person and to the*  
7 *custodial parent or legal guardian with responsibility for health*  
8 *care decisions for the person under 18 years of age the possible*  
9 *risks and benefits of the medical use of cannabis;*

10 (2) *The custodial parent or legal guardian with*  
11 *responsibility for health care decisions for the person under 18*  
12 *years of age consents to the use of cannabis by the person under*  
13 *18 years of age for medical purposes;*

14 (3) *The custodial parent or legal guardian with*  
15 *responsibility for health care decisions for the person under 18*  
16 *years of age agrees to serve as the designated primary caregiver*  
17 *for the person under 18 years of age; and*

18 (4) *The custodial parent or legal guardian with*  
19 *responsibility for health care decisions for the person under 18*  
20 *years of age agrees to control the acquisition of cannabis and the*  
21 *dosage and frequency of use by the person under 18 years of age.*

22 4. *Upon receipt of an application that is completed and*  
23 *submitted pursuant to this section, the Division shall:*

24 (a) *Record on the application the date on which it was*  
25 *received;*

26 (b) *Retain one copy of the application for the records of the*  
27 *Division; and*

28 (c) *Distribute copies of the application in the following*  
29 *manner:*

30 (1) *One copy to the person who submitted the application;*

31 (2) *One copy to the applicant's designated primary*  
32 *caregiver, if any; and*

33 (3) *One copy to the professional licensing board that has*  
34 *issued a license or certification to the attending provider of health*  
35 *care.*

36 ↪ *The applicable professional licensing board shall report to the*  
37 *Division its findings as to the licensure or certification, as*  
38 *applicable, and standing of the applicant's attending provider of*  
39 *health care within 15 days after receiving a copy of an application*  
40 *pursuant to subparagraph (3) of paragraph (c).*

41 5. *The Division shall verify the information contained in an*  
42 *application submitted pursuant to this section and shall approve or*  
43 *deny an application within the period of time specified by the*  
44 *Division by regulation. The Division may contact an applicant, the*  
45 *applicant's attending provider of health care and designated*



1 *primary caregiver, if any, by telephone to determine that the*  
2 *information provided on or accompanying the application is*  
3 *accurate. The Division may deny an application only on the*  
4 *following grounds:*

5 *(a) The applicant failed to provide the information required*  
6 *pursuant to subsections 2 and 3, if applicable;*

7 *(b) The applicant failed to comply with regulations adopted by*  
8 *the Division;*

9 *(c) The Division determines that the information provided by*  
10 *the applicant was falsified;*

11 *(d) The Division determines that the attending provider of*  
12 *health care of the applicant is not licensed or certified in this State*  
13 *or is not in good standing, as reported by the applicable*  
14 *professional licensing board;*

15 *(e) The Division has prohibited the applicant from obtaining*  
16 *or using a registry identification card or letter of approval*  
17 *pursuant to subsection 2 of section 145 of this act;*

18 *(f) The Division determines that the applicant, or the*  
19 *applicant's designated primary caregiver, if applicable, has had a*  
20 *registry identification card or letter of approval revoked pursuant*  
21 *to section 141 of this act; or*

22 *(g) In the case of a person under 18 years of age, the custodial*  
23 *parent or legal guardian with responsibility for health care*  
24 *decisions for the person has not signed the written statement*  
25 *required pursuant to paragraph (b) of subsection 3.*

26 *6. The decision of the Division to deny an application for a*  
27 *registry identification card or letter of approval is a final decision*  
28 *for the purposes of judicial review. Only the person whose*  
29 *application has been denied or, in the case of a person under 18*  
30 *years of age whose application has been denied, the person's*  
31 *parent or legal guardian, has standing to contest the*  
32 *determination of the Division. A judicial review authorized*  
33 *pursuant to this subsection must be limited to a determination of*  
34 *whether the denial was arbitrary, capricious or otherwise*  
35 *characterized by an abuse of discretion and must be conducted in*  
36 *accordance with the procedures set forth in chapter 233B of NRS*  
37 *for reviewing a final decision of an agency.*

38 *7. A person whose application has been denied may not*  
39 *reapply for 6 months after the date of the denial, unless the*  
40 *Division or a court of competent jurisdiction authorizes*  
41 *reapplication in a shorter time.*

42 *8. Except as otherwise provided in this subsection, if a person*  
43 *has applied for a registry identification card or letter of approval*  
44 *pursuant to this section and the Division has not yet approved or*  
45 *denied the application, the person, and the person's designated*





1 *primary caregiver, if any, shall be deemed to hold a registry*  
2 *identification card or letter of approval and may present a copy of*  
3 *the application provided to him or her pursuant to subsection 4 as*  
4 *proof that the person is deemed to hold a registry identification*  
5 *card of letter of approval to any person, including, without*  
6 *limitation, a law enforcement officer or a cannabis establishment*  
7 *agent at a medical cannabis dispensary.*

8 *9. An attending provider of health care who signs an*  
9 *application pursuant to subsection 2 for a patient shall maintain*  
10 *valid, written documentation in the file the attending provider of*  
11 *health care maintains for the patient and make such written*  
12 *documentation available to the Division upon request.*

13 *10. As used in this section, "resident" has the meaning*  
14 *ascribed to it in NRS 483.141.*

15 **Sec. 140.** *1. If the Division approves an application*  
16 *pursuant to subsection 5 of section 139 of this act, the Division or*  
17 *its designee shall, as soon as practicable after the Division*  
18 *approves the application:*

19 *(a) Issue a letter of approval or serially numbered registry*  
20 *identification card, as applicable, to the applicant; and*

21 *(b) If the applicant has designated a primary caregiver, issue a*  
22 *serially numbered registry identification card to the designated*  
23 *primary caregiver.*

24 *2. A registry identification card issued pursuant to paragraph*  
25 *(a) of subsection 1 must set forth:*

26 *(a) The name, address, photograph and date of birth of the*  
27 *applicant;*

28 *(b) The date of issuance and date of expiration of the registry*  
29 *identification card;*

30 *(c) The name and address of the applicant's designated*  
31 *primary caregiver, if any;*

32 *(d) The name of the applicant's designated medical cannabis*  
33 *dispensary, if any;*

34 *(e) Whether the applicant is authorized to cultivate, grow or*  
35 *produce cannabis pursuant to subsection 6 of section 137 of this*  
36 *act; and*

37 *(f) Any other information prescribed by regulation of the*  
38 *Division.*

39 *3. A letter of approval issued pursuant to paragraph (a) of*  
40 *subsection 1 must set forth:*

41 *(a) The name, address and date of birth of the applicant;*

42 *(b) The date of issuance and date of expiration of the registry*  
43 *identification card of the designated primary caregiver;*

44 *(c) The name and address of the applicant's designated*  
45 *primary caregiver;*



1 (d) *The name of the applicant's designated medical cannabis*  
2 *dispensary, if any; and*

3 (e) *Any other information prescribed by regulation of the*  
4 *Division.*

5 4. *A registry identification card issued pursuant to paragraph*  
6 *(b) of subsection 1 must set forth:*

7 (a) *The name, address and photograph of the designated*  
8 *primary caregiver;*

9 (b) *The date of issuance and date of expiration of the registry*  
10 *identification card;*

11 (c) *The name and address of the applicant for whom the*  
12 *person is the designated primary caregiver;*

13 (d) *The name of the designated primary caregiver's designated*  
14 *medical cannabis dispensary, if any;*

15 (e) *Whether the designated primary caregiver is authorized to*  
16 *cultivate, grow or produce cannabis pursuant to subsection 6 of*  
17 *section 137 of this act; and*

18 (f) *Any other information prescribed by regulation of the*  
19 *Division.*

20 5. *Except as otherwise provided in section 141 of this act,*  
21 *subsection 3 of section 142 of this act and subsection 2 of section*  
22 *145 of this act, a registry identification card or letter of approval*  
23 *issued pursuant to this section is valid for a period of either 1 year*  
24 *or 2 years, as specified by the attending provider of health care on*  
25 *the application for the issuance or renewal of the registry*  
26 *identification card or letter of approval, and may be renewed in*  
27 *accordance with regulations adopted by the Division.*

28 **Sec. 141.** 1. *If, at any time after the Division or its designee*  
29 *has issued a registry identification card or letter of approval to a*  
30 *person pursuant to paragraph (a) of subsection 1 of section 140 of*  
31 *this act, the Division determines, on the basis of official*  
32 *documents or records or other credible evidence, that the person*  
33 *provided falsified information on his or her application to the*  
34 *Division or its designee, as described in paragraph (c) of*  
35 *subsection 5 of section 139 of this act, the Division shall*  
36 *immediately revoke the registry identification card or letter of*  
37 *approval issued to that person and shall immediately revoke the*  
38 *registry identification card issued to that person's designated*  
39 *primary caregiver, if any.*

40 2. *Upon the revocation of a registry identification card or*  
41 *letter of approval pursuant to this section:*

42 (a) *The Division shall send, by certified mail, return receipt*  
43 *requested, notice to the person whose registry identification card*  
44 *or letter of approval has been revoked, advising the person of the*  
45 *requirements of paragraph (b); and*



1 (b) *The person shall return his or her registry identification*  
2 *card or letter of approval to the Division within 7 days after*  
3 *receiving the notice sent pursuant to paragraph (a).*

4 3. *The decision of the Division to revoke a registry*  
5 *identification card or letter of approval pursuant to this section is*  
6 *a final decision for the purposes of judicial review.*

7 4. *A person whose registry identification card or letter of*  
8 *approval has been revoked pursuant to this section may not*  
9 *reapply for a registry identification card or letter of approval*  
10 *pursuant to section 139 of this act for 12 months after the date of*  
11 *the revocation, unless the Division or a court of competent*  
12 *jurisdiction authorizes reapplication in a shorter time.*

13 **Sec. 142.** 1. *A person to whom the Division or its designee*  
14 *has issued a registry identification card or letter of approval*  
15 *pursuant to paragraph (a) of subsection 1 of section 140 of this act*  
16 *shall, in accordance with regulations adopted by the Division:*

17 (a) *Notify the Division of any change in the person's name,*  
18 *address, telephone number, designated medical cannabis*  
19 *dispensary, if any, attending provider of health care or designated*  
20 *primary caregiver, if any; and*

21 (b) *Submit to the Division, on a form prescribed by the*  
22 *Division:*

23 (1) *On or before the date specified by the attending provider*  
24 *of health care on the application for the issuance or renewal of the*  
25 *registry identification card or letter of approval pursuant to*  
26 *subsection 5 of section 140 of this act, a signature from the*  
27 *person's attending provider of health care affirming that:*

28 (I) *The person continues to suffer from a chronic or*  
29 *debilitating medical condition;*

30 (II) *The medical use of cannabis may mitigate the*  
31 *symptoms or effects of that condition; and*

32 (III) *The attending provider of health care has*  
33 *explained to the person the possible risks and benefits of the*  
34 *medical use of cannabis; and*

35 (2) *If the person elects to designate a primary caregiver for*  
36 *the subsequent year and the primary caregiver so designated was*  
37 *not the person's designated primary caregiver during the previous*  
38 *year:*

39 (I) *The name, address and telephone number of the*  
40 *designated primary caregiver; and*

41 (II) *A signature from the person's attending provider of*  
42 *health care affirming that the attending provider of health care*  
43 *approves of the designation of the primary caregiver.*

44 2. *A person to whom the Division or its designee has issued a*  
45 *registry identification card pursuant to paragraph (b) of*



1 *subsection 1 of section 140 of this act or pursuant to section 144 of*  
2 *this act shall, in accordance with regulations adopted by the*  
3 *Division, notify the Division of any change in the person's name,*  
4 *address, telephone number, designated medical cannabis*  
5 *dispensary, if any, or the identity of the person for whom he or she*  
6 *acts as designated primary caregiver.*

7 3. *If a person fails to comply with the provisions of subsection*  
8 *1 or 2, the registry identification card or letter of approval issued*  
9 *to the person shall be deemed expired. If the registry identification*  
10 *card or letter of approval of a person to whom the Division or its*  
11 *designee issued the card or letter pursuant to paragraph (a) of*  
12 *subsection 1 of section 140 of this act is deemed expired pursuant*  
13 *to this subsection, the registry identification card issued to the*  
14 *person's designated primary caregiver, if any, shall also be*  
15 *deemed expired. Upon the deemed expiration of a registry*  
16 *identification card or letter of approval pursuant to this*  
17 *subsection:*

18 (a) *The Division shall send, by certified mail, return receipt*  
19 *requested, notice to the person whose registry identification card*  
20 *or letter of approval has been deemed expired, advising the person*  
21 *of the requirements of paragraph (b); and*

22 (b) *The person shall return his or her registry identification*  
23 *card or letter of approval to the Division within 7 days after*  
24 *receiving the notice sent pursuant to paragraph (a).*

25 **Sec. 143.** *If a person to whom the Division or its designee*  
26 *has issued a registry identification card or letter of approval*  
27 *pursuant to paragraph (a) of subsection 1 of section 140 of this act*  
28 *is diagnosed by the person's attending provider of health care as*  
29 *no longer having a chronic or debilitating medical condition, the*  
30 *person shall return his or her registry identification card or letter*  
31 *of approval and his or her designated primary caregiver, if any,*  
32 *shall return his or her registry identification card to the Division*  
33 *within 7 days after notification of the diagnosis.*

34 **Sec. 144.** 1. *If a person who applies to the Division for a*  
35 *registry identification card or letter of approval or to whom the*  
36 *Division or its designee has issued a registry identification card or*  
37 *letter of approval pursuant to paragraph (a) of subsection 1 of*  
38 *section 140 of this act desires or is required to designate a primary*  
39 *caregiver, the person must:*

40 (a) *To designate a primary caregiver at the time of application,*  
41 *submit to the Division, on a form prescribed by the Division, the*  
42 *information required pursuant to paragraph (e) of subsection 2 of*  
43 *section 139 of this act; or*

44 (b) *To designate a primary caregiver after the Division or its*  
45 *designee has issued a registry identification card or letter of*



1 approval to the person, submit to the Division, on a form  
2 prescribed by the Division, the information required pursuant to  
3 subparagraph (2) of paragraph (b) of subsection 1 of section 142  
4 of this act.

5 2. A person may have only one designated primary caregiver  
6 at any one time.

7 3. If a person designates a primary caregiver after the time  
8 that the person initially applies for a registry identification card or  
9 letter of approval, the Division or its designee shall, except as  
10 otherwise provided in subsection 5 of section 139 of this act, issue  
11 a registry identification card to the designated primary caregiver  
12 as soon as practicable after receiving the information submitted  
13 pursuant to paragraph (b) of subsection 1.

14 4. A person who is the parent or legal guardian of one or  
15 more children who are listed in the medical cannabis registry may  
16 be the designated primary caregiver for each such child regardless  
17 of whether the person is also listed in the medical cannabis  
18 registry as a patient.

19 **Sec. 145.** 1. A person who holds a registry identification  
20 card or letter of approval issued to him or her pursuant to section  
21 140 or 144 of this act is not exempt from state prosecution for, nor  
22 may the person establish an affirmative defense to charges arising  
23 from, any of the following acts:

24 (a) Driving, operating or being in actual physical control of a  
25 vehicle or a vessel under power or sail while under the influence  
26 of cannabis.

27 (b) Engaging in any other conduct prohibited by NRS  
28 484C.110, 484C.120, 484C.130, 484C.430, subsection 2 of NRS  
29 488.400, NRS 488.410, 488.420, 488.425 or 493.130.

30 (c) Possessing a firearm in violation of paragraph (b) of  
31 subsection 1 of NRS 202.257.

32 (d) Possessing cannabis in violation of NRS 453.336 or  
33 possessing paraphernalia in violation of NRS 453.560 or 453.566:

34 (1) If the possession of the cannabis or paraphernalia is  
35 discovered because the person engaged or assisted in the medical  
36 use of cannabis in:

37 (I) Any public place or in any place open to the public or  
38 exposed to public view; or

39 (II) Any local detention facility, county jail, state prison,  
40 reformatory or other correctional facility, including, without  
41 limitation, any facility for the detention of juvenile offenders; or

42 (2) If the possession of the cannabis or paraphernalia  
43 occurs on school property.

44 (e) Delivering cannabis to another person who he or she  
45 knows does not lawfully hold a registry identification card or letter



1 of approval issued by the Division or its designee pursuant to  
2 section 140 or 144 of this act.

3 (f) Delivering cannabis for consideration to any person,  
4 regardless of whether the recipient lawfully holds a registry  
5 identification card or letter of approval issued by the Division or  
6 its designee pursuant to section 140 or 144 of this act.

7 2. Except as otherwise provided in section 141 of this act and  
8 in addition to any other penalty provided by law, if the Division  
9 determines that a person has willfully violated a provision of this  
10 chapter or any regulation adopted by the Division to carry out the  
11 provisions of this chapter, the Division may, at its own discretion,  
12 prohibit the person from obtaining or using a registry  
13 identification card or letter of approval for a period of up to 6  
14 months.

15 3. Nothing in the provisions of this chapter shall be construed  
16 as in any manner affecting the provisions of the chapter consisting  
17 of sections 173 to 187, inclusive, of this act relating to the adult  
18 use of cannabis.

19 4. As used in this section, "school property" means the  
20 grounds of any public school described in NRS 388.020 and any  
21 private school as defined in NRS 394.103.

22 **Sec. 146.** 1. Except as otherwise provided in this section  
23 and section 145 of this act, it is an affirmative defense to a  
24 criminal charge of possession, delivery or production of cannabis,  
25 or any other criminal offense in which possession, delivery or  
26 production of cannabis is an element, that the person charged  
27 with the offense:

28 (a) Is a person who:

29 (1) Has been diagnosed with a chronic or debilitating  
30 medical condition within the 12-month period preceding his or her  
31 arrest and has been advised by his or her attending provider of  
32 health care that the medical use of cannabis may mitigate the  
33 symptoms or effects of that chronic or debilitating medical  
34 condition;

35 (2) Is engaged in the medical use of cannabis; and

36 (3) Possesses, delivers or produces cannabis only in the  
37 amount described in paragraph (b) of subsection 3 of section 137  
38 of this act or in excess of that amount if the person proves by a  
39 preponderance of the evidence that the greater amount is  
40 medically necessary as determined by the person's attending  
41 provider of health care to mitigate the symptoms or effects of the  
42 person's chronic or debilitating medical condition; or

43 (b) Is a person who:

44 (1) Is assisting a person described in paragraph (a) in the  
45 medical use of cannabis; and



1           (2) Possesses, delivers or produces cannabis only in the  
2 amount described in paragraph (b) of subsection 3 of section 137  
3 of this act or in excess of that amount if the person proves by a  
4 preponderance of the evidence that the greater amount is  
5 medically necessary as determined by the assisted person's  
6 attending provider of health care to mitigate the symptoms or  
7 effects of the assisted person's chronic or debilitating medical  
8 condition.

9           2. A person need not hold a registry identification card or  
10 letter of approval issued to the person by the Division or its  
11 designee pursuant to section 140 or 144 of this act to assert an  
12 affirmative defense described in this section.

13           3. Except as otherwise provided in this section and in  
14 addition to the affirmative defense described in subsection 1, a  
15 person engaged or assisting in the medical use of cannabis who is  
16 charged with a crime pertaining to the medical use of cannabis is  
17 not precluded from:

18           (a) Asserting a defense of medical necessity; or

19           (b) Presenting evidence supporting the necessity of cannabis  
20 for treatment of a specific disease or medical condition,

21           ↳ if the amount of cannabis at issue is not greater than the  
22 amount described in paragraph (b) of subsection 3 of section 137  
23 of this act and the person has taken steps to comply substantially  
24 with the provisions of this chapter.

25           4. A defendant who intends to offer an affirmative defense  
26 described in this section shall, not less than 5 days before trial or  
27 at such other time as the court directs, file and serve upon the  
28 prosecuting attorney a written notice of the defendant's intent to  
29 claim the affirmative defense. The written notice must:

30           (a) State specifically why the defendant believes he or she is  
31 entitled to assert the affirmative defense; and

32           (b) Set forth the factual basis for the affirmative defense.

33           ↳ A defendant who fails to provide notice of his or her intent to  
34 claim an affirmative defense as required pursuant to this  
35 subsection may not assert the affirmative defense at trial unless  
36 the court, for good cause shown, orders otherwise.

37           **Sec. 147. 1. Each medical cannabis establishment must:**

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

40           (b) Have an appearance, both as to the interior and exterior,  
41 that is professional, orderly, dignified and consistent with the  
42 traditional style of pharmacies and medical offices; and

43           (c) Have discreet and professional signage that is consistent  
44 with the traditional style of signage for pharmacies and medical  
45 offices.





1 2. *If a medical cannabis establishment is operated by a dual*  
2 *licensee, any provision of this section which is determined by the*  
3 *Board to be unreasonably impracticable pursuant to subsection 9*  
4 *of section 123 of this act does not apply to the medical cannabis*  
5 *establishment.*

6 **Sec. 148. 1.** *A medical cannabis establishment is prohibited*  
7 *from acquiring, possessing, cultivating, manufacturing,*  
8 *delivering, transferring, transporting, supplying or dispensing*  
9 *cannabis for any purpose except to:*

10 (a) *Directly or indirectly assist patients who possess valid*  
11 *registry identification cards;*

12 (b) *Assist patients who possess valid registry identification*  
13 *cards or letters of approval by way of those patients' designated*  
14 *primary caregivers; and*

15 (c) *Return for a refund cannabis, medical edible cannabis*  
16 *products or medical cannabis-infused products to the medical*  
17 *cannabis establishment from which the cannabis, medical edible*  
18 *cannabis products or medical cannabis-infused products were*  
19 *acquired.*

20 ↪ *For the purposes of this subsection, a person shall be deemed to*  
21 *be a patient who possesses a valid registry identification card or*  
22 *letter of approval if he or she qualifies for nonresident reciprocity*  
23 *pursuant to section 154 of this act.*

24 2. *A medical cannabis dispensary and a medical cultivation*  
25 *facility may acquire usable cannabis or cannabis plants from a*  
26 *person who holds a valid registry identification card, including,*  
27 *without limitation, a designated primary caregiver. Except as*  
28 *otherwise provided in this subsection, the patient or caregiver, as*  
29 *applicable, must receive no compensation for the cannabis. A*  
30 *patient who holds a valid registry identification card, and the*  
31 *designated primary caregiver of such a patient, or the designated*  
32 *primary caregiver of a person who holds a letter of approval may*  
33 *sell usable cannabis to a medical cannabis dispensary one time*  
34 *and may sell cannabis plants to a cultivation facility one time.*

35 3. *A medical cannabis production facility and a medical*  
36 *cannabis dispensary may acquire industrial hemp, as defined in*  
37 *NRS 557.160, from a grower or handler registered by the State*  
38 *Department of Agriculture pursuant to NRS 557.100 to 557.290,*  
39 *inclusive. A medical cannabis production facility may use*  
40 *industrial hemp to manufacture medical cannabis products. A*  
41 *medical cannabis dispensary may dispense industrial hemp and*  
42 *medical edible cannabis products and medical cannabis-infused*  
43 *products manufactured using industrial hemp.*

44 4. *A dual licensee:*



1 (a) Shall comply with the regulations adopted by the Board  
2 pursuant to subsection 7 of section 123 of this act with respect to  
3 the medical cannabis establishment operated by the dual licensee;  
4 and

5 (b) May, to the extent authorized by such regulations, combine  
6 the location or operations of the medical cannabis establishment  
7 operated by the dual licensee with the adult-use cannabis  
8 establishment operated by the dual licensee.

9 5. If a medical cannabis establishment is operated by a dual  
10 licensee, any provision of this section which is determined by the  
11 Board to be unreasonably impracticable pursuant to subsection 9  
12 of section 123 of this act does not apply to the medical cannabis  
13 establishment.

14 **Sec. 149.** 1. Each medical cannabis establishment, in  
15 consultation with the Board, shall maintain an electronic  
16 verification system.

17 2. The electronic verification system required pursuant to  
18 subsection 1 must be able to monitor and report information,  
19 including, without limitation:

20 (a) In the case of a medical cannabis dispensary, for each  
21 person who holds a valid registry identification card and who  
22 purchased cannabis from the dispensary in the immediately  
23 preceding 60-day period:

24 (1) The number of the card;

25 (2) The date on which the card was issued; and

26 (3) The date on which the card will expire.

27 (b) For each cannabis establishment agent who is employed by  
28 or volunteers at the medical cannabis establishment, the number  
29 of the person's cannabis establishment agent registration card.

30 (c) In the case of a medical cannabis dispensary, such  
31 information as may be required by the Board by regulation  
32 regarding persons who are not residents of this State and who  
33 have purchased cannabis from the dispensary.

34 (d) Verification of the identity of a person to whom cannabis  
35 or medical cannabis products are sold or otherwise distributed.

36 (e) Such other information as the Board may require.

37 3. Nothing in this section prohibits more than one medical  
38 cannabis establishment from co-owning an electronic verification  
39 system in cooperation with other medical cannabis establishments,  
40 or sharing the information obtained therefrom.

41 4. A medical cannabis establishment must exercise  
42 reasonable care to ensure that the personal identifying  
43 information of persons who hold registry identification cards  
44 which is contained in an electronic verification system is



1 *encrypted, protected and not divulged for any purpose not*  
2 *specifically authorized by law.*

3 **Sec. 150.** 1. *Each medical cannabis establishment, in*  
4 *consultation with the Board, shall maintain an inventory control*  
5 *system.*

6 2. *The inventory control system required pursuant to*  
7 *subsection 1 must be able to monitor and report information,*  
8 *including, without limitation:*

9 (a) *Insofar as is practicable, the chain of custody and current*  
10 *whereabouts, in real time, of cannabis from the point that it is*  
11 *harvested at a cannabis cultivation facility until it is sold at a*  
12 *medical cannabis dispensary and, if applicable, medical cannabis*  
13 *production facility;*

14 (b) *The name of each person or other medical cannabis*  
15 *establishment, or both, to which the establishment sold cannabis;*

16 (c) *In the case of a medical cannabis dispensary, the date on*  
17 *which it sold cannabis to a person who holds a registry*  
18 *identification card and, if any, the quantity of medical cannabis*  
19 *products sold, measured both by weight and potency; and*

20 (d) *Such other information as the Board may require.*

21 3. *Nothing in this section prohibits more than one medical*  
22 *cannabis establishment from co-owning an inventory control*  
23 *system in cooperation with other medical cannabis establishments,*  
24 *or sharing the information obtained therefrom.*

25 4. *A medical cannabis establishment must exercise*  
26 *reasonable care to ensure that the personal identifying*  
27 *information of persons who hold registry identification cards*  
28 *which is contained in an inventory control system is encrypted,*  
29 *protected and not divulged for any purpose not specifically*  
30 *authorized by law.*

31 5. *If a medical cannabis establishment is operated by a dual*  
32 *licensee, the medical cannabis establishment may:*

33 (a) *For the purpose of tracking cannabis for medical use,*  
34 *maintain a combined inventory with an adult-use cannabis*  
35 *establishment operated by the dual licensee; and*

36 (b) *For the purpose of reporting on the inventory of the*  
37 *medical cannabis establishment operated by the dual licensee,*  
38 *maintain a combined inventory with an adult-use cannabis*  
39 *establishment operated by the dual licensee and report the*  
40 *combined inventory under a single medical cannabis*  
41 *establishment license or adult-use cannabis establishment license.*

42 6. *If a medical cannabis establishment is operated by a dual*  
43 *licensee, the medical cannabis establishment shall:*

44 (a) *For the purpose of reporting on the sales of any medical*  
45 *cannabis establishment or adult-use cannabis establishment*



1 *operated by the dual licensee, designate each sale as a sale*  
2 *pursuant to the provisions of this chapter or the chapter consisting*  
3 *of sections 173 to 187, inclusive, of this act in its inventory control*  
4 *system at the point of sale; and*

5 *(b) Verify that each person who purchases cannabis or*  
6 *cannabis products in a sale designated as a sale pursuant to the*  
7 *provisions of this chapter holds a valid registry identification card.*

8 **Sec. 151.** 1. *Each medical cannabis dispensary shall*  
9 *ensure all of the following:*

10 *(a) The weight, concentration and content of THC in all*  
11 *cannabis and cannabis products that the dispensary sells is clearly*  
12 *and accurately stated on the product sold.*

13 *(b) That the dispensary does not sell to a person, in any one*  
14 *transaction, more than 1 ounce of cannabis.*

15 *(c) That, posted clearly and conspicuously within the*  
16 *dispensary, are the legal limits on the possession of cannabis for*  
17 *medical purposes, as set forth in section 137 of this act.*

18 *(d) That, posted clearly and conspicuously within the*  
19 *dispensary, is a sign stating unambiguously the legal limits on the*  
20 *possession of cannabis for medical purposes, as set forth in*  
21 *section 137 of this act.*

22 *(e) That only persons who are at least 21 years of age or hold a*  
23 *registry identification card or letter of approval are allowed to*  
24 *enter the premises of the medical cannabis dispensary.*

25 2. *A medical cannabis dispensary may, but is not required to,*  
26 *track the purchases of cannabis for medical purposes by any*  
27 *person to ensure that the person does not exceed the legal limits*  
28 *on the possession of cannabis for medical purposes, as set forth in*  
29 *section 137 of this act. The Board shall not adopt a regulation or*  
30 *in any other way require a medical cannabis dispensary to track*  
31 *the purchases of a person or determine whether the person has*  
32 *exceeded the legal limits on the possession of cannabis for medical*  
33 *purposes, as set forth in section 137 of this act.*

34 3. *A medical cannabis dispensary which is a dual licensee*  
35 *may, to the extent authorized by the regulations adopted by the*  
36 *Board pursuant to subsection 7 of section 123 of this act, allow*  
37 *any person who is at least 21 years of age to enter the premises of*  
38 *the medical cannabis dispensary, regardless of whether such a*  
39 *person holds a valid registry identification card or letter of*  
40 *approval.*

41 4. *A medical cannabis dispensary shall not sell cannabis or*  
42 *cannabis products to a consumer through the use of, or accept a*  
43 *sale of cannabis or cannabis products from, a third party,*  
44 *intermediary business, broker or any other business that does not*



1 *hold a medical cannabis establishment license for a medical*  
2 *cannabis dispensary.*

3 *5. A medical cannabis dispensary may contract with a third*  
4 *party or intermediary business to deliver cannabis or medical*  
5 *cannabis products to consumers only if:*

6 *(a) Every sale of cannabis or cannabis products which is*  
7 *delivered by the third party or intermediary business is made*  
8 *directly from the medical cannabis dispensary or an Internet*  
9 *website, digital network or software application service of the*  
10 *medical cannabis dispensary;*

11 *(b) The third party or intermediary business does not advertise*  
12 *that it sells, offers to sell or appears to sell cannabis or cannabis*  
13 *products or allows the submission of an order for cannabis or*  
14 *cannabis products; and*

15 *(c) The delivery complies with the requirements of section 114*  
16 *or 152 of this act.*

17 **Sec. 152.** *1. A medical cannabis dispensary may deliver*  
18 *cannabis or cannabis products to a person who holds a valid*  
19 *registry identification card or letter of approval if:*

20 *(a) The delivery is made by a cannabis establishment agent*  
21 *who is authorized to make the delivery by the medical cannabis*  
22 *dispensary by which he or she is employed; or*

23 *(b) The delivery is made by a third party or intermediary*  
24 *business that has contracted with the medical cannabis dispensary*  
25 *pursuant to section 151 of this act.*

26 *2. The Board may adopt regulations prescribing procedures*  
27 *and protocols for deliveries conducted pursuant to subsection 1.*

28 **Sec. 153.** *1. At each medical cannabis establishment,*  
29 *medical cannabis must be stored only in an enclosed, locked*  
30 *facility.*

31 *2. Except as otherwise provided in subsection 3, at each*  
32 *medical cannabis dispensary, medical cannabis must be stored in*  
33 *a secure, locked device, display case, cabinet or room within the*  
34 *enclosed, locked facility. The secure, locked device, display case,*  
35 *cabinet or room must be protected by a lock or locking mechanism*  
36 *that meets at least the security rating established by the*  
37 *Underwriters Laboratories for key locks.*

38 *3. At a medical cannabis dispensary, medical cannabis may*  
39 *be removed from the secure setting described in subsection 2:*

40 *(a) Only for the purpose of dispensing the cannabis;*

41 *(b) Only immediately before the cannabis is dispensed; and*

42 *(c) Only by a cannabis establishment agent who is employed by*  
43 *or volunteers at the dispensary.*

44 *4. A medical cannabis establishment may:*



1 (a) *Transport medical cannabis to another medical cannabis*  
2 *establishment or between the buildings of the medical cannabis*  
3 *establishment; and*

4 (b) *Enter into a contract with a third party to transport*  
5 *cannabis to another medical cannabis establishment or between*  
6 *the buildings of the medical cannabis establishment.*

7 **Sec. 154.** 1. *A person who is not a resident of this State, but*  
8 *who is authorized to engage in the medical use of cannabis under*  
9 *the laws of his or her state or jurisdiction of residence, is deemed*  
10 *to hold a valid registry identification card for the purpose of the*  
11 *exemption from state prosecution described in subsection 1 of*  
12 *section 137 of this act if the person abides by the legal limits on*  
13 *the possession, delivery and production of cannabis for medical*  
14 *purposes in this State, as set forth in section 137 of this act.*

15 2. *A medical cannabis dispensary may dispense cannabis to a*  
16 *person described in subsection 1 if the person presents to the*  
17 *medical cannabis dispensary any document which is valid to prove*  
18 *the authorization of the person to engage in the medical use of*  
19 *cannabis under the laws of his or her state or jurisdiction of*  
20 *residence. Such documentation may include, without limitation,*  
21 *written documentation from a physician or other provider of*  
22 *health care if, under the laws of the person's state or jurisdiction*  
23 *of residence, written documentation from a physician or other*  
24 *provider of health care is sufficient to exempt the person from*  
25 *prosecution for engaging in the medical use of cannabis.*

26 **Sec. 155.** 1. *A patient who holds a valid registry*  
27 *identification card or letter of approval and his or her designated*  
28 *primary caregiver, if any, may select one medical cannabis*  
29 *dispensary to serve as his or her designated medical cannabis*  
30 *dispensary at any one time.*

31 2. *A patient who designates a medical cannabis dispensary as*  
32 *described in subsection 1:*

33 (a) *Shall communicate the designation to the Division within*  
34 *the time specified by the Division.*

35 (b) *May change his or her designation not more than once in a*  
36 *30-day period.*

37 **Sec. 156.** *The Board shall adopt such regulations as it*  
38 *determines to be necessary or advisable to carry out the provisions*  
39 *of this chapter. Such regulations are in addition to any*  
40 *requirements set forth in statute and must, without limitation:*

41 1. *Establish procedures pursuant to which a medical*  
42 *cannabis dispensary will be notified by the Board if a patient who*  
43 *holds a valid registry identification card or letter of approval has*  
44 *chosen the dispensary as his or her designated medical cannabis*  
45 *dispensary, as described in section 155 of this act.*



1       2. *Establish minimum requirements for industrial hemp, as*  
2 *defined in NRS 557.160, which is used by a medical cannabis*  
3 *production facility or dispensed by a medical cannabis dispensary.*

4       3. *Set forth the amount of usable cannabis that a medical*  
5 *cannabis dispensary may dispense to a person who holds a valid*  
6 *registry identification card, including, without limitation, a*  
7 *designated primary caregiver, in any one 14-day period. Such an*  
8 *amount must not exceed the limits set forth in section 137 of this*  
9 *act.*

10      4. *In cooperation with the applicable professional licensing*  
11 *boards, establish a system to:*

12      (a) *Register and track attending providers of health care who*  
13 *advise their patients that the medical use of cannabis may mitigate*  
14 *the symptoms or effects of the patient's medical condition;*

15      (b) *Insofar as is possible, track and quantify the number of*  
16 *times an attending provider of health care described in paragraph*  
17 *(a) makes such an advisement; and*

18      (c) *Provide for the progressive discipline of attending providers*  
19 *of health care who advise the medical use of cannabis at a rate at*  
20 *which the Board, in consultation with the Division, and the*  
21 *applicable board, determine and agree to be unreasonably high.*

22      5. *Provide for the maintenance of a log by the Board, in*  
23 *consultation with the Division, of each person who is authorized to*  
24 *cultivate, grow or produce cannabis pursuant to subsection 6 of*  
25 *section 137 of this act. The Board shall ensure that the contents of*  
26 *the log are available for verification by law enforcement personnel*  
27 *24 hours a day.*

28      **Sec. 157.** 1. *The fact that a person possesses a registry*  
29 *identification card or letter of approval issued to the person by the*  
30 *Division or its designee pursuant to section 140 or 144 of this act,*  
31 *a medical cannabis establishment license issued to the person by*  
32 *the Board or its designee pursuant to section 91 of this act or a*  
33 *cannabis establishment agent registration card issued to the*  
34 *person by the Board or its designee pursuant to section 103 of this*  
35 *act or a cannabis establishment agent registration card for a*  
36 *cannabis executive issued to the person by the Board or its*  
37 *designee pursuant to section 104 of this act does not, alone:*

38      (a) *Constitute probable cause to search the person or the*  
39 *person's property; or*

40      (b) *Subject the person or the person's property to inspection by*  
41 *any governmental agency.*

42      2. *Except as otherwise provided in this subsection, if officers*  
43 *of a state or local law enforcement agency seize cannabis,*  
44 *paraphernalia or other related property from a person engaged in,*  
45 *facilitating or assisting in the medical use of cannabis:*





1 (a) *The law enforcement agency shall ensure that the*  
2 *cannabis, paraphernalia or other related property is not destroyed*  
3 *while in the possession of the law enforcement agency.*

4 (b) *Any property interest of the person from whom the*  
5 *cannabis, paraphernalia or other related property was seized must*  
6 *not be forfeited pursuant to any provision of law providing for the*  
7 *forfeiture of property, except as part of a sentence imposed after*  
8 *conviction of a criminal offense.*

9 (c) *Upon:*

10 (1) *A decision not to prosecute;*

11 (2) *The dismissal of charges; or*

12 (3) *Acquittal,*

13 *↳ the law enforcement agency shall, to the extent permitted by*  
14 *law, return to that person any usable cannabis, cannabis plants,*  
15 *paraphernalia or other related property that was seized. The*  
16 *provisions of this subsection do not require a law enforcement*  
17 *agency to care for live cannabis plants.*

18 **Sec. 158.** 1. *If a law enforcement agency legally and justly*  
19 *seizes evidence from a medical cannabis establishment on a basis*  
20 *that, in consideration of due process and viewed in the manner*  
21 *most favorable to the establishment, would lead a reasonable*  
22 *person to believe that a crime has been committed, the relevant*  
23 *provisions of NRS 179.1156 to 179.121, inclusive, apply insofar as*  
24 *they do not conflict with the provisions of this chapter.*

25 2. *As used in this section, “law enforcement agency” has the*  
26 *meaning ascribed to it in NRS 239C.065.*

27 **Sec. 159.** *The applicable professional licensing boards shall*  
28 *not take any disciplinary action against an attending provider of*  
29 *health care on the basis that the attending provider of health care:*

30 1. *Regardless of whether the person is a resident of this State,*  
31 *advised a person whom the attending provider of health care has*  
32 *diagnosed as having a chronic or debilitating medical condition,*  
33 *or a person whom the attending provider of health care knows has*  
34 *been so diagnosed by another provider of health care licensed or*  
35 *certified pursuant to the law of this State:*

36 (a) *About the possible risks and benefits of the medical use of*  
37 *cannabis; or*

38 (b) *That the medical use of cannabis may mitigate the*  
39 *symptoms or effects of the person’s chronic or debilitating medical*  
40 *condition,*

41 *↳ if the advice is based on the attending provider of health care’s*  
42 *personal assessment of the person’s medical history and current*  
43 *medical condition.*

44 2. *Provided or maintained the written documentation or*  
45 *signature, as applicable, required pursuant to paragraph (a) of*



1 *subsection 2 of section 139 of this act for the issuance of a registry*  
2 *identification card or letter of approval or pursuant to*  
3 *subparagraph (1) of paragraph (b) of subsection 1 of section 142*  
4 *of this act for the renewal of a registry identification card or letter*  
5 *of approval, or any similar documentation required for the person*  
6 *to be authorized to engage in the medical use of cannabis*  
7 *pursuant to the laws of another state or jurisdiction, if:*

8 *(a) Such documentation is based on the attending provider of*  
9 *health care's personal assessment of the person's medical history*  
10 *and current medical condition; and*

11 *(b) The attending provider of health care has advised the*  
12 *person about the possible risks and benefits of the medical use of*  
13 *cannabis.*

14 **Sec. 160.** *A professional licensing board shall not take any*  
15 *disciplinary action against a person licensed by the board on the*  
16 *basis that:*

17 *1. The person engages in or has engaged in the medical use*  
18 *of cannabis in accordance with the provisions of this chapter; or*

19 *2. The person acts as or has acted as the designated primary*  
20 *caregiver of a person who holds a registry identification card or*  
21 *letter of approval issued to him or her pursuant to paragraph (a)*  
22 *of subsection 1 of section 140 of this act.*

23 **Sec. 161.** *1. The University of Nevada, Reno, School of*  
24 *Medicine shall establish a program for the evaluation and*  
25 *research of the medical use of cannabis in the care and treatment*  
26 *of persons who have been diagnosed with a chronic or debilitating*  
27 *medical condition.*

28 *2. Before the School of Medicine establishes a program*  
29 *pursuant to subsection 1, the School of Medicine shall*  
30 *aggressively seek and must receive approval of the program by the*  
31 *Federal Government pursuant to 21 U.S.C. § 823 or other*  
32 *applicable provisions of federal law, to allow the creation of a*  
33 *federally approved research program for the use and distribution*  
34 *of cannabis for medical purposes.*

35 *3. A research program established pursuant to this section*  
36 *must include residents of this State who volunteer to act as*  
37 *participants and subjects, as determined by the School of*  
38 *Medicine.*

39 *4. A resident of this State who wishes to serve as a participant*  
40 *and subject in a research program established pursuant to this*  
41 *section may notify the School of Medicine and may apply to*  
42 *participate by submitting an application on a form prescribed by*  
43 *the Department of Administration of the School of Medicine.*

44 *5. The School of Medicine shall, on a quarterly basis, report*  
45 *to the Interim Finance Committee with respect to:*



1 (a) *The progress made by the School of Medicine in obtaining*  
2 *federal approval for the research program; and*

3 (b) *If the research program receives federal approval, the*  
4 *status of, activities of and information received from the research*  
5 *program.*

6 **Sec. 162.** 1. *Except as otherwise provided in this section*  
7 *and NRS 239.0115, the University of Nevada, Reno, School of*  
8 *Medicine shall maintain the confidentiality of and shall not*  
9 *disclose:*

10 (a) *The contents of any applications, records or other written*  
11 *materials that the School of Medicine creates or receives pursuant*  
12 *to the research program described in section 161 of this act; or*

13 (b) *The name or any other identifying information of a person*  
14 *who has applied to or who participates in the research program*  
15 *described in section 161 of this act.*

16 ↪ *Except as otherwise provided in NRS 239.0115, the items of*  
17 *information described in this subsection are confidential, not*  
18 *subject to subpoena or discovery and not subject to inspection by*  
19 *the general public.*

20 2. *Notwithstanding the provisions of subsection 1, the School*  
21 *of Medicine may release the name and other identifying*  
22 *information of a person who has applied to or who participates in*  
23 *the research program described in section 161 of this act to:*

24 (a) *Authorized employees of the State of Nevada as necessary*  
25 *to perform official duties related to the research program; and*

26 (b) *Authorized employees of state and local law enforcement*  
27 *agencies, only as necessary to verify that a person is a lawful*  
28 *participant in the research program.*

29 **Sec. 163.** 1. *The Department of Administration of the*  
30 *University of Nevada, Reno, School of Medicine may apply for or*  
31 *accept any gifts, grants, donations or contributions from any*  
32 *source to carry out the provisions of section 161 of this act.*

33 2. *Any money the Department of Administration receives*  
34 *pursuant to subsection 1 must be deposited in the State Treasury*  
35 *pursuant to section 164 of this act.*

36 **Sec. 164.** 1. *Any money the Department of Administration*  
37 *of the University of Nevada, Reno, School of Medicine receives*  
38 *pursuant to section 163 of this act or that is appropriated to carry*  
39 *out the provisions of section 161 of this act:*

40 (a) *Must be deposited in the State Treasury and accounted for*  
41 *separately in the State General Fund;*

42 (b) *May only be used to carry out the provisions of section 161*  
43 *of this act, including the dissemination of information concerning*  
44 *the provisions of that section and such other information as is*  
45 *determined appropriate by the Department of Administration; and*



1 (c) Does not revert to the State General Fund at the end of any  
2 fiscal year.

3 2. The Department of Administration of the School of  
4 Medicine shall administer the account. Any interest or income  
5 earned on the money in the account must be credited to the  
6 account. Any claims against the account must be paid as other  
7 claims against the State are paid.

8 **Sec. 165.** 1. Except as otherwise provided in this section,  
9 NRS 239.0155 and subsection 4 of section 139 of this act, the  
10 Division shall not disclose the name or other identifying  
11 information of:

12 (a) An attending provider of health care; or

13 (b) A person who has applied for or to whom the Division or  
14 its designee has issued a registry identification card or letter of  
15 approval.

16 ↪ Except as otherwise provided in NRS 239.0115, the items of  
17 information described in this subsection are confidential, not  
18 subject to subpoena or discovery and not subject to inspection by  
19 the general public.

20 2. Notwithstanding the provisions of subsection 1, the  
21 Division or its designee:

22 (a) Shall release the name and other identifying information  
23 of a person who has applied for a registry identification card to  
24 authorized employees of the Division of Parole and Probation of  
25 the Department of Public Safety, if notified by the Division of  
26 Parole and Probation that the applicant is on parole or probation.

27 (b) May release the name and other identifying information of  
28 a person to whom the Division or its designee has issued a registry  
29 identification card or letter of approval to:

30 (1) Authorized employees of the Division or its designee as  
31 necessary to perform official duties of the Division; and

32 (2) Authorized employees of state and local law  
33 enforcement agencies, only as necessary to verify that a person is  
34 the lawful holder of a registry identification card or letter of  
35 approval issued to him or her pursuant to section 140 or 144 of  
36 this act.

37 **Sec. 166.** 1. A person may submit to the Division a petition  
38 requesting that a particular disease or condition be included  
39 among the diseases and conditions that qualify as chronic or  
40 debilitating medical conditions pursuant to section 128 of this act.

41 2. The Division shall adopt regulations setting forth the  
42 manner in which the Division will accept and evaluate petitions  
43 submitted pursuant to this section. The regulations must provide,  
44 without limitation, that:



1 (a) *The Division will approve or deny a petition within 180*  
2 *days after the Division receives the petition; and*

3 (b) *The decision of the Division to deny a petition is a final*  
4 *decision for the purposes of judicial review.*

5 **Sec. 167.** 1. *The Administrator of the Division or his or her*  
6 *designee may apply for or accept any gifts, grants, donations or*  
7 *contributions from any source to carry out the provisions of this*  
8 *chapter governing the issuance of registry identification cards and*  
9 *letters of approval and the regulation of the holders of such cards*  
10 *and letters.*

11 2. *Any money the Administrator or his or her designee*  
12 *receives pursuant to subsection 1 must be deposited in the State*  
13 *Treasury pursuant to section 168 of this act.*

14 **Sec. 168.** 1. *Any money the Division receives pursuant to*  
15 *section 167 of this act or that is appropriated to carry out the*  
16 *provisions of this chapter governing the issuance of registry*  
17 *identification cards and letters of approval and the regulation of*  
18 *the holders of such cards and letters:*

19 (a) *Must be deposited in the State Treasury and accounted for*  
20 *separately in the State General Fund;*

21 (b) *May only be used to carry out:*

22 (1) *The provisions of this chapter governing the issuance of*  
23 *registry identification cards and letters of approval and the*  
24 *regulation of the holders of such cards and letters, including the*  
25 *dissemination of information concerning those provisions and*  
26 *such other information as determined appropriate by the Division;*

27 (2) *Alcohol and drug abuse programs pursuant to NRS*  
28 *458.094; and*

29 (3) *Research performed by an institution of the Nevada*  
30 *System of Higher Education on services relating to alcohol and*  
31 *drug abuse; and*

32 (c) *Does not revert to the State General Fund at the end of any*  
33 *fiscal year.*

34 2. *The Administrator of the Division shall administer the*  
35 *account. Any interest or income earned on the money in*  
36 *the account must be credited to the account. Any claims against*  
37 *the account must be paid as other claims against the State are*  
38 *paid.*

39 **Sec. 169.** *The Administrator of the Division shall adopt such*  
40 *regulations as the Administrator determines are necessary to carry*  
41 *out the provisions of this chapter governing the issuance of*  
42 *registry identification cards and letters of approval and the*  
43 *regulation of the holders of such cards and letters. The*  
44 *regulations must set forth, without limitation:*



1 *1. Procedures pursuant to which the Division will issue a*  
2 *registry identification card or letter of approval or, in cooperation*  
3 *with the Department of Motor Vehicles, cause a registry*  
4 *identification card to be prepared and issued to a qualified person*  
5 *as a type of identification card described in NRS 483.810 to*  
6 *483.890, inclusive. The procedures described in this subsection*  
7 *must provide that the Division will:*

8 *(a) Issue a registry identification card or letter of approval to a*  
9 *qualified person; or*

10 *(b) Designate the Department of Motor Vehicles to issue a*  
11 *registry identification card to a person if:*

12 *(1) The person presents to the Department of Motor*  
13 *Vehicles valid documentation issued by the Division indicating*  
14 *that the Division has approved the issuance of a registry*  
15 *identification card to the person; and*

16 *(2) The Department of Motor Vehicles, before issuing the*  
17 *registry identification card, confirms by telephone or other reliable*  
18 *means that the Division has approved the issuance of a registry*  
19 *identification card to the person.*

20 *2. That if the Division issues a registry identification card*  
21 *pursuant to subsection 1, the Division may charge and collect any*  
22 *fee authorized for the issuance of an identification card described*  
23 *in NRS 483.810 to 483.890, inclusive.*

24 *3. Fees for processing and issuing a registry identification*  
25 *card or letter of approval, which must not exceed:*

26 *(a) For a registry identification card or letter of approval*  
27 *which is valid for 1 year, \$50.*

28 *(b) For a registry identification card or letter of approval*  
29 *which is valid for 2 years, \$100.*

30 **Sec. 170.** *The provisions of this chapter do not:*

31 *1. Require an insurer, organization for managed care or any*  
32 *person or entity who provides coverage for a medical or health*  
33 *care service to pay for or reimburse a person for costs associated*  
34 *with the medical use of cannabis.*

35 *2. Require any employer to allow the medical use of cannabis*  
36 *in the workplace.*

37 *3. Except as otherwise provided in subsection 4, require an*  
38 *employer to modify the job or working conditions of a person who*  
39 *engages in the medical use of cannabis that are based upon the*  
40 *reasonable business purposes of the employer but the employer*  
41 *must attempt to make reasonable accommodations for the medical*  
42 *needs of an employee who engages in the medical use of cannabis*  
43 *if the employee holds a valid registry identification card, provided*  
44 *that such reasonable accommodation would not:*



1 (a) Pose a threat of harm or danger to persons or property or  
2 impose an undue hardship on the employer; or

3 (b) Prohibit the employee from fulfilling any and all of his or  
4 her job responsibilities.

5 4. Prohibit a law enforcement agency from adopting policies  
6 and procedures that preclude an employee from engaging in the  
7 medical use of cannabis.

8 5. As used in this section, "law enforcement agency" means:

9 (a) The Office of the Attorney General, the office of a district  
10 attorney within this State or the Nevada Gaming Control Board  
11 and any attorney, investigator, special investigator or employee  
12 who is acting in his or her professional or occupational capacity  
13 for such an office or the Nevada Gaming Control Board; or

14 (b) Any other law enforcement agency within this State and  
15 any peace officer or employee who is acting in his or her  
16 professional or occupational capacity for such an agency.

17 **Sec. 171.** The State must not be held responsible for any  
18 deleterious outcomes from the medical use of cannabis by any  
19 person.

20 **Sec. 172.** The title of NRS created by section 1 of this act is  
21 hereby amended by adding thereto a new chapter to consist of the  
22 provisions set forth as sections 173 to 187, inclusive, of this act.

23 **Sec. 173.** As used in this chapter, unless the context  
24 otherwise requires, the words and terms defined in sections 174 to  
25 177, inclusive, of this act have the meanings ascribed to them in  
26 those sections.

27 **Sec. 174.** "Concentrated cannabis" has the meaning  
28 ascribed to it in NRS 453.042.

29 **Sec. 175.** "Enclosed, locked facility" has the meaning  
30 ascribed to it in section 86 of this act.

31 **Sec. 176.** "State prosecution" has the meaning ascribed to it  
32 in section 134 of this act.

33 **Sec. 177.** "Usable cannabis" has the meaning ascribed to it  
34 in section 135 of this act.

35 **Sec. 178.** 1. Except as otherwise provided in section 179 of  
36 this act, a person who is 21 years of age or older is exempt from  
37 state prosecution for:

38 (a) The possession, delivery or production of cannabis;

39 (b) The possession or delivery of paraphernalia;

40 (c) Aiding and abetting another in the possession, delivery or  
41 production of cannabis;

42 (d) Aiding and abetting another in the possession or delivery of  
43 paraphernalia;

44 (e) Any combination of the acts described in paragraphs (a) to  
45 (d), inclusive; and





1 (f) Any other criminal offense in which the possession,  
2 delivery or production of cannabis or the possession or delivery of  
3 paraphernalia is an element.

4 2. In addition to the provisions of subsections 1 and 5, no  
5 person may be subject to state prosecution for constructive  
6 possession, conspiracy or any other criminal offense solely for  
7 being in the presence or vicinity of the adult use of cannabis in  
8 accordance with the provisions of this title.

9 3. The exemption from state prosecution set forth in  
10 subsection 1 applies only to the extent that a person who is 21  
11 years of age or older:

12 (a) Engages in the adult use of cannabis in accordance with  
13 the provisions of this title;

14 (b) Does not, at any one time, possess, deliver or produce more  
15 than:

16 (1) One ounce of usable cannabis;

17 (2) One-eighth of an ounce of concentrated cannabis;

18 (3) Six cannabis plants, irrespective of whether the  
19 cannabis plants are mature or immature; and

20 (4) A maximum allowable quantity of adult-use cannabis  
21 products as established by regulation of the Board.

22 (c) Cultivates, grows or produces not more than six cannabis  
23 plants:

24 (1) Within an enclosed area that is not exposed to public  
25 view that is equipped with locks or other security devices which  
26 allow access only by an authorized person; and

27 (2) At a residence or upon the grounds of a residence in  
28 which not more than 12 cannabis plants are cultivated, grown or  
29 produced.

30 (d) Delivers 1 ounce or less of usable cannabis or one-eighth  
31 of an ounce or less of concentrated cannabis without  
32 remuneration to a person who is 21 years of age or older so long  
33 as such delivery is not advertised or promoted to the public; and

34 (e) Assists another person who is 21 years of age or older in  
35 carrying out any of the acts described in paragraphs (a) to (d),  
36 inclusive.

37 4. If a person possesses, uses or produces cannabis in an  
38 amount which exceeds the amount set forth in paragraph (b) of  
39 subsection 3 or in any manner other than that set forth in  
40 subsection 3, the person is not exempt from state prosecution for  
41 the possession, delivery or production of cannabis.

42 5. A person who holds an adult-use cannabis establishment  
43 license issued to the person pursuant to section 91 of this act or a  
44 cannabis establishment agent registration card issued to the  
45 person pursuant to section 103 of this act or a cannabis



1 *establishment agent registration card for a cannabis executive*  
2 *issued to the person pursuant to section 104 of this act, and*  
3 *confines his or her activities to those authorized by this title, and*  
4 *the regulations adopted by the Board pursuant thereto, is exempt*  
5 *from state prosecution for:*

6 (a) *The possession, delivery or production of cannabis;*

7 (b) *The possession or delivery of paraphernalia;*

8 (c) *Aiding and abetting another in the possession, delivery or*  
9 *production of cannabis;*

10 (d) *Aiding and abetting another in the possession or delivery of*  
11 *paraphernalia;*

12 (e) *Any combination of the acts described in paragraphs (a) to*  
13 *(d), inclusive; and*

14 (f) *Any other criminal offense in which the possession,*  
15 *delivery or production of cannabis or the possession or delivery of*  
16 *paraphernalia is an element.*

17 6. *The commission of any act by a person for which the*  
18 *person is exempt from state prosecution pursuant to this section*  
19 *must not be used as the basis for the seizure or forfeiture of any*  
20 *property of the person or for the imposition of a civil penalty.*

21 **Sec. 179. 1.** *A person is not exempt from state prosecution*  
22 *for any of the following acts:*

23 (a) *Driving, operating or being in actual physical control of a*  
24 *vehicle or a vessel under power or sail while under the influence*  
25 *of cannabis.*

26 (b) *Engaging in any other conduct prohibited by NRS*  
27 *484C.110, 484C.120, 484C.130, 484C.430, subsection 2 of NRS*  
28 *488.400, NRS 488.410, 488.420, 488.425 or 493.130.*

29 (c) *Possessing a firearm in violation of paragraph (b) of*  
30 *subsection 1 of NRS 202.257.*

31 (d) *Possessing cannabis in violation of NRS 453.336 or*  
32 *possessing paraphernalia in violation of NRS 453.560 or 453.566:*

33 (1) *If the possession of the cannabis or paraphernalia is*  
34 *discovered because the person engaged in the adult use of*  
35 *cannabis in:*

36 (I) *Any public place or in any place open to the public or*  
37 *exposed to public view; or*

38 (II) *Any local detention facility, county jail, state prison,*  
39 *reformatory or other correctional facility, including, without*  
40 *limitation, any facility for the detention of juvenile offenders; or*

41 (2) *If the possession of the cannabis or paraphernalia*  
42 *occurs on school property.*

43 (e) *Knowingly delivering cannabis to another person who is*  
44 *not 21 years of age or older unless:*



1           (1) *The recipient holds a valid registry identification card*  
2 *or letter of approval issued to the person by the Board or its*  
3 *designee pursuant to section 140 or 144 of this act.*

4           (2) *The person demanded and was shown bona fide*  
5 *documentary evidence of the age and identity of the recipient*  
6 *issued by a federal, state, county or municipal government, or*  
7 *subdivision or agency thereof;*

8           2. *As used in this section, "school property" means the*  
9 *grounds of any public school described in NRS 388.020 and any*  
10 *private school as defined in NRS 394.103.*

11       **Sec. 180.** 1. *The provisions of this chapter do not prohibit:*

12           (a) *A public or private employer from maintaining, enacting*  
13 *and enforcing a workplace policy prohibiting or restricting actions*  
14 *or conduct otherwise permitted under this chapter;*

15           (b) *A state or local governmental agency that occupies, owns*  
16 *or controls a building from prohibiting or otherwise restricting the*  
17 *consumption, cultivation, processing, manufacture, sale, delivery*  
18 *or transfer of cannabis in that building;*

19           (c) *A person who occupies, owns or controls a privately owned*  
20 *property from prohibiting or otherwise restricting the smoking,*  
21 *cultivation, processing, manufacture, sale, delivery or transfer of*  
22 *cannabis on that property; or*

23           (d) *A local government from adopting and enforcing local*  
24 *cannabis control measures pertaining to zoning and land use for*  
25 *adult-use cannabis establishments.*

26           2. *Nothing in the provisions of this chapter shall be construed*  
27 *as in any manner affecting the provisions of the chapter consisting*  
28 *of sections 125 to 171, inclusive, of this act relating to the medical*  
29 *use of cannabis.*

30       **Sec. 181.** 1. *Except as otherwise provided in the chapter*  
31 *consisting of sections 125 to 171, inclusive, of this act, any person*  
32 *shall not:*

33           (a) *Cultivate cannabis within 25 miles of an adult-use*  
34 *cannabis retail store licensed pursuant to the chapter consisting of*  
35 *sections 84 to 123, inclusive, of this act, unless the person is an*  
36 *adult-use cannabis cultivation facility or is a cannabis*  
37 *establishment agent volunteering at, employed by or providing*  
38 *labor to an adult-use cannabis cultivation facility;*

39           (b) *Cultivate cannabis plants where they are visible from a*  
40 *public place by normal unaided vision; or*

41           (c) *Cultivate cannabis on property not in the cultivator's*  
42 *lawful possession or without the consent of the person in lawful*  
43 *physical possession of the property.*

44           2. *A person who violates the provisions of subsection 1 is*  
45 *guilty of:*



1 (a) For a first violation, a misdemeanor punished by a fine of  
2 not more than \$600.

3 (b) For a second violation, a misdemeanor punished by a fine  
4 of not more than \$1,000.

5 (c) For a third violation, a gross misdemeanor.

6 (d) For a fourth or subsequent violation, a category E felony.

7 3. Except as otherwise provided in subsection 9, a person who  
8 smokes or otherwise consumes cannabis or a cannabis product in  
9 a public place, in an adult-use cannabis retail store or in a moving  
10 vehicle is guilty of a misdemeanor punished by a fine of not more  
11 than \$600.

12 4. A person under 21 years of age who falsely represents  
13 himself or herself to be 21 years of age or older to obtain cannabis  
14 is guilty of a misdemeanor.

15 5. A person under 21 years of age who knowingly enters,  
16 loiters or remains on the premises of an adult-use cannabis  
17 establishment shall be punished by a fine of not more than \$500  
18 unless the person is authorized to possess cannabis pursuant to the  
19 chapter consisting of sections 125 to 171, inclusive, of this act and  
20 the adult-use cannabis establishment is a dual licensee.

21 6. A person who manufactures cannabis by chemical  
22 extraction or chemical synthesis, unless done pursuant to an  
23 adult-use cannabis establishment license for an adult-use  
24 cannabis production facility issued by the Board or authorized by  
25 this title, is guilty of a category E felony.

26 7. A person who knowingly gives cannabis or a cannabis  
27 product to any person under 21 years of age or who knowingly  
28 leaves or deposits any cannabis or cannabis product in any place  
29 with the intent that it will be procured by any person under 21  
30 years of age is guilty of a misdemeanor.

31 8. A person who knowingly gives cannabis to any person  
32 under 18 years of age or who knowingly leaves or deposits any  
33 cannabis in any place with the intent that it will be procured by  
34 any person under 18 years of age is guilty of a gross misdemeanor.

35 9. A person may smoke or otherwise consume cannabis or a  
36 cannabis product in a cannabis consumption lounge that is  
37 licensed pursuant to section 100 of this act.

38 **Sec. 182.** An adult-use cultivation facility may cultivate  
39 cannabis outdoors if the outdoor cultivation is sufficiently hidden  
40 from public view and adequately isolated. The Board shall adopt  
41 regulations establishing requirements for the outdoor cultivation  
42 of cannabis.

43 **Sec. 183.** An adult-use cannabis establishment shall not  
44 transport cannabis or adult-use edible cannabis products or adult-



1 *use cannabis-infused products to an adult-use cannabis retail*  
2 *store unless the adult-use cannabis establishment:*

3 1. *Holds a license for an adult-use cannabis distributor;*

4 2. *Holds a medical cannabis establishment license and is only*  
5 *transporting cannabis or medical edible cannabis products or*  
6 *medical cannabis-infused products for the medical use of*  
7 *cannabis;*

8 3. *Is an adult-use cannabis independent testing laboratory*  
9 *transporting samples for testing; or*

10 4. *Is a dual licensee and is only transporting cannabis or*  
11 *medical edible cannabis products or medical cannabis-infused*  
12 *products for the medical use of cannabis to a medical cannabis*  
13 *dispensary or a dual licensee.*

14 **Sec. 184.** 1. *An adult-use edible cannabis product or an*  
15 *adult-use cannabis-infused product must be labeled in a manner*  
16 *which indicates the number of servings of THC in the product,*  
17 *measured in servings of a maximum of 10 milligrams per serving.*

18 2. *An adult-use edible cannabis product or an adult-use*  
19 *cannabis-infused product must be sold in a single package. A*  
20 *single package must not contain:*

21 (a) *For an adult-use edible cannabis product or an adult-use*  
22 *cannabis-infused product sold as a capsule, more than 100*  
23 *milligrams of THC per capsule or more than 800 milligrams of*  
24 *THC per package.*

25 (b) *For an adult-use edible cannabis product or an adult-use*  
26 *cannabis-infused product sold as a tincture, more than 800*  
27 *milligrams of THC.*

28 (c) *For an adult-use edible cannabis product or an adult-use*  
29 *cannabis-infused product sold as a food product, more than 100*  
30 *milligrams of THC.*

31 (d) *For an adult-use edible cannabis product or an adult-use*  
32 *cannabis-infused product sold as a topical product, a*  
33 *concentration of more than 6 percent THC or more than 800*  
34 *milligrams of THC per package.*

35 (e) *For an adult-use edible cannabis product or an adult-use*  
36 *cannabis-infused product sold as a suppository or transdermal*  
37 *patch, more than 100 milligrams of THC per suppository or*  
38 *transdermal patch or more than 800 milligrams of THC per*  
39 *package.*

40 (f) *For any other adult-use edible cannabis product or an*  
41 *adult-use cannabis-infused product, more than 800 milligrams of*  
42 *THC.*

43 **Sec. 185.** 1. *An adult-use cannabis establishment:*

44 (a) *Shall not engage in advertising which contains any*  
45 *statement or illustration that:*



1 (1) *Is false or misleading;*

2 (2) *Promotes overconsumption of cannabis or cannabis*  
3 *products;*

4 (3) *Depicts the actual consumption of cannabis or cannabis*  
5 *products; or*

6 (4) *Depicts a child or other person who is less than 21 years*  
7 *of age consuming cannabis or cannabis products or objects*  
8 *suggesting the presence of a child, including, without limitation,*  
9 *toys, characters or cartoons, or contains any other depiction which*  
10 *is designed in any manner to be appealing to or encourage*  
11 *consumption of cannabis or cannabis products by a person who is*  
12 *less than 21 years of age.*

13 (b) *Shall not advertise in any publication or on radio,*  
14 *television or any other medium if 30 percent or more of the*  
15 *audience of that medium is reasonably expected to be persons who*  
16 *are less than 21 years of age.*

17 (c) *Shall not place an advertisement:*

18 (1) *Within 1,000 feet of a public or private school,*  
19 *playground, public park or library, but may maintain such an*  
20 *advertisement if it was initially placed before the school,*  
21 *playground, public park or library was located within 1,000 feet of*  
22 *the location of the advertisement;*

23 (2) *On or inside of a motor vehicle used for public*  
24 *transportation or any shelter for public transportation; or*

25 (3) *At a sports or entertainment event to which persons who*  
26 *are less than 21 years of age are allowed entry.*

27 (d) *Shall not advertise or offer any cannabis or cannabis*  
28 *product as “free” or “donated” without a purchase.*

29 (e) *Shall ensure that all advertising by the adult-use cannabis*  
30 *establishment contains such warnings as may be prescribed by the*  
31 *Board, which must include, without limitation, the following*  
32 *words:*

33 (1) *“Keep out of reach of children”; and*

34 (2) *“For use only by adults 21 years of age and older.”*

35 2. *Nothing in subsection 1 shall be construed to prohibit a*  
36 *local government, pursuant to chapter 244, 268 or 278 of NRS,*  
37 *from adopting an ordinance for the regulation of advertising*  
38 *relating to cannabis which is more restrictive than the provisions*  
39 *of subsection 1 relating to:*

40 (a) *The number, location and size of signs, including, without*  
41 *limitation, any signs carried or displayed by a natural person;*

42 (b) *Handbills, pamphlets, cards or other types of*  
43 *advertisements that are distributed, excluding an advertisement*  
44 *placed in a newspaper of general circulation, trade publication or*  
45 *other form of print media; and*



1 (c) Any stationary or moving display that is located on or near  
2 the premises of an adult-use cannabis establishment.

3 3. If an adult-use cannabis establishment is operated by a  
4 dual licensee, the adult-use cannabis establishment may:

5 (a) For the purpose of tracking cannabis, maintain a  
6 combined inventory with a medical cannabis establishment  
7 operated by the dual licensee; and

8 (b) For the purpose of reporting on the inventory of the adult-  
9 use cannabis establishment, maintain a combined inventory with a  
10 medical cannabis establishment operated by the dual licensee and  
11 report the combined inventory under a single medical cannabis  
12 license or adult-use cannabis license.

13 4. If a cannabis establishment is operated by a dual licensee,  
14 the cannabis establishment shall:

15 (a) For the purpose of reporting on the sales of any adult-use  
16 cannabis establishment or medical cannabis establishment  
17 operated by the dual licensee, designate each sale as a sale  
18 pursuant to the provisions of this chapter or the chapter consisting  
19 of sections 125 to 171, inclusive, of this act; and

20 (b) Verify that each person who purchases cannabis or  
21 cannabis products in a sale designated as a sale pursuant to the  
22 provisions of the chapter consisting of sections 125 to 171,  
23 inclusive, of this act holds a valid registry identification card.

24 5. An adult-use cannabis retail store shall not sell cannabis  
25 or cannabis products through the use of, or accept a sale of  
26 cannabis or cannabis products from, a third party, intermediary  
27 business, broker or any other business that does not hold an adult-  
28 use cannabis establishment license.

29 6. An adult-use cannabis retail store may contract with a  
30 third party or intermediary business to deliver cannabis or  
31 cannabis products only if:

32 (a) Every sale of cannabis or cannabis products which is  
33 delivered by the third party or intermediary business is made  
34 directly from the adult-use cannabis retail store or an Internet  
35 website, digital network or software application service of the  
36 adult-use cannabis retail store;

37 (b) The third party or intermediary business does not advertise  
38 that it sells, offers to sell or appears to sell cannabis or cannabis  
39 products or allows the submission of an order for cannabis or  
40 cannabis products;

41 (c) In addition to any other requirements imposed by the  
42 Board by regulation, the name of the adult-use cannabis retail  
43 store and all independent contractors who perform deliveries on  
44 behalf of the adult-use cannabis retail store has been published on  
45 the Internet website of the Board; and





1 (d) *The delivery complies with the requirements of section 114*  
2 *of this act.*

3 7. *As used in this section, "motor vehicle used for public*  
4 *transportation" does not include a taxicab, as defined in*  
5 *NRS 706.124.*

6 **Sec. 186.** 1. *An adult-use cannabis distributor may*  
7 *transport cannabis and cannabis products between an adult-use*  
8 *cannabis establishment and another adult-use cannabis*  
9 *establishment or between the buildings of an adult-use cannabis*  
10 *establishment.*

11 2. *An adult-use cannabis establishment shall not transport*  
12 *cannabis or cannabis products to an adult-use cannabis retail*  
13 *store unless the adult-use cannabis establishment holds an adult-*  
14 *use cannabis establishment license for an adult-use cannabis*  
15 *distributor.*

16 3. *An adult-use cannabis distributor shall not purchase or*  
17 *sell cannabis or cannabis products unless the adult-use cannabis*  
18 *distributor holds an adult-use cannabis establishment license for a*  
19 *type of adult-use cannabis establishment authorized by law to*  
20 *purchase or sell cannabis or cannabis products.*

21 4. *An adult-use cannabis distributor may enter into an*  
22 *agreement or contract with an adult-use cannabis establishment*  
23 *for the transport of cannabis or cannabis products. Such an*  
24 *agreement or contract may include, without limitation, provisions*  
25 *relating to insurance coverage, climate control and theft by a third*  
26 *party or an employee.*

27 5. *An adult-use cannabis distributor, and each cannabis*  
28 *establishment agent employed by the adult-use cannabis*  
29 *distributor who is involved in the transportation, is responsible for*  
30 *cannabis and cannabis products once the adult-use cannabis*  
31 *distributor takes control of the cannabis or cannabis products and*  
32 *leaves the premises of an adult-use cannabis establishment.*

33 6. *The Board may adopt regulations establishing additional*  
34 *requirements for the operations of an adult-use cannabis*  
35 *distributor.*

36 **Sec. 187.** *The Board may adopt regulations necessary or*  
37 *convenient to carry out the provisions of this chapter. Such*  
38 *regulations must not require a consumer to provide an adult-use*  
39 *cannabis retail store with personally identifiable information other*  
40 *than government-issued identification to determine the age of the*  
41 *consumer.*

42 **Sec. 188.** NRS 52.400 is hereby amended to read as follows:  
43 52.400 Except as otherwise provided in ~~[NRS 453A.400:]~~  
44 *section 157 of this act:*



1 1. At any time after a substance which is alleged to be  
2 marijuana is seized from a defendant by a peace officer, the law  
3 enforcement agency of which the officer is a member may, without  
4 the prior approval of the district court in the county in which the  
5 defendant is charged, destroy any amount of the substance that  
6 exceeds 10 pounds.

7 2. The law enforcement agency must, before destroying the  
8 substance pursuant to this section:

9 (a) Accurately weigh and record the weight of the substance.

10 (b) Take and retain, for evidentiary purposes, at least five  
11 random and representative samples of the substance in addition to  
12 the amount which is not authorized to be destroyed pursuant to  
13 subsection 1. If the substance is alleged to consist of growing or  
14 harvested marijuana plants, the 10 pounds retained pursuant to  
15 subsection 1 may include stalks, branches, leaves and buds, but the  
16 five representative samples must consist of only leaves or buds.

17 (c) Take photographs that reasonably demonstrate the total  
18 amount of the substance. A sign which clearly and conspicuously  
19 shows the title or the case number of the matter, proceeding or  
20 action to which the substance relates must appear next to the  
21 substance in any photograph taken.

22 3. A law enforcement agency that destroys a substance  
23 pursuant to this section shall, not later than 30 days after the  
24 destruction of the substance, file an affidavit in the court which has  
25 jurisdiction over the pending criminal proceedings, if any,  
26 pertaining to that substance. The affidavit must establish that the law  
27 enforcement agency has complied with the requirements of  
28 subsection 2, specify the date and time of the destruction of the  
29 substance and provide the publicly known address of the agency. If  
30 there are no criminal proceedings pending which pertain to the  
31 substance, the affidavit may be filed in any court within the county  
32 which would have jurisdiction over a person against whom such  
33 criminal charges might be filed.

34 4. If the substance is finally determined not to be marijuana,  
35 the owner may file a claim against the county to recover the  
36 reasonable value of the property destroyed pursuant to this section.

37 5. The law enforcement agency's finding as to the weight of  
38 any substance alleged to be marijuana and destroyed pursuant to this  
39 section is admissible in any subsequent proceeding arising out of the  
40 same transaction.

41 **Sec. 189.** NRS 159.0613 is hereby amended to read as  
42 follows:

43 159.0613 1. Except as otherwise provided in subsection 3, in  
44 a proceeding to appoint a guardian for a protected person or



1 proposed protected person, the court shall give preference to a  
2 nominated person or relative, in that order of preference:

3 (a) Whether or not the nominated person or relative is a resident  
4 of this State; and

5 (b) If the court determines that the nominated person or relative  
6 is qualified and suitable to be appointed as guardian for the  
7 protected person or proposed protected person.

8 2. In determining whether any nominated person, relative or  
9 other person listed in subsection 4 is qualified and suitable to be  
10 appointed as guardian for a protected person or proposed protected  
11 person, the court shall consider, if applicable and without limitation:

12 (a) The ability of the nominated person, relative or other person  
13 to provide for the basic needs of the protected person or proposed  
14 protected person, including, without limitation, food, shelter,  
15 clothing and medical care;

16 (b) Whether the nominated person, relative or other person has  
17 engaged in the habitual use of alcohol or any controlled substance  
18 during the previous 6 months, except the use of marijuana in  
19 accordance with the provisions of *the* chapter ~~[453A of NRS;]~~  
20 *consisting of sections 125 to 171, inclusive, of this act;*

21 (c) Whether the nominated person, relative or other person has  
22 been judicially determined to have committed abuse, neglect,  
23 exploitation, isolation or abandonment of a child, his or her spouse,  
24 his or her parent or any other adult, unless the court finds that it is in  
25 the best interests of the protected person or proposed protected  
26 person to appoint the person as guardian for the protected person or  
27 proposed protected person;

28 (d) Whether the nominated person, relative or other person is  
29 incapacitated or has a disability; and

30 (e) Whether the nominated person, relative or other person has  
31 been convicted in this State or any other jurisdiction of a felony,  
32 unless the court determines that any such conviction should not  
33 disqualify the person from serving as guardian for the protected  
34 person or proposed protected person.

35 3. If the court finds that two or more nominated persons are  
36 qualified and suitable to be appointed as guardian for a protected  
37 person or proposed protected person, the court may appoint two or  
38 more nominated persons as co-guardians or shall give preference  
39 among them in the following order of preference:

40 (a) A person whom the protected person or proposed protected  
41 person nominated for the appointment as guardian for the protected  
42 person or proposed protected person in a will, trust or other written  
43 instrument that is part of the established estate plan of the protected  
44 person or proposed protected person and was executed by the



1 protected person or proposed protected person while he or she was  
2 not incapacitated.

3 (b) A person whom the protected person or proposed protected  
4 person requested for the appointment as guardian for the protected  
5 person or proposed protected person in a request to nominate a  
6 guardian that is executed in accordance with NRS 159.0753.

7 4. Subject to the preferences set forth in subsections 1 and 3,  
8 the court shall appoint as guardian the qualified person who is most  
9 suitable and is willing to serve. In determining which qualified  
10 person is most suitable, the court shall, in addition to considering  
11 any applicable factors set forth in subsection 2, give consideration,  
12 among other factors, to:

13 (a) Any nomination or request for the appointment as guardian  
14 by the protected person or proposed protected person.

15 (b) Any nomination or request for the appointment as guardian  
16 by a relative.

17 (c) The relationship by blood, adoption, marriage or domestic  
18 partnership of the proposed guardian to the protected person or  
19 proposed protected person. In considering preferences of  
20 appointment, the court may consider relatives of the half blood  
21 equally with those of the whole blood. The court may consider any  
22 relative in the following order of preference:

23 (1) A spouse or domestic partner.

24 (2) A child.

25 (3) A parent.

26 (4) Any relative with whom the protected person or proposed  
27 protected person has resided for more than 6 months before the  
28 filing of the petition or any relative who has a power of attorney  
29 executed by the protected person or proposed protected person while  
30 he or she was not incapacitated.

31 (5) Any relative currently acting as agent.

32 (6) A sibling.

33 (7) A grandparent or grandchild.

34 (8) An uncle, aunt, niece, nephew or cousin.

35 (9) Any other person recognized to be in a familial  
36 relationship with the protected person or proposed protected person.

37 (d) Any recommendation made by a master of the court or  
38 special master pursuant to NRS 159.0615.

39 (e) Any request for the appointment of any other interested  
40 person that the court deems appropriate, including, without  
41 limitation, a person who is not a relative and who has a power of  
42 attorney executed by the protected person or proposed protected  
43 person while he or she was not incapacitated.

44 5. The court may appoint as guardian any nominated person,  
45 relative or other person listed in subsection 4 who is not a resident



1 of this State. The court shall not give preference to a resident of this  
2 State over a nonresident if the court determines that:

3 (a) The nonresident is more qualified and suitable to serve as  
4 guardian; and

5 (b) The distance from the proposed guardian's place of  
6 residence and the place of residence of the protected person or  
7 proposed protected person will not affect the quality of the  
8 guardianship or the ability of the proposed guardian to make  
9 decisions and respond quickly to the needs of the protected person  
10 or proposed protected person because:

11 (1) A person or care provider in this State is providing  
12 continuing care and supervision for the protected person or proposed  
13 protected person;

14 (2) The protected person or proposed protected person is in a  
15 secured residential long-term care facility in this State; or

16 (3) Within 30 days after the appointment of the proposed  
17 guardian, the proposed guardian will move to this State or the  
18 protected person or proposed protected person will move to the  
19 proposed guardian's state of residence.

20 6. If the court appoints a nonresident as guardian for the  
21 protected person or proposed protected person:

22 (a) The jurisdictional requirements of NRS 159.1991 to  
23 159.2029, inclusive, must be met.

24 (b) The court shall order the guardian to designate a registered  
25 agent in this State in the same manner as a represented entity  
26 pursuant to chapter 77 of NRS and provide notice of the designation  
27 of a registered agent to the court. After the court is provided with  
28 such notice, the court shall monitor the information of the registered  
29 agent using the records of the Secretary of State.

30 (c) The court may require the guardian to complete any  
31 available training concerning guardianships pursuant to NRS  
32 159.0592, in this State or in the state of residence of the guardian,  
33 regarding:

34 (1) The legal duties and responsibilities of the guardian  
35 pursuant to this chapter;

36 (2) The preparation of records and the filing of  
37 annual reports regarding the finances and well-being of the  
38 protected person or proposed protected person required pursuant to  
39 NRS 159.073;

40 (3) The rights of the protected person or proposed protected  
41 person;

42 (4) The availability of local resources to aid the protected  
43 person or proposed protected person; and

44 (5) Any other matter the court deems necessary or prudent.



1 7. If the court finds that there is not any suitable nominated  
2 person, relative or other person listed in subsection 4 to appoint as  
3 guardian, the court may appoint as guardian:

4 (a) The public guardian of the county where the protected  
5 person or proposed protected person resides if:

6 (1) There is a public guardian in the county where the  
7 protected person or proposed protected person resides; and

8 (2) The protected person or proposed protected person  
9 qualifies for a public guardian pursuant to chapter 253 of NRS;

10 (b) A private fiduciary who may obtain a bond in this State and  
11 who is a resident of this State, if the court finds that the interests of  
12 the protected person or proposed protected person will be served  
13 appropriately by the appointment of a private fiduciary; or

14 (c) A private professional guardian who meets the requirements  
15 of NRS 159.0595 or 159A.0595.

16 8. A person is not qualified to be appointed as guardian for a  
17 protected person or proposed protected person if the person has been  
18 suspended for misconduct or disbarred from any of the professions  
19 listed in this subsection, but the disqualification applies only during  
20 the period of the suspension or disbarment. This subsection applies  
21 to:

22 (a) The practice of law;

23 (b) The practice of accounting; or

24 (c) Any other profession that:

25 (1) Involves or may involve the management or sale of  
26 money, investments, securities or real property; and

27 (2) Requires licensure in this State or any other state in  
28 which the person practices his or her profession.

29 9. As used in this section:

30 (a) "Domestic partner" means a person in a domestic  
31 partnership.

32 (b) "Domestic partnership" means a domestic partnership as  
33 defined in NRS 122A.040.

34 (c) "Nominated person" means a person, whether or not a  
35 relative, whom a protected person or proposed protected person:

36 (1) Nominates for the appointment as guardian for the  
37 protected person or proposed protected person in a will, trust or  
38 other written instrument that is part of the established estate plan of  
39 the protected person or proposed protected person and was executed  
40 by the protected person or proposed protected person while he or  
41 she was not incapacitated.

42 (2) Requests for the appointment as guardian for the  
43 protected person or proposed protected person in a request to  
44 nominate a guardian that is executed in accordance with  
45 NRS 159.0753.



1 (d) "Relative" means a person who is 18 years of age or older  
2 and who is related to the protected person or proposed protected  
3 person by blood, adoption, marriage or domestic partnership within  
4 the third degree of consanguinity or affinity.

5 **Sec. 190.** NRS 159A.061 is hereby amended to read as  
6 follows:

7 159A.061 1. The parents of a proposed protected minor, or  
8 either parent, if qualified and suitable, are preferred over all others  
9 for appointment as guardian for the person or estate or person and  
10 estate of the proposed protected minor. The appointment of a parent  
11 as guardian for the person or estate of a proposed protected minor  
12 must not conflict with a valid order for custody of the proposed  
13 protected minor.

14 2. Except as otherwise provided in subsection 4, if a parent of a  
15 proposed protected minor files a petition seeking appointment as  
16 guardian for the proposed protected minor, the parent is presumed to  
17 be suitable to serve as guardian for the proposed protected minor.

18 3. In determining whether the parents of a proposed protected  
19 minor, or either parent, or any other person who seeks appointment  
20 as guardian for the proposed protected minor is qualified and  
21 suitable, the court shall consider, if applicable and without  
22 limitation:

23 (a) Which parent has physical custody of the proposed protected  
24 minor;

25 (b) The ability of the parents, parent or other person to provide  
26 for the basic needs of the proposed protected minor, including,  
27 without limitation, food, shelter, clothing and medical care, taking  
28 into consideration any special needs of the proposed protected  
29 minor;

30 (c) Whether the parents, parent or other person has engaged in  
31 the habitual use of alcohol or any controlled substance during the  
32 previous 6 months, except the use of marijuana in accordance with  
33 the provisions of *the* chapter ~~[453A of NRS;]~~ *consisting of sections*  
34 *125 to 171, inclusive, of this act;*

35 (d) Whether the parents, parent or other person has been  
36 convicted of a crime of moral turpitude, a crime involving domestic  
37 violence or a crime involving the abuse, neglect, exploitation,  
38 isolation or abandonment of a child, his or her spouse, his or her  
39 parent or any other adult;

40 (e) Whether the parents, parent or other person has been  
41 convicted in this State or any other jurisdiction of a felony; and

42 (f) Whether the parents, parent or other person has engaged in  
43 one or more acts of domestic violence against the proposed  
44 protected minor, a parent of the proposed protected minor or any  
45 other person who resides with the proposed protected minor.





1 4. A parent of a proposed protected minor is presumed to be  
2 unsuitable to care for the proposed protected minor if:

3 (a) The parent is unable to provide for any or all of the basic  
4 needs of the proposed protected minor, including, without  
5 limitation:

- 6 (1) Food;
- 7 (2) Shelter;
- 8 (3) Clothing;
- 9 (4) Medical care; and
- 10 (5) Education;

11 (b) Because of action or inaction, the parent poses a significant  
12 safety risk of either physical or emotional danger to the proposed  
13 protected minor; or

14 (c) The proposed protected minor has not been in the care,  
15 custody and control of the parent for the 6 months immediately  
16 preceding the filing of the petition. The presumption created by this  
17 paragraph is a rebuttable presumption.

18 5. Subject to the preference set forth in subsection 1 and except  
19 as otherwise provided in subsection 7, the court shall appoint as  
20 guardian the qualified person who is most suitable and is willing to  
21 serve.

22 6. In determining which qualified person is most suitable, the  
23 court shall, in addition to considering any applicable factors set forth  
24 in subsections 2, 3 and 4, give consideration, among other factors,  
25 to:

26 (a) Any nomination of a guardian for the proposed protected  
27 minor contained in a will or other written instrument executed by a  
28 parent of the proposed protected minor.

29 (b) Any request made by the proposed protected minor, if he or  
30 she is 14 years of age or older, for the appointment of a person as  
31 guardian for the proposed protected minor.

32 (c) The relationship by blood or adoption of the proposed  
33 guardian to the proposed protected minor. In considering  
34 preferences of appointment, the court may consider relatives of the  
35 half blood equally with those of the whole blood. The court may  
36 consider relatives in the following order of preference:

- 37 (1) Parent.
- 38 (2) Adult sibling.
- 39 (3) Grandparent.
- 40 (4) Uncle or aunt.

41 (d) Any recommendation made by a master of the court or  
42 special master pursuant to NRS 159A.0615.

43 (e) Any recommendation made by:



1 (1) An agency which provides child welfare services, an  
2 agency which provides child protective services or a similar agency;  
3 or

4 (2) A guardian ad litem or court appointed special advocate  
5 who represents the proposed protected minor.

6 (f) Any request for the appointment of any other interested  
7 person that the court deems appropriate.

8 7. The court may award temporary guardianship pursuant to  
9 this section, supported by findings of suitability, pending a trial or  
10 evidentiary hearing if that appointment is supported by findings.

11 8. Notwithstanding the presumption set forth in subsection 4,  
12 in the event of competing petitions for the appointment of  
13 guardianship of a proposed protected minor, any finding of  
14 unsuitability of a parent of the proposed protected minor must be  
15 found by clear and convincing evidence after a hearing on the merits  
16 or an evidentiary hearing.

17 9. In determining whether to appoint a guardian of the person  
18 or estate of a proposed protected minor and who should be  
19 appointed, the court must always act in the best interests of the  
20 proposed protected minor.

21 10. As used in this section, "agency which provides child  
22 welfare services" has the meaning ascribed to it in NRS 432B.030.

23 **Sec. 191.** NRS 176.01247 is hereby amended to read as  
24 follows:

25 176.01247 1. There is hereby created the Subcommittee on  
26 the Medical Use of Marijuana of the Commission.

27 2. The Chair of the Commission shall appoint the members of  
28 the Subcommittee. The Subcommittee must consist of legislative  
29 and nonlegislative members, including, without limitation:

30 (a) At least four Legislators, who may or may not be members  
31 of the Commission.

32 (b) A representative of the Division of Public and Behavioral  
33 Health of the Department of Health and Human Services.

34 (c) A patient who holds a valid registry identification card to  
35 engage in the medical use of marijuana pursuant to *the* chapter  
36 ~~[453A of NRS.]~~ *consisting of sections 125 to 171, inclusive, of this*  
37 *act.*

38 (d) An owner or operator of a *medical cannabis* cultivation  
39 facility that is certified to operate pursuant to *the* chapter ~~[453A of~~  
40 ~~NRS.]~~ *consisting of sections 84 to 123, inclusive, of this act.*

41 (e) An owner or operator of a *medical cannabis production*  
42 facility ~~[for the production of edible marijuana products or~~  
43 ~~marijuana infused products]~~ that is certified to operate pursuant to  
44 *the* chapter ~~[453A of NRS.]~~ *consisting of sections 84 to 123,*  
45 *inclusive, of this act.*



1 (f) An owner or operator of a medical ~~[marijuana]~~ *cannabis*  
2 dispensary that is certified to operate pursuant to *the* chapter ~~[453A~~  
3 ~~of NRS.]~~ *consisting of sections 84 to 123, inclusive, of this act.*

4 (g) A representative of the Attorney General.

5 (h) A representative of a civil liberties organization.

6 (i) A representative of an organization which advocates for  
7 persons who use marijuana for medicinal purposes.

8 (j) A representative of a law enforcement agency located within  
9 the jurisdiction of Clark County.

10 (k) A representative of a law enforcement agency located within  
11 the jurisdiction of Washoe County.

12 (l) A representative of local government.

13 3. The Chair of the Commission shall designate one of the  
14 legislative members of the Commission as Chair of the  
15 Subcommittee.

16 4. The Subcommittee shall meet at the times and places  
17 specified by a call of the Chair. A majority of the members of the  
18 Subcommittee constitutes a quorum, and a quorum may exercise  
19 any power or authority conferred on the Subcommittee.

20 5. The Subcommittee shall:

21 (a) Consider issues concerning the medical use of marijuana, the  
22 dispensation of marijuana for medical use and the implementation of  
23 provisions of law providing for the dispensation of marijuana for  
24 medical use; and

25 (b) Evaluate, review and submit a report to the Commission  
26 with recommendations concerning such issues.

27 6. Any Legislators who are members of the Subcommittee are  
28 entitled to receive the salary provided for a majority of the members  
29 of the Legislature during the first 60 days of the preceding session  
30 for each day's attendance at a meeting of the Subcommittee.

31 7. While engaged in the business of the Subcommittee, to the  
32 extent of legislative appropriation, each member of the  
33 Subcommittee is entitled to receive the per diem allowance and  
34 travel expenses provided for state officers and employees generally.

35 **Sec. 192.** NRS 207.335 is hereby amended to read as follows:

36 207.335 1. It is unlawful for any person to:

37 (a) Counterfeit or forge or attempt to counterfeit or forge a  
38 registry identification card or letter of approval; or

39 (b) Have in his or her possession with the intent to use any  
40 counterfeit or forged registry identification card or letter of  
41 approval.

42 2. Any person who violates the provisions of subsection 1 is  
43 guilty of a category E felony and shall be punished as provided in  
44 NRS 193.130.

45 3. As used in this section:



1 (a) "Letter of approval" has the meaning ascribed to it in ~~NRS~~  
2 ~~453A.109.]~~ *section 132 of this act.*

3 (b) "Registry identification card" has the meaning ascribed to it  
4 in ~~NRS 453A.140.]~~ *section 133 of this act.*

5 **Sec. 193.** NRS 212.160 is hereby amended to read as follows:

6 212.160 1. A person, who is not authorized by law, who  
7 knowingly furnishes, attempts to furnish, or aids or assists in  
8 furnishing or attempting to furnish to a prisoner confined in an  
9 institution of the Department of Corrections, or any other place  
10 where prisoners are authorized to be or are assigned by the Director  
11 of the Department, any deadly weapon, explosive, a facsimile of a  
12 firearm or an explosive, any controlled substance or intoxicating  
13 liquor, shall be punished:

14 (a) Where a deadly weapon, controlled substance, explosive or a  
15 facsimile of a firearm or explosive is involved, for a category B  
16 felony by imprisonment in the state prison for a minimum term of  
17 not less than 1 year and a maximum term of not more than 6 years,  
18 and may be further punished by a fine of not more than \$5,000.

19 (b) Where an intoxicant is involved, for a gross misdemeanor.

20 2. Knowingly leaving or causing to be left any deadly weapon,  
21 explosive, facsimile of a firearm or explosive, controlled substance  
22 or intoxicating liquor where it may be obtained by any prisoner  
23 constitutes, within the meaning of this section, the furnishing of the  
24 article to the prisoner.

25 3. A prisoner confined in an institution of the Department of  
26 Corrections, or any other place where prisoners are authorized to be  
27 or are assigned by the Director of the Department, who possesses a  
28 controlled substance without lawful authorization or marijuana or  
29 marijuana paraphernalia, regardless of whether the person holds a  
30 valid registry identification card to engage in the medical use of  
31 marijuana pursuant to *the* chapter ~~[453A of NRS,]~~ *consisting of*  
32 *sections 125 to 171, inclusive, of this act* is guilty of a category D  
33 felony and shall be punished as provided in NRS 193.130.

34 **Sec. 194.** NRS 213.123 is hereby amended to read as follows:

35 213.123 1. Upon the granting of parole to a prisoner, the  
36 Board may, when the circumstances warrant, require as a condition  
37 of parole that the parolee submit to periodic tests to determine  
38 whether the parolee is using any controlled substance. Any such use,  
39 except the use of marijuana in accordance with the provisions of *the*  
40 chapter ~~[453A of NRS]~~ *consisting of sections 125 to 171, inclusive,*  
41 *of this act* or any failure or refusal to submit to a test is a ground for  
42 revocation of parole.

43 2. Any expense incurred as a result of any test is a charge  
44 against the Division.



1       **Sec. 195.** NRS 223.250 is hereby amended to read as follows:

2       223.250 1. The Governor or his or her designee may enter  
3 into one or more agreements with tribal governments in this State to  
4 efficiently coordinate the cross-jurisdictional administration of the  
5 laws of this State and the laws of tribal governments relating to the  
6 use of marijuana. Such an agreement may include, without  
7 limitation, provisions relating to:

8       (a) Criminal and civil law enforcement;

9       (b) Regulatory issues relating to the possession, delivery,  
10 production, processing or use of marijuana ~~[-, edible marijuana~~  
11 ~~products, marijuana infused products and marijuana]~~ *or cannabis*  
12 products;

13       (c) Medical and pharmaceutical research involving marijuana;

14       (d) The administration of laws relating to taxation;

15       (e) Any immunity, preemption or conflict of law relating to the  
16 possession, delivery, production, processing, transportation or use of  
17 marijuana ~~[-, edible marijuana products, marijuana infused products~~  
18 ~~and marijuana]~~ *or cannabis* products; and

19       (f) The resolution of any disputes between a tribal government  
20 and this State, which may include, without limitation, the use of  
21 mediation or other nonjudicial processes.

22       2. An agreement entered into pursuant to this section must:

23       (a) Provide for the preservation of public health and safety;

24       (b) Ensure the security of ~~[-medical marijuana establishments~~  
25 ~~and marijuana]~~ *cannabis* establishments and the corresponding  
26 facilities on tribal land; and

27       (c) Establish provisions regulating business involving marijuana  
28 which passes between tribal land and non-tribal land in this State.

29       3. As used in this section:

30       (a) ~~[-“Edible marijuana”]~~ *“Cannabis establishment” has the*  
31 *meaning ascribed to it in section 22 of this act.*

32       (b) *“Cannabis* products” has the meaning ascribed to it in  
33 ~~[-NRS 453A.101.~~

34 ~~—(b)]~~ *section 27 of this act.*

35       (c) “Marijuana” has the meaning ascribed to it in NRS 453.096.

36       ~~[-(e) “Marijuana establishment” has the meaning ascribed to it in~~  
37 ~~NRS 453D.030.]~~

38       ~~[-(d) “Marijuana infused products” has the meaning ascribed to it~~  
39 ~~in NRS 453A.112.~~

40 ~~—(e) “Marijuana product” has the meaning ascribed to it in~~  
41 ~~NRS 453D.030.~~

42 ~~—(f)]~~ “Tribal government” means a federally recognized  
43 American Indian tribe pursuant to 25 C.F.R. §§ 83.1 to 83.13,  
44 inclusive.



1     **Sec. 196.** NRS 233B.039 is hereby amended to read as  
2 follows:

3     233B.039 1. The following agencies are entirely exempted  
4 from the requirements of this chapter:

5     (a) The Governor.

6     (b) Except as otherwise provided in NRS 209.221, the  
7 Department of Corrections.

8     (c) The Nevada System of Higher Education.

9     (d) The Office of the Military.

10    (e) The Nevada Gaming Control Board.

11    (f) Except as otherwise provided in NRS 368A.140 and 463.765,  
12 the Nevada Gaming Commission.

13    (g) Except as otherwise provided in NRS 425.620, the Division  
14 of Welfare and Supportive Services of the Department of Health and  
15 Human Services.

16    (h) Except as otherwise provided in NRS 422.390, the Division  
17 of Health Care Financing and Policy of the Department of Health  
18 and Human Services.

19    (i) The State Board of Examiners acting pursuant to chapter 217  
20 of NRS.

21    (j) Except as otherwise provided in NRS 533.365, the Office of  
22 the State Engineer.

23    (k) The Division of Industrial Relations of the Department  
24 of Business and Industry acting to enforce the provisions of  
25 NRS 618.375.

26    (l) The Administrator of the Division of Industrial Relations of  
27 the Department of Business and Industry in establishing and  
28 adjusting the schedule of fees and charges for accident benefits  
29 pursuant to subsection 2 of NRS 616C.260.

30    (m) The Board to Review Claims in adopting resolutions to  
31 carry out its duties pursuant to NRS 445C.310.

32    (n) The Silver State Health Insurance Exchange.

33    (o) ***The Cannabis Compliance Board.***

34    2. Except as otherwise provided in subsection 5 and NRS  
35 391.323, the Department of Education, the Board of the Public  
36 Employees' Benefits Program and the Commission on Professional  
37 Standards in Education are subject to the provisions of this chapter  
38 for the purpose of adopting regulations but not with respect to any  
39 contested case.

40    3. The special provisions of:

41    (a) Chapter 612 of NRS for the distribution of regulations by  
42 and the judicial review of decisions of the Employment Security  
43 Division of the Department of Employment, Training and  
44 Rehabilitation;



1 (b) Chapters 616A to 617, inclusive, of NRS for the  
2 determination of contested claims;

3 (c) Chapter 91 of NRS for the judicial review of decisions of the  
4 Administrator of the Securities Division of the Office of the  
5 Secretary of State; and

6 (d) NRS 90.800 for the use of summary orders in contested  
7 cases,

8 ↪ prevail over the general provisions of this chapter.

9 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and  
10 233B.126 do not apply to the Department of Health and Human  
11 Services in the adjudication of contested cases involving the  
12 issuance of letters of approval for health facilities and agencies.

13 5. The provisions of this chapter do not apply to:

14 (a) Any order for immediate action, including, but not limited  
15 to, quarantine and the treatment or cleansing of infected or infested  
16 animals, objects or premises, made under the authority of the State  
17 Board of Agriculture, the State Board of Health, or any other agency  
18 of this State in the discharge of a responsibility for the preservation  
19 of human or animal health or for insect or pest control;

20 (b) An extraordinary regulation of the State Board of Pharmacy  
21 adopted pursuant to NRS 453.2184;

22 (c) A regulation adopted by the State Board of Education  
23 pursuant to NRS 388.255 or 394.1694;

24 (d) The judicial review of decisions of the Public Utilities  
25 Commission of Nevada; or

26 (e) The adoption, amendment or repeal of policies by the  
27 Rehabilitation Division of the Department of Employment, Training  
28 and Rehabilitation pursuant to NRS 426.561 or 615.178.

29 6. The State Board of Parole Commissioners is subject to the  
30 provisions of this chapter for the purpose of adopting regulations but  
31 not with respect to any contested case.

32 **Sec. 197.** NRS 239.010 is hereby amended to read as follows:

33 239.010 1. Except as otherwise provided in this section and  
34 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,  
35 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
36 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
37 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
38 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
39 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
40 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
41 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,  
42 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130,  
43 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,  
44 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625,  
45 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,





1 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772,  
2 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,  
3 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,  
4 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625,  
5 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450,  
6 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105,  
7 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,  
8 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,  
9 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
10 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
11 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685,  
12 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438,  
13 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
14 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510,  
15 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
16 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
17 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,  
18 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,  
19 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,  
20 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
21 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,  
22 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,  
23 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,  
24 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
25 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,  
26 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
27 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,  
28 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,  
29 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,  
30 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
31 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,  
32 453.164, 453.720, ~~453A.610, 453A.700,~~ 458.055, 458.280,  
33 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120,  
34 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005,  
35 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
36 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316,  
37 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655,  
38 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070,  
39 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315,  
40 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,  
41 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
42 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336,  
43 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301,  
44 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
45 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,



1 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745,  
2 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191,  
3 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524,  
4 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082,  
5 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135,  
6 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,  
7 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110,  
8 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310,  
9 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243,  
10 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690,  
11 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873,  
12 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115,  
13 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117,  
14 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354,  
15 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196,  
16 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*  
17 *sections 66, 162 and 165 of this act*, sections 35, 38 and 41 of  
18 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,  
19 Statutes of Nevada 2013 and unless otherwise declared by law to be  
20 confidential, all public books and public records of a governmental  
21 entity must be open at all times during office hours to inspection by  
22 any person, and may be fully copied or an abstract or memorandum  
23 may be prepared from those public books and public records. Any  
24 such copies, abstracts or memoranda may be used to supply the  
25 general public with copies, abstracts or memoranda of the records or  
26 may be used in any other way to the advantage of the governmental  
27 entity or of the general public. This section does not supersede or in  
28 any manner affect the federal laws governing copyrights or enlarge,  
29 diminish or affect in any other manner the rights of a person in any  
30 written book or record which is copyrighted pursuant to federal law.

31 2. A governmental entity may not reject a book or record  
32 which is copyrighted solely because it is copyrighted.

33 3. A governmental entity that has legal custody or control of a  
34 public book or record shall not deny a request made pursuant to  
35 subsection 1 to inspect or copy or receive a copy of a public book or  
36 record on the basis that the requested public book or record contains  
37 information that is confidential if the governmental entity can  
38 redact, delete, conceal or separate the confidential information from  
39 the information included in the public book or record that is not  
40 otherwise confidential.

41 4. A person may request a copy of a public record in any  
42 medium in which the public record is readily available. An officer,  
43 employee or agent of a governmental entity who has legal custody  
44 or control of a public record:



1 (a) Shall not refuse to provide a copy of that public record in a  
2 readily available medium because the officer, employee or agent has  
3 already prepared or would prefer to provide the copy in a different  
4 medium.

5 (b) Except as otherwise provided in NRS 239.030, shall, upon  
6 request, prepare the copy of the public record and shall not require  
7 the person who has requested the copy to prepare the copy himself  
8 or herself.

9 **Sec. 198.** NRS 244.35253 is hereby amended to read as  
10 follows:

11 244.35253 1. Except as otherwise provided in this section, a  
12 board of county commissioners shall not fix, impose or collect a  
13 license tax for revenue or for regulation, or for both revenue and  
14 regulation, on a ~~{marijuana establishment or medical marijuana}~~  
15 *cannabis* establishment located in the county.

16 2. Except as otherwise provided in subsection 3, a board of  
17 county commissioners may fix, impose and collect a license tax for  
18 revenue or for regulation, or for both revenue and regulation, on a  
19 ~~{marijuana establishment or medical marijuana}~~ *cannabis*  
20 establishment located in the county outside of the limits of  
21 incorporated cities and towns as a:

22 (a) Flat fee;

23 (b) Percentage of the gross revenue of the ~~{marijuana~~  
24 ~~establishment or medical marijuana}~~ *cannabis* establishment; or

25 (c) Combination of a flat fee and a percentage of gross revenue  
26 of the ~~{marijuana establishment or medical marijuana}~~ *cannabis*  
27 establishment.

28 3. The total amount of a license tax imposed on a ~~{marijuana~~  
29 ~~establishment or medical marijuana}~~ *cannabis* establishment  
30 pursuant to subsection 2, regardless of whether the license tax is  
31 imposed in the form described in paragraph (a), (b) or (c) of  
32 subsection 2, must not exceed 3 percent of the gross revenue of the  
33 ~~{marijuana establishment or medical marijuana}~~ *cannabis*  
34 establishment, as applicable.

35 4. In addition to any amount of money collected as a license  
36 tax pursuant to subsection 2, a board of county commissioners may  
37 fix, impose and collect:

38 (a) Any fees required pursuant to chapter 278 of NRS;

39 (b) A one-time flat fee for an application for the issuance of a  
40 business license for a ~~{marijuana establishment or medical~~  
41 ~~marijuana}~~ *cannabis* establishment located in the county outside of  
42 the limits of incorporated cities and towns in an amount that does  
43 not exceed any similar fee imposed on a business pursuant to this  
44 chapter and chapter 369 of NRS; and



1 (c) A licensing tax for a business activity engaged in by a  
2 ~~[marijuana establishment or medical marijuana]~~ **cannabis**  
3 establishment located in the county outside of the limits of  
4 incorporated cities and towns for which ~~[registration pursuant to~~  
5 ~~chapter 453A of NRS or]~~ licensing pursuant to ~~[chapter 453D of~~  
6 ~~NRS]~~ **the chapter consisting of sections 84 to 123, inclusive, of this**  
7 **act** is not required only if:

8 (1) The board of county commissioners is granted the  
9 authority to require such a license by some other provision of law;  
10 and

11 (2) The amount of the licensing tax does not exceed the  
12 amount imposed by the board of county commissioners on other  
13 similar businesses.

14 5. A board of county commissioners shall not enact or enforce  
15 any ordinance which is more restrictive than or conflicts with a law  
16 or regulation of this State relating to:

17 (a) The packaging, labeling, testing, dosage or potency of  
18 marijuana ~~[, edible marijuana products, marijuana products or~~  
19 ~~marijuana infused]~~ **or cannabis** products;

20 (b) The kinds of marijuana ~~[, edible marijuana products,~~  
21 ~~marijuana products and marijuana infused]~~ **or cannabis** products  
22 authorized to be sold pursuant to ~~[chapters 453A and 453D of NRS~~  
23 ~~and any regulations adopted pursuant to chapter 453A of NRS;]~~ **the**  
24 **title consisting of sections 3 to 82, inclusive, 84 to 123, inclusive,**  
25 **125 to 171, inclusive, and 173 to 187, inclusive, of this act;**

26 (c) The use of pesticides in the cultivation of marijuana;

27 (d) The tracking of marijuana from seed to sale;

28 (e) The transportation of marijuana ~~[, edible marijuana products,~~  
29 ~~marijuana products or marijuana infused]~~ **or cannabis** products  
30 other than the direct transportation of marijuana ~~[, edible marijuana~~  
31 ~~products, marijuana products or marijuana infused]~~ **or cannabis**  
32 products to a consumer and a requirement to notify the county of  
33 any transportation of marijuana ~~[, edible marijuana products,~~  
34 ~~marijuana products or marijuana infused]~~ **or cannabis** products;

35 (f) The issuance or verification of a registry identification card,  
36 letter of approval or written documentation;

37 (g) The training or certification of ~~[medical marijuana]~~ **cannabis**  
38 establishment agents or employees of a ~~[marijuana]~~ **cannabis**  
39 establishment; or

40 (h) The creation or maintenance of a registry or other system to  
41 obtain and track information relating to customers of ~~[marijuana]~~  
42 **cannabis** establishments or holders of a registry identification card  
43 or letter of approval.

44 6. A person who obtains a business license described in this  
45 section is subject to all other licensing and permitting requirements



1 of the State and any other counties and cities in which the person  
2 does business.

3 7. As used in this section:

4 (a) ~~["Edible marijuana"]~~ *"Cannabis establishment" has the*  
5 *meaning ascribed to it in section 22 of this act.*

6 (b) *"Cannabis establishment agent" has the meaning ascribed*  
7 *to it in section 23 of this act.*

8 (c) *"Cannabis products" has the meaning ascribed to it in*  
9 ~~NRS 453A.101.~~

10 ~~—(b)—~~ *section 27 of this act.*

11 (d) "Letter of approval" has the meaning ascribed to it in ~~NRS~~  
12 ~~453A.109.]~~ *section 132 of this act.*

13 ~~[(c) "Marijuana establishment" has the meaning ascribed to it in~~  
14 ~~NRS 453D.030.~~

15 ~~—(d) "Marijuana products" has the meaning ascribed to it in~~  
16 ~~NRS 453D.030.]~~

17 (e) ~~["Marijuana infused products" has the meaning ascribed to it~~  
18 ~~in NRS 453A.112.~~

19 ~~—(f) "Medical marijuana establishment" has the meaning ascribed~~  
20 ~~to it in NRS 453A.116.~~

21 ~~—(g) "Medical marijuana establishment agent" has the meaning~~  
22 ~~ascribed to it in NRS 453A.117.~~

23 ~~—(h)—~~ "Registry identification card" has the meaning ascribed to it  
24 in ~~NRS 453A.140.~~

25 ~~—(i)—~~ *section 133 of this act.*

26 (f) "Written documentation" has the meaning ascribed to it in  
27 ~~NRS 453A.170.]~~ *section 136 of this act.*

28 **Sec. 199.** NRS 268.0977 is hereby amended to read as  
29 follows:

30 268.0977 1. Except as otherwise provided in this section, the  
31 governing body of an incorporated city, whether organized under  
32 general law or special charter, shall not fix, impose or collect for  
33 revenues or for regulation, or both, a license tax on a ~~[marijuana~~  
34 ~~establishment or medical marijuana]~~ *cannabis* establishment located  
35 within its corporate limits.

36 2. Except as otherwise provided in subsection 3, the governing  
37 body of an incorporated city, whether organized under general law  
38 or special charter, may fix, impose and collect for revenues or for  
39 regulation, or both, a license tax on a ~~[marijuana establishment or~~  
40 ~~medical marijuana]~~ *cannabis* establishment located within its  
41 corporate limits as a:

42 (a) Flat fee;

43 (b) Percentage of the gross revenue of the ~~[marijuana~~  
44 ~~establishment or medical marijuana]~~ *cannabis* establishment; or



1 (c) Combination of a flat fee and a percentage of gross revenue  
2 of the ~~[marijuana establishment or medical marijuana]~~ *cannabis*  
3 establishment.

4 3. The total amount of a license tax imposed on a ~~[marijuana~~  
5 ~~establishment or medical marijuana]~~ *cannabis* establishment  
6 pursuant to subsection 2, regardless of whether the license tax is  
7 imposed in the form described in paragraph (a), (b) or (c) of  
8 subsection 2, must not exceed 3 percent of the gross revenue of the  
9 ~~[marijuana establishment or medical marijuana]~~ *cannabis*  
10 establishment, as applicable.

11 4. In addition to any amount of money collected as a license  
12 tax pursuant to subsection 2, the governing body of an incorporated  
13 city, whether organized under general law or special charter, may  
14 fix, impose and collect:

15 (a) Any fees required pursuant to chapter 278 of NRS;

16 (b) A one-time flat fee for an application for the issuance of a  
17 business license for a ~~[marijuana establishment or medical~~  
18 ~~marijuana]~~ *cannabis* establishment located within its corporate  
19 limits in an amount that does not exceed any similar fee imposed on  
20 a business pursuant to this chapter and chapter 369 of NRS; and

21 (c) A licensing tax for a business activity engaged in by a  
22 ~~[marijuana establishment or medical marijuana]~~ *cannabis*  
23 establishment located within its corporate limits for which  
24 ~~[registration pursuant to chapter 453A of NRS or]~~ licensing pursuant  
25 to *the* chapter ~~[453D of NRS]~~ *consisting of sections 84 to 123,*  
26 *inclusive, of this act* is not required only if:

27 (1) The governing body is granted the authority to require  
28 such a license by some other provision of law; and

29 (2) The amount of the licensing tax does not exceed the  
30 amount imposed by the governing body on other similar businesses.

31 5. The governing body of an incorporated city, whether  
32 organized under general law or special charter, shall not enact or  
33 enforce any ordinance which is more restrictive than or conflicts  
34 with a law or regulation of this State relating to:

35 (a) The packaging, labeling, testing, dosage or potency of  
36 marijuana ~~[, edible marijuana products, marijuana products or~~  
37 ~~marijuana infused]~~ *or cannabis* products;

38 (b) The kinds of ~~[edible marijuana products, marijuana products~~  
39 ~~and marijuana infused]~~ *cannabis* products authorized to be sold  
40 pursuant to ~~[chapters 453A and 453D of NRS and any regulations~~  
41 ~~adopted pursuant to chapter 453A of NRS;]~~ *the title consisting of*  
42 *sections 3 to 82, inclusive, 84 to 123, inclusive, 125 to 171,*  
43 *inclusive, and 173 to 187, inclusive, of this act;*

44 (c) The use of pesticides in the cultivation of marijuana;

45 (d) The tracking of marijuana from seed to sale;



1 (e) The transportation of marijuana ~~[, edible marijuana products,~~  
2 ~~marijuana products or marijuana infused]~~ **or cannabis** products  
3 other than the direct transportation of marijuana ~~[, edible marijuana~~  
4 ~~products, marijuana products or marijuana infused]~~ **or cannabis**  
5 products to a consumer and a requirement to notify the city of any  
6 transportation of marijuana ~~[, edible marijuana products, marijuana~~  
7 ~~products or marijuana infused]~~ **or cannabis** products;

8 (f) The issuance or verification of a registry identification card,  
9 letter of approval or written documentation;

10 (g) The training or certification of ~~[medical marijuana]~~ **cannabis**  
11 establishment agents ; ~~[or employees of a marijuana establishment;]~~  
12 or

13 (h) The creation or maintenance of a registry or other system to  
14 obtain and track information relating to customers of ~~[marijuana]~~  
15 **cannabis** establishments or holders of a registry identification card  
16 or letter of approval.

17 6. A person who obtains a business license described in this  
18 section is subject to all other licensing and permitting requirements  
19 of the State and any other counties and cities in which the person  
20 does business.

21 7. As used in this section:

22 (a) ~~["Edible marijuana"]~~ **"Cannabis establishment" has the**  
23 **meaning ascribed to it in section 22 of this act.**

24 (b) **"Cannabis establishment agent" has the meaning ascribed**  
25 **to it in section 23 of this act.**

26 (c) **"Cannabis products" has the meaning ascribed to it in**  
27 ~~[NRS 453A.101.~~

28 ~~—(b)] section 27 of this act.~~

29 (d) "Letter of approval" has the meaning ascribed to it in ~~[NRS~~  
30 ~~453A.109.] section 132 of this act.~~

31 ~~[(e) "Marijuana establishment" has the meaning ascribed to it in~~  
32 ~~NRS 453D.030.~~

33 ~~—(d) "Marijuana products" has the meaning ascribed to it in~~  
34 ~~NRS 453D.030.]~~

35 (e) ~~["Marijuana infused products" has the meaning ascribed to it~~  
36 ~~in NRS 453A.112.~~

37 ~~—(f) "Medical marijuana establishment" has the meaning ascribed~~  
38 ~~to it in NRS 453A.116.~~

39 ~~—(g) "Medical marijuana establishment agent" has the meaning~~  
40 ~~ascribed to it in NRS 453A.117.~~

41 ~~—(h)] "Registry identification card" has the meaning ascribed to it~~  
42 ~~in [NRS 453A.140.~~

43 ~~—(i)] section 133 of this act.~~

44 (f) "Written documentation" has the meaning ascribed to it in  
45 ~~[NRS 453A.170.] section 136 of this act.~~





**Sec. 200.** NRS 269.183 is hereby amended to read as follows:

269.183 1. Except as otherwise provided in this section, the town board or board of county commissioners in any unincorporated town shall not fix or collect a license tax on a ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment located within the town.

2. Except as otherwise provided in subsection 3, the town board or board of county commissioners in any unincorporated town may fix and collect a license tax on a ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment located within the town as a:

(a) Flat fee;

(b) Percentage of the gross revenue of the ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment; or

(c) Combination of a flat fee and a percentage of gross revenue of the ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment.

3. The total amount of a license tax imposed on a ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment pursuant to subsection 2, regardless of whether the license tax is imposed in the form described in paragraph (a), (b) or (c) of subsection 2, must not exceed 3 percent of the gross revenue of the ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment, as applicable.

4. In addition to any amount of money collected as a license tax pursuant to subsection 2, the town board or board of county commissioners in any unincorporated town may fix and collect:

(a) Any fees required pursuant to chapter 278 of NRS;

(b) A one-time flat fee for an application for the issuance of a business license for a ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment located within the town in an amount that does not exceed any similar fee imposed on a business pursuant to this chapter and chapter 369 of NRS; and

(c) A licensing tax for a business activity engaged in by a ~~["marijuana establishment or medical marijuana"]~~ *cannabis* establishment located within the town for which ~~["registration pursuant to chapter 453A of NRS or"]~~ licensing pursuant to *the* chapter ~~["453D of NRS"]~~ *consisting of sections 84 to 123, inclusive, of this act* is not required only if:

(1) The town board or board of county commissioners is granted the authority to require such a license by some other provision of law; and

(2) The amount of the licensing tax does not exceed the amount imposed by the town board or board of county commissioners on other similar businesses.



1 5. The town board or board of county commissioners in any  
2 unincorporated town shall not enact or enforce any ordinance which  
3 is more restrictive than or conflicts with a law or regulation of this  
4 State relating to:

5 (a) The packaging, labeling, testing, dosage or potency of  
6 marijuana ~~[, edible marijuana products, marijuana products or~~  
7 ~~marijuana-infused]~~ **or cannabis** products;

8 (b) The kinds of marijuana ~~[, edible marijuana products,~~  
9 ~~marijuana products and marijuana-infused]~~ **or cannabis** products  
10 authorized to be sold pursuant to ~~[chapters 453A and 453D of NRS~~  
11 ~~and any regulations adopted pursuant to chapter 453A of NRS;]~~ **the**  
12 **title consisting of sections 3 to 82, inclusive, 84 to 123, inclusive,**  
13 **125 to 171, inclusive, and 173 to 187, inclusive, of this act;**

14 (c) The use of pesticides in the cultivation of marijuana;

15 (d) The tracking of marijuana from seed to sale;

16 (e) The transportation of marijuana ~~[, edible marijuana products,~~  
17 ~~marijuana products or marijuana-infused]~~ **or cannabis** products  
18 other than the direct transportation of marijuana ~~[, edible marijuana~~  
19 ~~products, marijuana products or marijuana-infused]~~ **or cannabis**  
20 products to a consumer and a requirement to notify the town of any  
21 transportation of marijuana ~~[, edible marijuana products, marijuana~~  
22 ~~products or marijuana-infused]~~ **or cannabis** products;

23 (f) The issuance or verification of a registry identification card,  
24 letter of approval or written documentation;

25 (g) The training or certification of ~~[medical marijuana]~~ **cannabis**  
26 establishment agents ; ~~[or employees of a marijuana establishment;]~~  
27 or

28 (h) The creation or maintenance of a registry or other system to  
29 obtain and track information relating to customers of ~~[marijuana]~~  
30 **cannabis** establishments or holders of a registry identification card  
31 or letter of approval.

32 6. A person who obtains a business license described in this  
33 section is subject to all other licensing and permitting requirements  
34 of the State and any other counties and cities in which the person  
35 does business.

36 7. As used in this section:

37 (a) ~~["Edible marijuana"]~~ **"Cannabis establishment" has the**  
38 **meaning ascribed to it in section 22 of this act.**

39 (b) **"Cannabis establishment agent" has the meaning ascribed**  
40 **to it in section 23 of this act.**

41 (c) **"Cannabis** products" has the meaning ascribed to it in  
42 ~~[NRS 453A.101.~~

43 ~~—(b)]~~ **section 27 of this act.**

44 (d) "Letter of approval" has the meaning ascribed to it in ~~[NRS~~  
45 ~~453A.109.]~~ **section 132 of this act.**



1 ~~[(c) “Marijuana establishment” has the meaning ascribed to it in~~  
2 ~~NRS 453D.030.~~

3 ~~—(d) “Marijuana products” has the meaning ascribed to it in~~  
4 ~~NRS 453D.030.]~~

5 (e) ~~[(“Marijuana infused products” has the meaning ascribed to it~~  
6 ~~in NRS 453A.112.~~

7 ~~—(f) “Medical marijuana establishment” has the meaning ascribed~~  
8 ~~to it in NRS 453A.116.~~

9 ~~—(g) “Medical marijuana establishment agent” has the meaning~~  
10 ~~ascribed to it in NRS 453A.117.~~

11 ~~—(h) “Registry identification card” has the meaning ascribed to it~~  
12 ~~in [NRS 453A.140.~~

13 ~~—(i)] section 133 of this act.~~

14 (f) “Written documentation” has the meaning ascribed to it in  
15 ~~[NRS 453A.170.] section 136 of this act.~~

16 **Sec. 201.** NRS 284.4062 is hereby amended to read as  
17 follows:

18 284.4062 1. Except as otherwise provided in subsections 3  
19 and 4, an employee who:

20 (a) Consumes or is under the influence of alcohol while on duty,  
21 unless the alcohol is an integral part of a commonly recognized  
22 medication which the employee consumes pursuant to the  
23 manufacturer’s instructions or in accordance with a lawfully issued  
24 prescription;

25 (b) Possesses, consumes or is under the influence of a controlled  
26 substance while on duty, at a work site or on state property, except  
27 in accordance with a lawfully issued prescription; or

28 (c) Consumes or is under the influence of any other drug which  
29 could interfere with the safe and efficient performance of the  
30 employee’s duties, unless the drug is an integral part of a commonly  
31 recognized medication which the employee consumes pursuant to  
32 the manufacturer’s instructions or in accordance with a lawfully  
33 issued prescription,

34 ➤ is subject to disciplinary action. An appointing authority may  
35 summarily discharge an employee who, within a period of 5 years,  
36 commits a second act which would subject the employee to  
37 disciplinary action pursuant to this subsection.

38 2. Except as otherwise provided in subsection 3, a state agency  
39 shall refer an employee who:

40 (a) Tests positive for the first time in a screening test; and

41 (b) Has committed no other acts for which the employee is  
42 subject to termination during the course of conduct giving rise to the  
43 screening test,



1 ➔ to an employee assistance program. An employee who fails to  
2 accept such a referral or fails to complete such a program  
3 successfully is subject to further disciplinary action.

4 3. The Commission may adopt regulations setting forth the  
5 circumstances under which a person who holds a valid registry  
6 identification card to engage in the medical use of marijuana  
7 pursuant to *the* chapter ~~[453A of NRS]~~ *consisting of sections 125 to*  
8 *171, inclusive, of this act* is subject to disciplinary action pursuant  
9 to subsection 1 or must be referred to an employee assistance  
10 program pursuant to subsection 2.

11 4. Subsection 1 does not apply to:

12 (a) An employee who consumes alcohol in the course of the  
13 employment of the employee while hosting or attending a special  
14 event.

15 (b) A peace officer who possesses a controlled substance or  
16 consumes alcohol within the scope of the peace officer's duties.

17 **Sec. 202.** NRS 284.4063 is hereby amended to read as  
18 follows:

19 284.4063 1. Except as otherwise provided in subsection 2  
20 and subsection 5 of NRS 284.4065, an employee who:

21 (a) Fails to notify the employee's supervisor as soon as possible  
22 after consuming any drug which could interfere with the safe and  
23 efficient performance of the employee's duties;

24 (b) Fails or refuses to submit to a screening test as requested by  
25 a state agency pursuant to subsection 1 or 2 of NRS 284.4065; or

26 (c) After taking a screening test which indicates the presence of  
27 a controlled substance, fails to provide proof, within 72 hours after  
28 being requested by the employee's appointing authority, that the  
29 employee had taken the controlled substance as directed pursuant to  
30 a current and lawful prescription issued in the employee's name,

31 ➔ is subject to disciplinary action.

32 2. The Commission may adopt regulations setting forth the  
33 circumstances under which a person who holds a valid registry  
34 identification card to engage in the medical use of marijuana  
35 pursuant to *the* chapter ~~[453A of NRS]~~ *consisting of sections 125 to*  
36 *171, inclusive, of this act* is subject to disciplinary action pursuant  
37 to this section.

38 **Sec. 203.** NRS 284.4064 is hereby amended to read as  
39 follows:

40 284.4064 1. If an employee informs the employee's  
41 appointing authority that the employee has consumed any drug  
42 which could interfere with the safe and efficient performance of the  
43 employee's duties, the appointing authority may require the  
44 employee to obtain clearance from the employee's physician before  
45 the employee continues to work.



1 2. If an appointing authority reasonably believes, based upon  
2 objective facts, that an employee's ability to perform the employee's  
3 duties safely and efficiently:

4 (a) May be impaired by the consumption of alcohol or other  
5 drugs, it may ask the employee whether the employee has consumed  
6 any alcohol or other drugs and, if so:

7 (1) The amount and types of alcohol or other drugs  
8 consumed and the time of consumption;

9 (2) If a controlled substance other than marijuana was  
10 consumed, the name of the person who prescribed its use; and

11 (3) If marijuana was consumed, to provide proof that the  
12 employee holds a valid registry identification card to engage in the  
13 medical use of marijuana pursuant to *the* chapter ~~[453A of NRS.]~~  
14 *consisting of sections 125 to 171, inclusive, of this act.*

15 (b) Is impaired by the consumption of alcohol or other drugs, it  
16 shall prevent the employee from continuing work and transport the  
17 employee or cause the employee to be transported safely away from  
18 the employee's place of employment in accordance with regulations  
19 adopted by the Commission.

20 **Sec. 204.** NRS 284.4066 is hereby amended to read as  
21 follows:

22 284.4066 1. Each appointing authority shall, subject to the  
23 approval of the Commission, determine whether each of its  
24 positions of employment affects the public safety. The appointing  
25 authority shall not hire an applicant for such a position unless the  
26 applicant submits to a screening test to detect the general presence  
27 of a controlled substance. Notice of the provisions of this section  
28 must be given to each applicant for such a position at or before the  
29 time of application.

30 2. An appointing authority shall consider the results of a  
31 screening test in determining whether to employ an applicant. If  
32 those results indicate the presence of a controlled substance other  
33 than marijuana, the appointing authority shall not hire the applicant  
34 unless the applicant provides, within 72 hours after being requested,  
35 proof that the applicant had taken the controlled substance as  
36 directed pursuant to a current and lawful prescription issued in the  
37 applicant's name.

38 3. An appointing authority shall, at the request of an applicant,  
39 provide the applicant with the results of the applicant's screening  
40 test.

41 4. If the results of a screening test indicate the presence of a  
42 controlled substance, the appointing authority shall:

43 (a) Provide the Administrator with the results of the applicant's  
44 screening test.



1 (b) If applicable, inform the Administrator whether the applicant  
2 holds a valid registry identification card to engage in the medical  
3 use of marijuana pursuant to *the* chapter ~~[453A of NRS.]~~ *consisting*  
4 *of sections 125 to 171, inclusive, of this act.*

5 5. The Commission may adopt regulations relating to an  
6 applicant for a position which affects the public safety who tests  
7 positive for marijuana and holds a valid registry identification card  
8 to engage in the medical use of marijuana pursuant to *the* chapter  
9 ~~[453A of NRS.]~~ *consisting of sections 125 to 171, inclusive, of this*  
10 *act.*

11 **Sec. 205.** Chapter 289 of NRS is hereby amended by adding  
12 thereto a new section to read as follows:

13 *A person designated as an enforcement agent by the Cannabis*  
14 *Compliance Board is a peace officer for the purpose of the*  
15 *enforcement of the provisions of the title consisting of sections 3 to*  
16 *82, inclusive, 84 to 123, inclusive, 125 to 171, inclusive, and 173 to*  
17 *187, inclusive, of this act, including, without limitation, the*  
18 *prevention of unlicensed cannabis sales.*

19 **Sec. 206.** NRS 289.470 is hereby amended to read as follows:

20 289.470 “Category II peace officer” means:

21 1. The bailiffs of the district courts, justice courts and  
22 municipal courts whose duties require them to carry weapons and  
23 make arrests;

24 2. Subject to the provisions of NRS 258.070, constables and  
25 their deputies;

26 3. Inspectors employed by the Nevada Transportation  
27 Authority who exercise those powers of enforcement conferred by  
28 chapters 706 and 712 of NRS;

29 4. Special investigators who are employed full-time by the  
30 office of any district attorney or the Attorney General;

31 5. Investigators of arson for fire departments who are specially  
32 designated by the appointing authority;

33 6. The brand inspectors of the State Department of Agriculture  
34 who exercise the powers of enforcement conferred by chapter 565  
35 of NRS;

36 7. The field agents and inspectors of the State Department of  
37 Agriculture who exercise the powers of enforcement conferred by  
38 NRS 561.225;

39 8. Investigators for the State Forester Firewarden who are  
40 specially designated by the State Forester Firewarden and whose  
41 primary duties are related to the investigation of arson;

42 9. School police officers employed by the board of trustees of  
43 any county school district;

44 10. Agents of the Nevada Gaming Control Board who exercise  
45 the powers of enforcement specified in NRS 289.360, 463.140 or



1 463.1405, except those agents whose duties relate primarily to  
2 auditing, accounting, the collection of taxes or license fees, or the  
3 investigation of applicants for licenses;

4 11. Investigators and administrators of the Division of  
5 Compliance Enforcement of the Department of Motor Vehicles who  
6 perform the duties specified in subsection 2 of NRS 481.048;

7 12. Officers and investigators of the Section for the Control of  
8 Emissions From Vehicles and the Enforcement of Matters Related  
9 to the Use of Special Fuel of the Department of Motor Vehicles who  
10 perform the duties specified in subsection 3 of NRS 481.0481;

11 13. Legislative police officers of the State of Nevada;

12 14. Parole counselors of the Division of Child and Family  
13 Services of the Department of Health and Human Services;

14 15. Juvenile probation officers and deputy juvenile probation  
15 officers employed by the various judicial districts in the State of  
16 Nevada or by a department of juvenile justice services established  
17 by ordinance pursuant to NRS 62G.210 whose official duties require  
18 them to enforce court orders on juvenile offenders and make arrests;

19 16. Field investigators of the Taxicab Authority;

20 17. Security officers employed full-time by a city or county  
21 whose official duties require them to carry weapons and make  
22 arrests;

23 18. The chief of a department of alternative sentencing created  
24 pursuant to NRS 211A.080 and the assistant alternative sentencing  
25 officers employed by that department;

26 19. *Agents of the Cannabis Compliance Board who exercise*  
27 *the powers of enforcement specified in section 205 of this act;*

28 20. Criminal investigators who are employed by the Secretary  
29 of State; and

30 ~~20.~~ 21. The Inspector General of the Department of  
31 Corrections and any person employed by the Department as a  
32 criminal investigator.

33 **Sec. 207.** NRS 372A.060 is hereby amended to read as  
34 follows:

35 372A.060 1. The provisions of NRS 372A.060 to 372A.130,  
36 inclusive, do not apply to:

37 (a) Any person who is registered or exempt from registration  
38 pursuant to NRS 453.226 or any other person who is lawfully in  
39 possession of a controlled substance; or

40 (b) Any person who acquires, possesses, cultivates,  
41 manufactures, delivers, transfers, transports, supplies, sells or  
42 dispenses marijuana for the medical use of marijuana as authorized  
43 pursuant to *the* chapter ~~[453A-of NRS.]~~ *consisting of sections 125*  
44 *to 171, inclusive, of this act.*





1 2. Compliance with the provisions of NRS 372A.060 to  
2 372A.130, inclusive, does not immunize a person from criminal  
3 prosecution for the violation of any other provision of law.

4 **Sec. 208.** NRS 372A.070 is hereby amended to read as  
5 follows:

6 372A.070 1. A person shall not sell, offer to sell or possess  
7 with the intent to sell a controlled substance unless he or she first:

8 (a) Registers with the Department as a dealer in controlled  
9 substances and pays an annual fee of \$250; and

10 (b) Pays a tax on:

11 (1) Each gram of a controlled substance, or portion thereof,  
12 of \$1,000; and

13 (2) Each 50 dosage units of a controlled substance that is not  
14 sold by weight, or portion thereof, of \$2,000.

15 2. For the purpose of calculating the tax imposed by  
16 subparagraph (1) of paragraph (b) of subsection 1, the controlled  
17 substance must be measured by the weight of the substance in the  
18 dealer's possession, including the weight of any material,  
19 compound, mixture or preparation that is added to the controlled  
20 substance.

21 3. The Department shall not require a registered dealer to give  
22 his or her name, address, social security number or other identifying  
23 information on any return submitted with the tax.

24 4. Any person who violates subsection 1 is subject to a civil  
25 penalty of 100 percent of the tax in addition to the tax imposed by  
26 subsection 1. Any civil penalty imposed pursuant to this subsection  
27 must be collected as part of the tax.

28 5. The district attorney of any county in which a dealer resides  
29 may institute and conduct the prosecution of any action for violation  
30 of subsection 1.

31 6. Property forfeited or subject to forfeiture pursuant to NRS  
32 453.301 must not be used to satisfy a fee, tax or penalty imposed by  
33 this section.

34 7. As used in this section:

35 (a) *"Cannabis product" has the meaning ascribed to it in*  
36 *section 27 of this act.*

37 (b) "Controlled substance" does not include marijuana ~~[edible~~  
38 ~~marijuana products or marijuana infused]~~ *or cannabis* products.

39 ~~[(b) "Edible marijuana products" has the meaning ascribed to it~~  
40 ~~in NRS 453A.101.~~

41 ~~—(c) "Marijuana infused products" has the meaning ascribed to it~~  
42 ~~in NRS 453A.112.]~~



1     **Sec. 209.** NRS 372A.210 is hereby amended to read as  
2 follows:

3     372A.210 ~~["Cultivation"]~~ "*Cannabis cultivation* facility" has  
4 the meaning ascribed to it in ~~[NRS 453A.056.]~~ *section 21 of this*  
5 *act.*

6     **Sec. 210.** NRS 372A.243 is hereby amended to read as  
7 follows:

8     372A.243 ~~["Retail-marijuana"]~~ "*Adult-use cannabis retail*  
9 store" has the meaning ascribed to it in ~~[NRS 453D.030.]~~ *section 14*  
10 *of this act.*

11     **Sec. 211.** NRS 372A.250 is hereby amended to read as  
12 follows:

13     372A.250 "Taxpayer" means a:

- 14     1. ~~[Cultivation]~~ *Cannabis cultivation* facility; or
- 15     2. ~~[Retail-marijuana]~~ *Adult-use cannabis retail* store.

16     **Sec. 212.** NRS 372A.285 is hereby amended to read as  
17 follows:

18     372A.285 1. Each ~~[cultivation facility and each marijuana]~~  
19 *cannabis* cultivation facility shall submit a report to the Department  
20 that includes the following information, reported separately for each  
21 calendar month included in the report:

22     (a) The current production of the ~~[cultivation facility or~~  
23 ~~marijuana]~~ *cannabis* cultivation facility;

24     (b) Sales by product type;

25     (c) Prices by product type; and

26     (d) Such other information as the Department may require.

27     2. Each ~~[facility for the production of edible marijuana~~  
28 ~~products or marijuana infused products and each marijuana product~~  
29 ~~manufacturing]~~ *cannabis production* facility shall submit a report to  
30 the Department that includes the following information, reported  
31 separately for each calendar month included in the report:

32     (a) The amount of marijuana purchased;

33     (b) The amount of ~~[edible marijuana products, marijuana~~  
34 ~~infused products and marijuana]~~ *cannabis* products produced;

35     (c) Sales by product type;

36     (d) Prices by product type; and

37     (e) Such other information as the Department may require.

38     3. Each ~~[medical marijuana dispensary and each retail~~  
39 ~~marijuana store]~~ *cannabis sales facility* shall submit a report to the  
40 Department that includes the following information, reported  
41 separately for each calendar month included in the report:

42     (a) The amount of marijuana purchased by the ~~[dispensary or~~  
43 ~~store]~~ *cannabis sales facility* from *cannabis* cultivation facilities ~~[-~~  
44 ~~marijuana cultivation facilities, facilities for the production of edible~~



1 ~~marijuana products or marijuana infused products or marijuana~~  
2 ~~product manufacturing]~~ *or cannabis production* facilities;

- 3 (b) Sales to consumers by product type;
- 4 (c) Prices by product type; and
- 5 (d) Such other information as the Department may require.

6 4. The Department shall adopt regulations prescribing the  
7 frequency of the reports required pursuant to this section which  
8 must be submitted not less frequently than quarterly and not more  
9 frequently than monthly.

10 5. As used in this section:

11 (a) ~~["Cultivation"]~~ *"Cannabis production* facility" has the  
12 meaning ascribed to it in ~~[NRS 453A.056.~~

13 ~~—(b) "Edible marijuana] section 28 of this act.~~

14 (b) *"Cannabis* products" has the meaning ascribed to it in  
15 ~~[NRS 453A.101.~~

16 ~~—(c) "Facility for the production of edible marijuana products or~~  
17 ~~marijuana infused products" has the meaning ascribed to it in~~  
18 ~~NRS 453A.105.~~

19 ~~—(d) "Marijuana cultivation facility" has the meaning ascribed to~~  
20 ~~it in NRS 453D.030.~~

21 ~~—(e) "Marijuana product manufacturing facility" has the meaning~~  
22 ~~ascribed to it in NRS 453D.030.~~

23 ~~—(f) "Marijuana products" has the meaning ascribed to it in~~  
24 ~~NRS 453D.030.~~

25 ~~—(g) "Marijuana infused products" has the meaning ascribed to it~~  
26 ~~in NRS 453A.112.~~

27 ~~—(h) "Medical marijuana dispensary" has the meaning ascribed to~~  
28 ~~it in NRS 453A.115.] section 27 of this act.~~

29 (c) *"Cannabis sales facility" has the meaning ascribed to it in*  
30 *section 29 of this act.*

31 **Sec. 213.** NRS 372A.290 is hereby amended to read as  
32 follows:

33 372A.290 1. An excise tax is hereby imposed on each  
34 wholesale sale in this State of marijuana by a *medical cannabis*  
35 cultivation facility to another ~~[medical marijuana]~~ *cannabis*  
36 establishment at the rate of 15 percent of the fair market value at  
37 wholesale of the marijuana. The excise tax imposed pursuant to this  
38 subsection is the obligation of the *medical cannabis* cultivation  
39 facility.

40 2. *An excise tax is hereby imposed on each wholesale sale in*  
41 *this State of marijuana by an adult-use cannabis cultivation*  
42 *facility to another cannabis establishment at the rate of 15 percent*  
43 *of the fair market value at wholesale of the marijuana. The excise*  
44 *tax imposed pursuant to this subsection is the obligation of the*  
45 *adult-use cannabis cultivation facility.*



1       **3.** An excise tax is hereby imposed on each retail sale in this  
2 State of marijuana or ~~[marijuana]~~ *cannabis* products by ~~[a]~~ *an*  
3 *adult-use cannabis* retail ~~[marijuana]~~ store at the rate of 10 percent  
4 of the sales price of the marijuana or ~~[marijuana]~~ *cannabis* products.  
5 The excise tax imposed pursuant to this subsection:

6       (a) Is the obligation of the *adult-use cannabis* retail ~~[marijuana]~~  
7 store.

8       (b) Is separate from and in addition to any general state and  
9 local sales and use taxes that apply to retail sales of tangible  
10 personal property.

11       ~~[3.]~~ **4.** The revenues collected from the excise tax imposed  
12 pursuant to subsection 1 must be distributed:

13       (a) To the ~~[Department]~~ *Cannabis Compliance Board* and to  
14 local governments in an amount determined to be necessary by the  
15 ~~[Department]~~ *Board* to pay the costs of the ~~[Department]~~ *Board* and  
16 local governments in carrying out the provisions of *the* chapter  
17 ~~[453A of NRS.]~~ *consisting of sections 125 to 171, inclusive, of this*  
18 *act*; and

19       (b) If any money remains after the revenues are distributed  
20 pursuant to paragraph (a), to the State Treasurer to be deposited to  
21 the credit of the State Distributive School Account in the State  
22 General Fund.

23       ~~[4.]~~ **5.** *The revenues collected from the excise tax imposed*  
24 *pursuant to subsection 2 must be distributed:*

25       (a) *To the Cannabis Compliance Board and to local*  
26 *governments in an amount determined to be necessary by the*  
27 *Board to pay the costs of the Board and local governments in*  
28 *carrying out the provisions of the chapter consisting of sections*  
29 *173 to 187, inclusive, of this act; and*

30       (b) *If any money remains after the revenues are distributed*  
31 *pursuant to paragraph (a), to the State Treasurer to be deposited*  
32 *to the credit of the State Distributive School Account in the State*  
33 *General Fund.*

34       **6.** For the purpose of ~~[subsection 3]~~ *subsections 4* and ~~[NRS~~  
35 ~~453D.510.]~~ *5*, a total amount of \$5,000,000 of the revenues  
36 collected from the excise tax imposed pursuant to subsection 1 and  
37 the excise tax imposed pursuant to ~~[NRS-453D.500]~~ *subsection 2* in  
38 each fiscal year shall be deemed sufficient to pay the costs of all  
39 local governments to carry out the provisions of *the* chapters ~~[453A~~  
40 ~~and 453D of NRS.]~~ *consisting of sections 125 to 171, inclusive, of*  
41 *this act and consisting of sections 173 to 187, inclusive, of this act.*  
42 The ~~[Department]~~ *Board* shall, by regulation, determine the manner  
43 in which local governments may be reimbursed for the costs of  
44 carrying out the provisions of *the* chapters ~~[453A and 453D of~~



1 ~~NRS.]~~ *consisting of sections 125 to 171, inclusive, of this act and*  
2 *consisting of sections 173 to 187, inclusive, of this act.*

3 ~~[5.]~~ 7. The revenues collected from the excise tax imposed  
4 pursuant to subsection ~~[2]~~ 3 must be paid over as collected to the  
5 State Treasurer to be deposited to the credit of the Account to  
6 Stabilize the Operation of the State Government created in the State  
7 General Fund pursuant to NRS 353.288.

8 ~~[6.]~~ 8. As used in this section:

9 (a) *“Adult-use cannabis cultivation facility” has the meaning*  
10 *ascribed to it in section 6 of this act.*

11 (b) *“Adult-use cannabis retail store” has the meaning ascribed*  
12 *to it in section 14 of this act.*

13 (c) *“Cannabis product” has the meaning ascribed to it in*  
14 *section 27 of this act.*

15 (d) *“Local government” has the meaning ascribed to it in*  
16 *NRS 360.640.*

17 ~~[(b) “Marijuana products” has the meaning ascribed to it in~~  
18 ~~NRS 453D.030.~~

19 ~~—(e)]~~ (e) *“Medical cannabis cultivation facility” has the*  
20 *meaning ascribed to it in section 37 of this act.*

21 (f) *“Medical [marijuana] cannabis establishment” has the*  
22 *meaning ascribed to it in ~~[NRS 453A.116.]~~ section 39 of this act.*

23 **Sec. 214.** NRS 453.005 is hereby amended to read as follows:

24 453.005 The provisions of this chapter do not apply to the  
25 extent that they are inconsistent with the provisions of *the* chapter  
26 ~~[453A of NRS.]~~ *consisting of sections 125 to 171, inclusive, of this*  
27 *act.*

28 **Sec. 215.** NRS 453.316 is hereby amended to read as follows:

29 453.316 1. A person who opens or maintains any place for  
30 the purpose of unlawfully selling, giving away or using any  
31 controlled substance is guilty of a category B felony and shall be  
32 punished by imprisonment in the state prison for a minimum term of  
33 not less than 1 year and a maximum term of not more than 6 years,  
34 and may be further punished by a fine of not more than \$10,000,  
35 except as otherwise provided in subsection 2.

36 2. If a person convicted of violating this section has previously  
37 been convicted of violating this section, or if, in the case of a first  
38 conviction of violating this section, the person has been convicted of  
39 an offense under the laws of the United States or any state, territory  
40 or district which, if committed in this State, would amount to a  
41 felony under this section, the person is guilty of a category B felony  
42 and shall be punished by imprisonment in the state prison for a  
43 minimum term of not less than 2 years and a maximum term of not  
44 more than 10 years, and may be further punished by a fine of not  
45 more than \$20,000. The court shall not grant probation to or suspend



1 the sentence of a person convicted of violating this section if the  
2 person has been previously convicted under this section or of any  
3 other offense described in this subsection.

4 3. This section does not apply to ~~any~~ :

5 (a) Any rehabilitation clinic established or licensed by the  
6 Division of Public and Behavioral Health of the Department.

7 (b) *A cannabis consumption lounge, as defined in section 19*  
8 *of this act, that does not sell or give away any controlled*  
9 *substance. This paragraph must not be construed to prohibit a*  
10 *cannabis consumption lounge from turning over to a law*  
11 *enforcement agency any controlled substance which is left on its*  
12 *premises.*

13 **Sec. 216.** NRS 453.3393 is hereby amended to read as  
14 follows:

15 453.3393 1. A person shall not knowingly or intentionally  
16 manufacture, grow, plant, cultivate, harvest, dry, propagate or  
17 process marijuana, except as specifically authorized by the  
18 provisions of this chapter or ~~chapter 453A of NRS.~~ *the title*  
19 *consisting of sections 3 to 82, inclusive, 84 to 123, inclusive, 125 to*  
20 *171, inclusive, and 173 to 187, inclusive, of this act.*

21 2. Unless a greater penalty is provided in subsection 3 or NRS  
22 453.339, a person who violates subsection 1, if the quantity  
23 involved is more than 12 marijuana plants, irrespective of whether  
24 the marijuana plants are mature or immature, is guilty of a category  
25 E felony and shall be punished as provided in NRS 193.130.

26 3. A person shall not knowingly or intentionally extract  
27 concentrated cannabis, except as specifically authorized by the  
28 provisions of ~~chapter 453A of NRS.~~ *the title consisting of sections*  
29 *3 to 82, inclusive, 84 to 123, inclusive, 125 to 171, inclusive, and*  
30 *173 to 187, inclusive, of this act.* Unless a greater penalty is  
31 provided in NRS 453.339, a person who violates this subsection is  
32 guilty of a category C felony and shall be punished as provided in  
33 NRS 193.130.

34 4. In addition to any punishment imposed pursuant to this  
35 section, the court shall order a person convicted of a violation of this  
36 section to pay all costs associated with any necessary cleanup and  
37 disposal related to the manufacturing, growing, planting, cultivation,  
38 harvesting, drying, propagation or processing of the marijuana or the  
39 extraction of concentrated cannabis.

40 **Sec. 217.** NRS 455B.080 is hereby amended to read as  
41 follows:

42 455B.080 1. A passenger shall not embark on an amusement  
43 ride while intoxicated or under the influence of a controlled  
44 substance, unless in accordance with:

45 (a) A prescription lawfully issued to the person; or



1 (b) The provisions of *the* chapter ~~[453A of NRS.]~~ *consisting of*  
2 *sections 125 to 171, inclusive, of this act.*

3 2. An authorized agent or employee of an operator may  
4 prohibit a passenger from boarding an amusement ride if he or she  
5 reasonably believes that the passenger is under the influence of  
6 alcohol, prescription drugs or a controlled substance. An agent or  
7 employee of an operator is not civilly or criminally liable for  
8 prohibiting a passenger from boarding an amusement ride pursuant  
9 to this subsection.

10 **Sec. 218.** NRS 455B.460 is hereby amended to read as  
11 follows:

12 455B.460 1. A person shall not enter or use a recreation area  
13 while intoxicated or under the influence of a controlled substance,  
14 unless in accordance with:

15 (a) A prescription lawfully issued to the person; or

16 (b) The provisions of *the* chapter ~~[453A of NRS.]~~ *consisting of*  
17 *sections 125 to 171, inclusive, of this act.*

18 2. An operator or an authorized agent or employee of an  
19 operator may prohibit a person from entering or using a recreation  
20 area if he or she reasonably believes that the person is under the  
21 influence of alcohol, prescription drugs or a controlled substance.  
22 An operator or an authorized agent or employee of an operator is not  
23 civilly or criminally liable for prohibiting a person from entering or  
24 using a recreation area pursuant to this subsection.

25 **Sec. 219.** NRS 458.094 is hereby amended to read as follows:

26 458.094 The Division shall use any money not needed to carry  
27 out the provisions of *the* chapter ~~[453A of NRS]~~ *consisting of*  
28 *sections 125 to 171, inclusive, of this act* to provide alcohol and  
29 drug abuse programs to persons referred to the Division by agencies  
30 which provide child welfare services as authorized pursuant to ~~[NRS~~  
31 ~~453A.730.]~~ *section 168 of this act.*

32 **Sec. 220.** NRS 484C.210 is hereby amended to read as  
33 follows:

34 484C.210 1. If a person fails to submit to an evidentiary test  
35 as requested by a police officer pursuant to NRS 484C.160, the  
36 license, permit or privilege to drive of the person must be revoked as  
37 provided in NRS 484C.220, and the person is not eligible for a  
38 license, permit or privilege to drive for a period of:

39 (a) One year; or

40 (b) Three years, if the license, permit or privilege to drive of the  
41 person has been revoked during the immediately preceding 7 years  
42 for failure to submit to an evidentiary test.

43 2. If the result of a test given under NRS 484C.150 or  
44 484C.160 shows that a person had a concentration of alcohol of 0.08  
45 or more in his or her blood or breath or a detectable amount of a





1 controlled substance or prohibited substance in his or her blood or  
2 urine for which he or she did not have a valid prescription, as  
3 defined in NRS 453.128, or hold a valid registry identification card,  
4 as defined in ~~[NRS 453A.140.]~~ *section 133 of this act*, at the time of  
5 the test, the license, permit or privilege of the person to drive must  
6 be revoked as provided in NRS 484C.220 and the person is not  
7 eligible for a license, permit or privilege for a period of 90 days.

8 3. Except as otherwise provided in subsection 1, at any time  
9 while a person is not eligible for a license, permit or privilege to  
10 drive following a revocation under subsection 1 or 2 which was  
11 based on the person having a concentration of alcohol of 0.08 or  
12 more in his or her blood or breath, the person shall install, at his or  
13 her own expense, a device in any motor vehicle which the person  
14 operates as a condition to obtaining a restricted license pursuant to  
15 NRS 483.490.

16 4. If a revocation of a person's license, permit or privilege to  
17 drive under NRS 62E.640 or 483.460 follows a revocation under  
18 subsection 2 which was based on the person having a concentration  
19 of alcohol of 0.08 or more in his or her blood or breath, the  
20 Department shall cancel the revocation under that subsection and  
21 give the person credit for any period during which the person was  
22 not eligible for a license, permit or privilege.

23 5. If an order to install a device pursuant to NRS 62E.640 or  
24 484C.460 follows the installation of a device pursuant to subsection  
25 3, the court may give the person day-for-day credit for any period  
26 during which the person installed a device as a condition to  
27 obtaining a restricted license.

28 6. Periods of ineligibility for a license, permit or privilege to  
29 drive which are imposed pursuant to this section must run  
30 consecutively.

31 7. As used in this section, "device" has the meaning ascribed to  
32 it in NRS 484C.450.

33 **Sec. 221.** NRS 484C.220 is hereby amended to read as  
34 follows:

35 484C.220 1. As agent for the Department, the officer who  
36 requested that a test be given pursuant to NRS 484C.150 or  
37 484C.160 or who obtained the result of a test given pursuant to NRS  
38 484C.150 or 484C.160 shall immediately serve an order of  
39 revocation of the license, permit or privilege to drive on a person  
40 who failed to submit to a test requested by the police officer  
41 pursuant to NRS 484C.150 or 484C.160 or who has a concentration  
42 of alcohol of 0.08 or more in his or her blood or breath or has a  
43 detectable amount of a controlled substance or prohibited substance  
44 in his or her blood or urine for which he or she did not have a valid  
45 prescription, as defined in NRS 453.128, or hold a valid registry



1 identification card, as defined in ~~[NRS 453A.140,]~~ *section 133 of*  
2 *this act*, if that person is present, and shall seize the license or  
3 permit to drive of the person. The officer shall then, unless the  
4 information is expressly set forth in the order of revocation, advise  
5 the person of his or her right to administrative and judicial review of  
6 the revocation pursuant to NRS 484C.230 and, except as otherwise  
7 provided in this subsection, that the person has a right to request a  
8 temporary license. The officer shall also, unless the information is  
9 expressly set forth in the order of revocation, advise the person that  
10 he or she is required to install a device pursuant to NRS 484C.210.  
11 If the person currently is driving with a temporary license that was  
12 issued pursuant to this section or NRS 484C.230, the person is not  
13 entitled to request an additional temporary license pursuant to this  
14 section or NRS 484C.230, and the order of revocation issued by the  
15 officer must revoke the temporary license that was previously  
16 issued. If the person is entitled to request a temporary license, the  
17 officer shall issue the person a temporary license on a form  
18 approved by the Department if the person requests one, which is  
19 effective for only 7 days including the date of issuance. The officer  
20 shall immediately transmit the person's license or permit to the  
21 Department along with the written certificate required by  
22 subsection 2.

23 2. When a police officer has served an order of revocation of a  
24 driver's license, permit or privilege on a person pursuant to  
25 subsection 1, or later receives the result of an evidentiary test which  
26 indicates that a person, not then present, had a concentration of  
27 alcohol of 0.08 or more in his or her blood or breath or had a  
28 detectable amount of a controlled substance or prohibited substance  
29 in his or her blood or urine for which he or she did not have a valid  
30 prescription, as defined in NRS 453.128, or hold a valid registry  
31 identification card, as defined in ~~[NRS 453A.140,]~~ *section 133 of*  
32 *this act*, the officer shall immediately prepare and transmit to the  
33 Department, together with the seized license or permit and a copy of  
34 the result of the test, if any, a written certificate that the officer had  
35 reasonable grounds to believe that the person had been driving or in  
36 actual physical control of a vehicle:

37 (a) With a concentration of alcohol of 0.08 or more in his or her  
38 blood or breath or with a detectable amount of a controlled  
39 substance or prohibited substance in his or her blood or urine for  
40 which he or she did not have a valid prescription, as defined in NRS  
41 453.128, or hold a valid registry identification card, as defined in  
42 ~~[NRS 453A.140,]~~ *section 133 of this act*, as determined by a  
43 chemical test; or

44 (b) While under the influence of intoxicating liquor or a  
45 controlled substance or with a prohibited substance in his or her



1 blood or urine and the person refused to submit to a required  
2 evidentiary test.

3 ➔ The certificate must also indicate whether the officer served an  
4 order of revocation on the person and whether the officer issued the  
5 person a temporary license.

6 3. The Department, upon receipt of such a certificate for which  
7 an order of revocation has not been served, after examining the  
8 certificate and copy of the result of the chemical test, if any, and  
9 finding that revocation is proper, shall issue an order revoking the  
10 person's license, permit or privilege to drive by mailing the order to  
11 the person at the person's last known address. The order must  
12 indicate the grounds for the revocation and the period during which  
13 the person is not eligible for a license, permit or privilege to drive  
14 and state that the person has a right to administrative and judicial  
15 review of the revocation and to have a temporary license. The order  
16 must also indicate that the person is required to install a device  
17 pursuant to NRS 484C.210. The order of revocation becomes  
18 effective 5 days after mailing.

19 4. Notice of an order of revocation and notice of the  
20 affirmation of a prior order of revocation or the cancellation of a  
21 temporary license provided in NRS 484C.230 is sufficient if it is  
22 mailed to the person's last known address as shown by any  
23 application for a license. The date of mailing may be proved by the  
24 certificate of any officer or employee of the Department, specifying  
25 the time of mailing the notice. The notice is presumed to have been  
26 received upon the expiration of 5 days after it is deposited, postage  
27 prepaid, in the United States mail.

28 5. As used in this section, "device" has the meaning ascribed to  
29 it in NRS 484C.450.

30 **Sec. 222.** NRS 484C.230 is hereby amended to read as  
31 follows:

32 484C.230 1. At any time while a person is not eligible for a  
33 license, permit or privilege to drive following an order of revocation  
34 issued pursuant to NRS 484C.220, the person may request in writing  
35 a hearing by the Department to review the order of revocation, but  
36 the person is only entitled to one hearing. The hearing must be  
37 conducted as soon as is practicable at any location, if the hearing  
38 officer permits each party and witness to attend the hearing by  
39 telephone, videoconference or other electronic means. The Director  
40 or agent of the Director may issue subpoenas for the attendance of  
41 witnesses and the production of relevant books and papers and may  
42 require a reexamination of the requester. Unless the person is  
43 ineligible for a temporary license pursuant to NRS 484C.220, the  
44 Department shall issue an additional temporary license for a period  
45 which is sufficient to complete the administrative review. A person



1 who is issued a temporary license is not subject to and is exempt  
2 from the requirement to install a device pursuant to NRS 484C.210.

3 2. The scope of the hearing must be limited to the issue of  
4 whether the person:

5 (a) Failed to submit to a required test provided for in NRS  
6 484C.150 or 484C.160; or

7 (b) At the time of the test, had a concentration of alcohol of 0.08  
8 or more in his or her blood or breath or a detectable amount of a  
9 controlled substance or prohibited substance in his or her blood or  
10 urine for which he or she did not have a valid prescription, as  
11 defined in NRS 453.128, or hold a valid registry identification card,  
12 as defined in ~~NRS 453A.140.~~ *section 133 of this act.*

13 ↪ Upon an affirmative finding on either issue, the Department shall  
14 affirm the order of revocation. Otherwise, the order of revocation  
15 must be rescinded.

16 3. If, after the hearing, the order of revocation is affirmed, the  
17 person whose license, permit or privilege to drive has been  
18 revoked shall, if not previously installed, install a device pursuant to  
19 NRS 484C.210.

20 4. If, after the hearing, the order of revocation is affirmed, the  
21 person whose license, privilege or permit has been revoked is  
22 entitled to a review of the same issues in district court in the same  
23 manner as provided by chapter 233B of NRS. The court shall notify  
24 the Department upon the issuance of a stay, and the Department  
25 shall issue an additional temporary license for a period which is  
26 sufficient to complete the review. A person who is issued a  
27 temporary license is not subject to and is exempt from the  
28 requirement to install a device pursuant to NRS 484C.210.

29 5. If a hearing officer grants a continuance of a hearing at the  
30 request of the person whose license was revoked, or a court does so  
31 after issuing a stay of the revocation, the officer or court shall notify  
32 the Department, and the Department shall cancel the temporary  
33 license and notify the holder by mailing the order of cancellation to  
34 the person's last known address.

35 6. As used in this section, "device" has the meaning ascribed to  
36 it in NRS 484C.450.

37 **Sec. 223.** Chapter 557 of NRS is hereby amended by adding  
38 thereto a new section to read as follows:

39 *1. The Cannabis Compliance Board shall adopt regulations*  
40 *establishing quality standards and requirements for the packaging*  
41 *and labeling of:*

42 *(a) Any commodity or product made using industrial hemp*  
43 *which is intended for human or animal consumption; and*



1 (b) Any other commodity or product that purports to contain  
2 cannabidiol with a THC concentration of not more than 0.3  
3 percent which is intended for human or animal consumption.

4 2. A handler may submit a commodity or product described in  
5 subsection 1 to a cannabis independent testing laboratory for  
6 testing pursuant to this section and a cannabis independent  
7 laboratory may perform such testing.

8 3. A handler may not sell a commodity or product described  
9 in subsection 1 unless the commodity or product has been  
10 submitted to a cannabis independent testing laboratory and  
11 the cannabis independent testing laboratory has confirmed that  
12 the commodity or product satisfies the standards established by the  
13 Board pursuant to this section.

14 4. The Board shall adopt regulations establishing protocols  
15 and procedures for the testing of commodities and products  
16 described in subsection 1, including, without limitation,  
17 determining appropriate standards for sampling and for the size of  
18 batches for testing.

19 5. The Board may adopt regulations establishing additional  
20 standards for the conduct of handlers who receive industrial hemp  
21 for processing into commodities or products described in  
22 subsection 1.

23 6. As used in this section, "intended for human or animal  
24 consumption" means intended for ingestion or inhalation by a  
25 human or animal or for topical application to the skin or hair of a  
26 human or animal.

27 **Sec. 224.** NRS 557.060 is hereby amended to read as follows:  
28 557.060 "THC" has the meaning ascribed to it in ~~NRS~~  
29 ~~453A.155.]~~ *section 51 of this act.*

30 **Sec. 225.** NRS 557.100 is hereby amended to read as follows:  
31 557.100 As used in NRS 557.100 to 557.290, inclusive, *and*  
32 *section 223 of this act*, unless the context otherwise requires, the  
33 words and terms defined in NRS 557.110 to 557.180, inclusive,  
34 have the meanings ascribed to them in those sections.

35 **Sec. 226.** NRS 557.180 is hereby amended to read as follows:  
36 557.180 "THC" has the meaning ascribed to it in ~~NRS~~  
37 ~~453A.155.]~~ *section 51 of this act.*

38 **Sec. 227.** NRS 557.270 is hereby amended to read as follows:  
39 557.270 1. A grower, handler or producer may submit  
40 industrial hemp or a commodity or product made using industrial  
41 hemp, *other than a commodity or product described in subsection*  
42 *1 of section 223 of this act*, to ~~an~~ *a cannabis* independent testing  
43 laboratory for testing pursuant to this section and ~~an~~ *a cannabis*  
44 independent testing laboratory may perform such testing.



1 2. ~~[A handler may not sell a commodity or product made using~~  
2 ~~industrial hemp which is intended for human consumption unless~~  
3 ~~the commodity or product has been submitted to an independent~~  
4 ~~testing laboratory for testing and the independent testing laboratory~~  
5 ~~has confirmed that the commodity or product satisfies the standards of~~  
6 ~~established by the Department for the content and quality of~~  
7 ~~industrial hemp.~~

8 ~~—3.]~~ The Department shall adopt regulations establishing  
9 protocols and procedures for the testing of commodities and  
10 products made using industrial hemp, *other than commodities and*  
11 *products described in subsection 1 of section 223 of this act,*  
12 including, without limitation, determining appropriate standards for  
13 sampling and for the size of batches for testing.

14 ~~[4.]~~ 3. The Department may adopt regulations requiring the  
15 submission of a sample of a crop of industrial hemp by a grower to  
16 ~~[an]~~ *a cannabis* independent testing laboratory to determine whether  
17 the crop has a THC concentration of not more than 0.3 percent on a  
18 dry weight basis. The regulations may include, without limitation:

19 (a) Protocols and procedures for the testing of a crop, including,  
20 without limitation, determining appropriate standards for sampling  
21 and for the size of batches for testing; and

22 (b) A requirement that ~~[an]~~ *a cannabis* independent testing  
23 laboratory provide the results of the testing directly to the  
24 Department in a manner prescribed by the Department.

25 ~~[5.]~~ 4. As used in this section ~~[-~~

26 ~~—(a) “Independent], “cannabis independent testing laboratory”~~  
27 ~~[means a facility certified as an independent testing laboratory~~  
28 ~~pursuant to NRS 453A.368.~~

29 ~~—(b) “Intended for human consumption” means intended for~~  
30 ~~ingestion or inhalation by a human or for topical application to the~~  
31 ~~skin or hair of a human.] has the meaning ascribed to it in section~~  
32 *26 of this act.*

33 **Sec. 228.** NRS 557.280 is hereby amended to read as follows:

34 557.280 1. The Department may refuse to issue or renew,  
35 suspend or revoke the registration of a grower, handler or producer  
36 for a violation of any provision of NRS 557.100 to 557.290,  
37 inclusive, *and section 223 of this act,* the regulations adopted  
38 pursuant thereto or any lawful order of the Department ~~[-]~~ *or*  
39 *Cannabis Compliance Board.*

40 2. In addition to any other penalty provided by law, the  
41 Department may impose an administrative fine on any person who  
42 violates any of the provisions of NRS 557.100 to 557.290, inclusive,  
43 *and section 223 of this act,* the regulations adopted pursuant thereto  
44 or any lawful order of the Department *or Cannabis Compliance*  
45 *Board* in an amount not to exceed \$2,500.



1 3. All fines collected by the Department pursuant to subsection  
2 2 must be deposited with the State Treasurer for credit to the State  
3 General Fund.

4 **Sec. 229.** NRS 586.550 is hereby amended to read as follows:

5 586.550 1. A ~~[marijuana establishment or medical marijuana]~~  
6 *cannabis* establishment may use a pesticide in the cultivation and  
7 production of marijuana ~~[, edible marijuana products, marijuana~~  
8 ~~products and marijuana infused]~~ *and cannabis* products if the  
9 pesticide:

10 (a) Is exempt from registration pursuant to 40 C.F.R. § 152.25  
11 or allowed to be used on Crop Group 19, as defined in 40 C.F.R. §  
12 180.41(c)26, hops or unspecified crops or plants;

13 (b) Has affixed a label which allows the pesticide to be used at  
14 the intended site of application; and

15 (c) Has affixed a label which allows the pesticide to be used on  
16 crops and plants intended for human consumption.

17 2. The State Department of Agriculture shall, in accordance  
18 with the provisions of this chapter, establish and publish a list of  
19 pesticides allowed to be used on marijuana or ~~[medical marijuana]~~  
20 *cannabis products* pursuant to this section and accept requests from  
21 pesticide manufacturers ~~[, marijuana establishments and medical~~  
22 ~~marijuana]~~ *and cannabis* establishments, or a representative thereof,  
23 to add pesticides to the list.

24 3. As used in this section:

25 (a) ~~["Edible marijuana"]~~ *"Cannabis establishment" has the*  
26 *meaning ascribed to it in section 22 of this act.*

27 (b) *"Cannabis products" has the meaning ascribed to it in*  
28 ~~[NRS 453A.101.~~

29 ~~—(b)] section 27 of this act.~~

30 (c) "Marijuana" has the meaning ascribed to it in  
31 NRS ~~[453A.110.~~

32 ~~—(c) "Marijuana establishment" has the meaning ascribed to it in~~  
33 ~~NRS 453D.030.~~

34 ~~—(d) "Marijuana products" has the meaning ascribed to it in~~  
35 ~~NRS 453D.030.~~

36 ~~—(e) "Marijuana infused products" has the meaning ascribed to it~~  
37 ~~in NRS 453A.112.~~

38 ~~—(f) "Medical marijuana establishment" has the meaning ascribed~~  
39 ~~to it in NRS 453A.116.] 453.096.~~

40 **Sec. 230.** NRS 630.306 is hereby amended to read as follows:

41 630.306 1. The following acts, among others, constitute  
42 grounds for initiating disciplinary action or denying licensure:

43 (a) Inability to practice medicine with reasonable skill and safety  
44 because of illness, a mental or physical condition or the use of  
45 alcohol, drugs, narcotics or any other substance.





1 (b) Engaging in any conduct:

2 (1) Which is intended to deceive;

3 (2) Which the Board has determined is a violation of the  
4 standards of practice established by regulation of the Board; or

5 (3) Which is in violation of a regulation adopted by the State  
6 Board of Pharmacy.

7 (c) Administering, dispensing or prescribing any controlled  
8 substance, or any dangerous drug as defined in chapter 454 of NRS,  
9 to or for himself or herself or to others except as authorized by law.

10 (d) Performing, assisting or advising the injection of any  
11 substance containing liquid silicone into the human body, except for  
12 the use of silicone oil to repair a retinal detachment.

13 (e) Practicing or offering to practice beyond the scope permitted  
14 by law or performing services which the licensee knows or has  
15 reason to know that he or she is not competent to perform or which  
16 are beyond the scope of his or her training.

17 (f) Performing, without first obtaining the informed consent of  
18 the patient or the patient's family, any procedure or prescribing any  
19 therapy which by the current standards of the practice of medicine is  
20 experimental.

21 (g) Continual failure to exercise the skill or diligence or use the  
22 methods ordinarily exercised under the same circumstances by  
23 physicians in good standing practicing in the same specialty or field.

24 (h) Habitual intoxication from alcohol or dependency on  
25 controlled substances.

26 (i) Making or filing a report which the licensee or applicant  
27 knows to be false or failing to file a record or report as required by  
28 law or regulation.

29 (j) Failing to comply with the requirements of NRS 630.254.

30 (k) Failure by a licensee or applicant to report in writing, within  
31 30 days, any disciplinary action taken against the licensee or  
32 applicant by another state, the Federal Government or a foreign  
33 country, including, without limitation, the revocation, suspension or  
34 surrender of a license to practice medicine in another jurisdiction.

35 (l) Failure by a licensee or applicant to report in writing, within  
36 30 days, any criminal action taken or conviction obtained against the  
37 licensee or applicant, other than a minor traffic violation, in this  
38 State or any other state or by the Federal Government, a branch of  
39 the Armed Forces of the United States or any local or federal  
40 jurisdiction of a foreign country.

41 (m) Failure to be found competent to practice medicine as a  
42 result of an examination to determine medical competency pursuant  
43 to NRS 630.318.

44 (n) Operation of a medical facility at any time during which:

45 (1) The license of the facility is suspended or revoked; or



1 (2) An act or omission occurs which results in the suspension  
2 or revocation of the license pursuant to NRS 449.160.

3 ➔ This paragraph applies to an owner or other principal responsible  
4 for the operation of the facility.

5 (o) Failure to comply with the requirements of NRS 630.373.

6 (p) Engaging in any act that is unsafe or unprofessional conduct  
7 in accordance with regulations adopted by the Board.

8 (q) Knowingly or willfully procuring or administering a  
9 controlled substance or a dangerous drug as defined in chapter 454  
10 of NRS that is not approved by the United States Food and Drug  
11 Administration, unless the unapproved controlled substance or  
12 dangerous drug:

13 (1) Was procured through a retail pharmacy licensed  
14 pursuant to chapter 639 of NRS;

15 (2) Was procured through a Canadian pharmacy which is  
16 licensed pursuant to chapter 639 of NRS and which has been  
17 recommended by the State Board of Pharmacy pursuant to  
18 subsection 4 of NRS 639.2328;

19 (3) Is marijuana being used for medical purposes in  
20 accordance with *the* chapter ~~[453A of NRS;]~~ *consisting of sections*  
21 *125 to 171, inclusive, of this act;* or

22 (4) Is an investigational drug or biological product prescribed  
23 to a patient pursuant to NRS 630.3735 or 633.6945.

24 (r) Failure to supervise adequately a medical assistant pursuant  
25 to the regulations of the Board.

26 (s) Failure to comply with the provisions of NRS 630.3745.

27 (t) Failure to obtain any training required by the Board pursuant  
28 to NRS 630.2535.

29 (u) Failure to comply with the provisions of NRS 454.217 or  
30 629.086.

31 2. As used in this section, "investigational drug or biological  
32 product" has the meaning ascribed to it in NRS 454.351.

33 **Sec. 231.** NRS 630.3066 is hereby amended to read as  
34 follows:

35 630.3066 A physician is not subject to disciplinary action  
36 solely for:

37 1. Prescribing or administering to a patient under his or her  
38 care a controlled substance which is listed in schedule II, III, IV or  
39 V by the State Board of Pharmacy pursuant to NRS 453.146, if the  
40 controlled substance is lawfully prescribed or administered for the  
41 treatment of intractable pain in accordance with the provisions of  
42 NRS 639.23507 and 639.2391 to 639.23916, inclusive, any  
43 regulations adopted by the State Board of Pharmacy pursuant  
44 thereto and any other regulations adopted by the Board of Medical  
45 Examiners.



1 2. Engaging in any activity in accordance with the provisions  
2 of *the* chapter ~~[453A of NRS.]~~ *consisting of sections 125 to 171,*  
3 *inclusive, of this act.*

4 **Sec. 232.** NRS 631.3475 is hereby amended to read as  
5 follows:

6 631.3475 The following acts, among others, constitute  
7 unprofessional conduct:

8 1. Malpractice;

9 2. Professional incompetence;

10 3. Suspension or revocation of a license to practice dentistry,  
11 the imposition of a fine or other disciplinary action by any agency of  
12 another state authorized to regulate the practice of dentistry in that  
13 state;

14 4. More than one act by the dentist or dental hygienist  
15 constituting substandard care in the practice of dentistry or dental  
16 hygiene;

17 5. Administering, dispensing or prescribing any controlled  
18 substance or any dangerous drug as defined in chapter 454 of NRS,  
19 if it is not required to treat the dentist's patient;

20 6. Knowingly procuring or administering a controlled  
21 substance or a dangerous drug as defined in chapter 454 of NRS that  
22 is not approved by the United States Food and Drug Administration,  
23 unless the unapproved controlled substance or dangerous drug:

24 (a) Was procured through a retail pharmacy licensed pursuant to  
25 chapter 639 of NRS;

26 (b) Was procured through a Canadian pharmacy which is  
27 licensed pursuant to chapter 639 of NRS and which has been  
28 recommended by the State Board of Pharmacy pursuant to  
29 subsection 4 of NRS 639.2328; or

30 (c) Is marijuana being used for medical purposes in accordance  
31 with *the* chapter ~~[453A of NRS.]~~ *consisting of sections 125 to 171,*  
32 *inclusive, of this act;*

33 7. Chronic or persistent inebriety or addiction to a controlled  
34 substance, to such an extent as to render the person unsafe or  
35 unreliable as a practitioner, or such gross immorality as tends to  
36 bring reproach upon the dental profession;

37 8. Conviction of a felony or misdemeanor involving moral  
38 turpitude or which relates to the practice of dentistry in this State, or  
39 conviction of any criminal violation of this chapter;

40 9. Conviction of violating any of the provisions of NRS  
41 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,  
42 inclusive;

43 10. Failure to comply with the provisions of NRS 453.163,  
44 453.164, 453.226, 639.23507 and 639.2391 to 639.23916, inclusive,



1 and any regulations adopted by the State Board of Pharmacy  
2 pursuant thereto.

3 11. Fraudulent, illegal, unauthorized or otherwise inappropriate  
4 prescribing, administering or dispensing of a controlled substance  
5 listed in schedule II, III or IV;

6 12. Failure to comply with the provisions of NRS 454.217 or  
7 629.086;

8 13. Failure to obtain any training required by the Board  
9 pursuant to NRS 631.344; or

10 14. Operation of a medical facility, as defined in NRS  
11 449.0151, at any time during which:

12 (a) The license of the facility is suspended or revoked; or

13 (b) An act or omission occurs which results in the suspension or  
14 revocation of the license pursuant to NRS 449.160.

15 ➔ This subsection applies to an owner or other principal responsible  
16 for the operation of the facility.

17 **Sec. 233.** NRS 632.347 is hereby amended to read as follows:

18 632.347 1. The Board may deny, revoke or suspend any  
19 license or certificate applied for or issued pursuant to this chapter, or  
20 take other disciplinary action against a licensee or holder of a  
21 certificate, upon determining that the licensee or certificate holder:

22 (a) Is guilty of fraud or deceit in procuring or attempting to  
23 procure a license or certificate pursuant to this chapter.

24 (b) Is guilty of any offense:

25 (1) Involving moral turpitude; or

26 (2) Related to the qualifications, functions or duties of a  
27 licensee or holder of a certificate,

28 ➔ in which case the record of conviction is conclusive evidence  
29 thereof.

30 (c) Has been convicted of violating any of the provisions of  
31 NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,  
32 inclusive.

33 (d) Is unfit or incompetent by reason of gross negligence or  
34 recklessness in carrying out usual nursing functions.

35 (e) Uses any controlled substance, dangerous drug as defined in  
36 chapter 454 of NRS, or intoxicating liquor to an extent or in a  
37 manner which is dangerous or injurious to any other person or  
38 which impairs his or her ability to conduct the practice authorized  
39 by the license or certificate.

40 (f) Is a person with mental incompetence.

41 (g) Is guilty of unprofessional conduct, which includes, but is  
42 not limited to, the following:

43 (1) Conviction of practicing medicine without a license in  
44 violation of chapter 630 of NRS, in which case the record of  
45 conviction is conclusive evidence thereof.



1 (2) Impersonating any applicant or acting as proxy for an  
2 applicant in any examination required pursuant to this chapter for  
3 the issuance of a license or certificate.

4 (3) Impersonating another licensed practitioner or holder of a  
5 certificate.

6 (4) Permitting or allowing another person to use his or her  
7 license or certificate to practice as a licensed practical nurse,  
8 registered nurse, nursing assistant or medication aide - certified.

9 (5) Repeated malpractice, which may be evidenced by claims  
10 of malpractice settled against the licensee or certificate holder.

11 (6) Physical, verbal or psychological abuse of a patient.

12 (7) Conviction for the use or unlawful possession of a  
13 controlled substance or dangerous drug as defined in chapter 454 of  
14 NRS.

15 (h) Has willfully or repeatedly violated the provisions of this  
16 chapter. The voluntary surrender of a license or certificate issued  
17 pursuant to this chapter is prima facie evidence that the licensee or  
18 certificate holder has committed or expects to commit a violation of  
19 this chapter.

20 (i) Is guilty of aiding or abetting any person in a violation of this  
21 chapter.

22 (j) Has falsified an entry on a patient's medical chart concerning  
23 a controlled substance.

24 (k) Has falsified information which was given to a physician,  
25 pharmacist, podiatric physician or dentist to obtain a controlled  
26 substance.

27 (l) Has knowingly procured or administered a controlled  
28 substance or a dangerous drug as defined in chapter 454 of NRS that  
29 is not approved by the United States Food and Drug Administration,  
30 unless the unapproved controlled substance or dangerous drug:

31 (1) Was procured through a retail pharmacy licensed  
32 pursuant to chapter 639 of NRS;

33 (2) Was procured through a Canadian pharmacy which is  
34 licensed pursuant to chapter 639 of NRS and which has been  
35 recommended by the State Board of Pharmacy pursuant to  
36 subsection 4 of NRS 639.2328;

37 (3) Is marijuana being used for medical purposes in  
38 accordance with *the* chapter ~~[453A of NRS;]~~ *consisting of sections*  
39 *125 to 171, inclusive, of this act;* or

40 (4) Is an investigational drug or biological product prescribed  
41 to a patient pursuant to NRS 630.3735 or 633.6945.

42 (m) Has been disciplined in another state in connection with a  
43 license to practice nursing or a certificate to practice as a nursing  
44 assistant or medication aide - certified, or has committed an act in  
45 another state which would constitute a violation of this chapter.



1 (n) Has engaged in conduct likely to deceive, defraud or  
2 endanger a patient or the general public.

3 (o) Has willfully failed to comply with a regulation, subpoena or  
4 order of the Board.

5 (p) Has operated a medical facility at any time during which:

6 (1) The license of the facility was suspended or revoked; or

7 (2) An act or omission occurred which resulted in the  
8 suspension or revocation of the license pursuant to NRS 449.160.

9 ➔ This paragraph applies to an owner or other principal responsible  
10 for the operation of the facility.

11 (q) Is an advanced practice registered nurse who has failed  
12 to obtain any training required by the Board pursuant to  
13 NRS 632.2375.

14 (r) Is an advanced practice registered nurse who has failed to  
15 comply with the provisions of NRS 453.163, 453.164, 453.226,  
16 639.23507, 639.2391 to 639.23916, inclusive, and any regulations  
17 adopted by the State Board of Pharmacy pursuant thereto.

18 (s) Has engaged in the fraudulent, illegal, unauthorized or  
19 otherwise inappropriate prescribing, administering or dispensing of  
20 a controlled substance listed in schedule II, III or IV.

21 (t) Has violated the provisions of NRS 454.217 or 629.086.

22 2. For the purposes of this section, a plea or verdict of guilty or  
23 guilty but mentally ill or a plea of nolo contendere constitutes a  
24 conviction of an offense. The Board may take disciplinary action  
25 pending the appeal of a conviction.

26 3. A licensee or certificate holder is not subject to disciplinary  
27 action solely for administering auto-injectable epinephrine pursuant  
28 to a valid order issued pursuant to NRS 630.374 or 633.707.

29 4. As used in this section, "investigational drug or biological  
30 product" has the meaning ascribed to it in NRS 454.351.

31 **Sec. 234.** NRS 633.511 is hereby amended to read as follows:

32 633.511 1. The grounds for initiating disciplinary action  
33 pursuant to this chapter are:

34 (a) Unprofessional conduct.

35 (b) Conviction of:

36 (1) A violation of any federal or state law regulating the  
37 possession, distribution or use of any controlled substance or any  
38 dangerous drug as defined in chapter 454 of NRS;

39 (2) A felony relating to the practice of osteopathic medicine  
40 or practice as a physician assistant;

41 (3) A violation of any of the provisions of NRS 616D.200,  
42 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive;

43 (4) Murder, voluntary manslaughter or mayhem;

44 (5) Any felony involving the use of a firearm or other deadly  
45 weapon;



1 (6) Assault with intent to kill or to commit sexual assault or  
2 mayhem;

3 (7) Sexual assault, statutory sexual seduction, incest,  
4 lewdness, indecent exposure or any other sexually related crime;

5 (8) Abuse or neglect of a child or contributory delinquency;  
6 or

7 (9) Any offense involving moral turpitude.

8 (c) The suspension of a license to practice osteopathic medicine  
9 or to practice as a physician assistant by any other jurisdiction.

10 (d) Malpractice or gross malpractice, which may be evidenced  
11 by a claim of malpractice settled against a licensee.

12 (e) Professional incompetence.

13 (f) Failure to comply with the requirements of NRS 633.527.

14 (g) Failure to comply with the requirements of subsection 3 of  
15 NRS 633.471.

16 (h) Failure to comply with the provisions of NRS 633.694.

17 (i) Operation of a medical facility, as defined in NRS 449.0151,  
18 at any time during which:

19 (1) The license of the facility is suspended or revoked; or

20 (2) An act or omission occurs which results in the suspension  
21 or revocation of the license pursuant to NRS 449.160.

22 ➤ This paragraph applies to an owner or other principal responsible  
23 for the operation of the facility.

24 (j) Failure to comply with the provisions of subsection 2 of  
25 NRS 633.322.

26 (k) Signing a blank prescription form.

27 (l) Knowingly or willfully procuring or administering a  
28 controlled substance or a dangerous drug as defined in chapter 454  
29 of NRS that is not approved by the United States Food and Drug  
30 Administration, unless the unapproved controlled substance or  
31 dangerous drug:

32 (1) Was procured through a retail pharmacy licensed  
33 pursuant to chapter 639 of NRS;

34 (2) Was procured through a Canadian pharmacy which is  
35 licensed pursuant to chapter 639 of NRS and which has been  
36 recommended by the State Board of Pharmacy pursuant to  
37 subsection 4 of NRS 639.2328;

38 (3) Is marijuana being used for medical purposes in  
39 accordance with *the* chapter ~~453A of NRS;~~ *consisting of sections*  
40 *125 to 171, inclusive, of this act;* or

41 (4) Is an investigational drug or biological product prescribed  
42 to a patient pursuant to NRS 630.3735 or 633.6945.

43 (m) Attempting, directly or indirectly, by intimidation, coercion  
44 or deception, to obtain or retain a patient or to discourage the use of  
45 a second opinion.





1 (n) Terminating the medical care of a patient without adequate  
2 notice or without making other arrangements for the continued care  
3 of the patient.

4 (o) In addition to the provisions of subsection 3 of NRS  
5 633.524, making or filing a report which the licensee knows to be  
6 false, failing to file a record or report that is required by law or  
7 knowingly or willfully obstructing or inducing another to obstruct  
8 the making or filing of such a record or report.

9 (p) Failure to report any person the licensee knows, or has  
10 reason to know, is in violation of the provisions of this chapter or  
11 the regulations of the Board within 30 days after the date the  
12 licensee knows or has reason to know of the violation.

13 (q) Failure by a licensee or applicant to report in writing, within  
14 30 days, any criminal action taken or conviction obtained against the  
15 licensee or applicant, other than a minor traffic violation, in this  
16 State or any other state or by the Federal Government, a branch of  
17 the Armed Forces of the United States or any local or federal  
18 jurisdiction of a foreign country.

19 (r) Engaging in any act that is unsafe in accordance with  
20 regulations adopted by the Board.

21 (s) Failure to comply with the provisions of NRS 629.515.

22 (t) Failure to supervise adequately a medical assistant pursuant  
23 to the regulations of the Board.

24 (u) Failure to obtain any training required by the Board pursuant  
25 to NRS 633.473.

26 (v) Failure to comply with the provisions of NRS 633.6955.

27 (w) Failure to comply with the provisions of NRS 453.163,  
28 453.164, 453.226, 639.23507, 639.2391 to 639.23916, inclusive,  
29 and any regulations adopted by the State Board of Pharmacy  
30 pursuant thereto.

31 (x) Fraudulent, illegal, unauthorized or otherwise inappropriate  
32 prescribing, administering or dispensing of a controlled substance  
33 listed in schedule II, III or IV.

34 (y) Failure to comply with the provisions of NRS 454.217 or  
35 629.086.

36 2. As used in this section, "investigational drug or biological  
37 product" has the meaning ascribed to it in NRS 454.351.

38 **Sec. 235.** NRS 633.521 is hereby amended to read as follows:

39 633.521 An osteopathic physician is not subject to disciplinary  
40 action solely for:

41 1. Prescribing or administering to a patient under his or her  
42 care:

43 (a) Amygdalin (laetrile), if the patient has consented to the use  
44 of the substance.



1 (b) Procaine hydrochloride with preservatives and stabilizers  
2 (Gerovital H3).

3 (c) A controlled substance which is listed in schedule II, III, IV  
4 or V by the State Board of Pharmacy pursuant to NRS 453.146, if  
5 the controlled substance is lawfully prescribed or administered for  
6 the treatment of intractable pain in accordance with the provisions  
7 of NRS 639.23507, 639.2391 to 639.23916, inclusive, and any  
8 regulations adopted by the State Board of Pharmacy pursuant  
9 thereto and the accepted standards for the practice of osteopathic  
10 medicine.

11 2. Engaging in any activity in accordance with the provisions  
12 of *the* chapter ~~[453A of NRS.]~~ *consisting of sections 125 to 171,*  
13 *inclusive, of this act.*

14 **Sec. 236.** NRS 635.130 is hereby amended to read as follows:

15 635.130 1. The Board, after notice and a hearing as required  
16 by law, and upon any cause enumerated in subsection 2, may take  
17 one or more of the following disciplinary actions:

18 (a) Deny an application for a license or refuse to renew a  
19 license.

20 (b) Suspend or revoke a license.

21 (c) Place a licensee on probation.

22 (d) Impose a fine not to exceed \$5,000.

23 2. The Board may take disciplinary action against a licensee for  
24 any of the following causes:

25 (a) The making of a false statement in any affidavit required of  
26 the applicant for application, examination or licensure pursuant to  
27 the provisions of this chapter.

28 (b) Lending the use of the holder's name to an unlicensed  
29 person.

30 (c) If the holder is a podiatric physician, permitting an  
31 unlicensed person in his or her employ to practice as a podiatry  
32 hygienist.

33 (d) Habitual indulgence in the use of alcohol or any controlled  
34 substance which impairs the intellect and judgment to such an extent  
35 as in the opinion of the Board incapacitates the holder in the  
36 performance of his or her professional duties.

37 (e) Conviction of a crime involving moral turpitude.

38 (f) Conviction of violating any of the provisions of NRS  
39 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,  
40 inclusive.

41 (g) Conduct which in the opinion of the Board disqualifies the  
42 licensee to practice with safety to the public.

43 (h) The commission of fraud by or on behalf of the licensee  
44 regarding his or her license or practice.

45 (i) Gross incompetency.



1 (j) Affliction of the licensee with any mental or physical  
2 disorder which seriously impairs his or her competence as a  
3 podiatric physician or podiatry hygienist.

4 (k) False representation by or on behalf of the licensee regarding  
5 his or her practice.

6 (l) Unethical or unprofessional conduct.

7 (m) Failure to comply with the requirements of subsection 1 of  
8 NRS 635.118.

9 (n) Willful or repeated violations of this chapter or regulations  
10 adopted by the Board.

11 (o) Willful violation of the regulations adopted by the State  
12 Board of Pharmacy.

13 (p) Knowingly procuring or administering a controlled  
14 substance or a dangerous drug as defined in chapter 454 of NRS that  
15 is not approved by the United States Food and Drug Administration,  
16 unless the unapproved controlled substance or dangerous drug:

17 (1) Was procured through a retail pharmacy licensed  
18 pursuant to chapter 639 of NRS;

19 (2) Was procured through a Canadian pharmacy which is  
20 licensed pursuant to chapter 639 of NRS and which has been  
21 recommended by the State Board of Pharmacy pursuant to  
22 subsection 4 of NRS 639.2328; or

23 (3) Is marijuana being used for medical purposes in  
24 accordance with *the* chapter ~~[453A of NRS.]~~ *consisting of sections*  
25 *125 to 171, inclusive, of this act.*

26 (q) Operation of a medical facility, as defined in NRS 449.0151,  
27 at any time during which:

28 (1) The license of the facility is suspended or revoked; or

29 (2) An act or omission occurs which results in the suspension  
30 or revocation of the license pursuant to NRS 449.160.

31 ➤ This paragraph applies to an owner or other principal responsible  
32 for the operation of the facility.

33 (r) Failure to obtain any training required by the Board pursuant  
34 to NRS 635.116.

35 (s) Failure to comply with the provisions of NRS 453.163,  
36 453.164, 453.226, 639.23507 and 639.2391 to 639.23916, inclusive,  
37 and any regulations adopted by the State Board of Pharmacy  
38 pursuant thereto.

39 (t) Fraudulent, illegal, unauthorized or otherwise inappropriate  
40 prescribing, administering or dispensing of a controlled substance  
41 listed in schedule II, III or IV.

42 (u) Failure to comply with the provisions of NRS 454.217 or  
43 629.086.



1       **Sec. 237.** NRS 636.295 is hereby amended to read as follows:  
2       636.295 The following acts, conduct, omissions, or mental or  
3 physical conditions, or any of them, committed, engaged in,  
4 omitted, or being suffered by a licensee, constitute sufficient cause  
5 for disciplinary action:

6       1. Affliction of the licensee with any communicable disease  
7 likely to be communicated to other persons.

8       2. Commission by the licensee of a felony relating to the  
9 practice of optometry or a gross misdemeanor involving moral  
10 turpitude of which the licensee has been convicted and from which  
11 he or she has been sentenced by a final judgment of a federal or  
12 state court in this or any other state, the judgment not having been  
13 reversed or vacated by a competent appellate court and the offense  
14 not having been pardoned by executive authority.

15       3. Conviction of any of the provisions of NRS 616D.200,  
16 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.

17       4. Commission of fraud by or on behalf of the licensee in  
18 obtaining a license or a renewal thereof, or in practicing optometry  
19 thereunder.

20       5. Habitual drunkenness or addiction to any controlled  
21 substance.

22       6. Gross incompetency.

23       7. Affliction with any mental or physical disorder or  
24 disturbance seriously impairing his or her competency as an  
25 optometrist.

26       8. Making false or misleading representations, by or on behalf  
27 of the licensee, with respect to optometric materials or services.

28       9. Practice by the licensee, or attempting or offering so to do,  
29 while in an intoxicated condition.

30       10. Perpetration of unethical or unprofessional conduct in the  
31 practice of optometry.

32       11. Knowingly procuring or administering a controlled  
33 substance or a dangerous drug as defined in chapter 454 of NRS that  
34 is not approved by the United States Food and Drug Administration,  
35 unless the unapproved controlled substance or dangerous drug:

36       (a) Was procured through a retail pharmacy licensed pursuant to  
37 chapter 639 of NRS;

38       (b) Was procured through a Canadian pharmacy which is  
39 licensed pursuant to chapter 639 of NRS and which has been  
40 recommended by the State Board of Pharmacy pursuant to  
41 subsection 4 of NRS 639.2328; or

42       (c) Is marijuana being used for medical purposes in accordance  
43 with *the* chapter ~~[453A of NRS.]~~ *consisting of sections 125 to 171,*  
44 *inclusive, of this act.*



1 12. Any violation of the provisions of this chapter or any  
2 regulations adopted pursuant thereto.

3 13. Operation of a medical facility, as defined in NRS  
4 449.0151, at any time during which:

5 (a) The license of the facility is suspended or revoked; or

6 (b) An act or omission occurs which results in the suspension or  
7 revocation of the license pursuant to NRS 449.160.

8 ↪ This subsection applies to an owner or other principal responsible  
9 for the operation of the facility.

10 14. Failure to obtain any training required by the Board  
11 pursuant to NRS 636.2881.

12 15. Failure to comply with the provisions of NRS 453.163,  
13 453.164, 453.226, 639.23507, 639.2391 to 639.23916, inclusive,  
14 and any regulations adopted by the State Board of Pharmacy  
15 pursuant thereto.

16 16. Fraudulent, illegal, unauthorized or otherwise inappropriate  
17 prescribing, administering or dispensing of a controlled substance  
18 listed in schedule II, III or IV.

19 **Sec. 238.** 1. As soon as practicable after passage and  
20 approval of this act, the Governor shall appoint three members to  
21 the Cannabis Compliance Board created by section 54 of this act to  
22 serve in a temporary capacity. The members must meet the  
23 requirements for membership set forth in sections 55 and 57 of this  
24 act.

25 2. The members appointed pursuant to subsection 1 shall have  
26 all the powers of the Board as necessary and convenient for the  
27 purpose of adopting regulations and performing any administrative  
28 tasks necessary to carry out the provisions of this act.

29 3. The term of office for the members appointed pursuant to  
30 subsection 1 expires on June 30, 2021.

31 **Sec. 239.** Notwithstanding the provisions of section 61 of this  
32 act, the Governor shall appoint the initial Executive Director of the  
33 Cannabis Compliance Board created by section 54 of this act as  
34 soon as practicable after the effective date of this act.

35 **Sec. 240.** 1. The administrative regulations adopted by the  
36 Department of Taxation pursuant to chapters 453A and 453D of  
37 NRS governing the licensing and regulation of marijuana  
38 establishments and medical marijuana establishments remain in  
39 force and are hereby transferred to become the administrative  
40 regulations of the Cannabis Compliance Board on January 2, 2020.  
41 On and after January 2, 2020, these regulations must be interpreted  
42 in a manner so that all references to the Department of Taxation and  
43 its constituent parts are read and interpreted as being references to  
44 the Cannabis Compliance Board and its constituent parts, regardless



1 of whether those references have been conformed pursuant to  
2 section 244 of this act at the time of interpretation.

3 2. Any contracts or other agreements entered into by the  
4 Department of Taxation and its constituent parts pursuant to  
5 chapters 453A and 453D of NRS governing the licensing and  
6 regulation of marijuana establishments and medical marijuana  
7 establishments are binding upon the Cannabis Compliance Board on  
8 and after January 2, 2020, rather than the Department of Taxation  
9 and its constituent parts. Such contracts and other agreements may  
10 be enforced by the Cannabis Compliance Board on and after  
11 January 2, 2020.

12 3. Any action taken by the Department of Taxation or its  
13 constituent parts pursuant to chapter 453A and 453D of NRS  
14 governing the licensing and regulation of marijuana establishments  
15 and medical marijuana establishments before January 2, 2020,  
16 remains in effect as if taken by the Cannabis Compliance Board or  
17 its constituent parts on and after January 2, 2020.

18 4. As used in this section:

19 (a) "Cannabis Compliance Board" means the Cannabis  
20 Compliance Board created by section 54 of this act.

21 (b) "Marijuana establishment" has the meaning ascribed to it in  
22 NRS 453D.030, as that section existed on January 1, 2020.

23 (c) "Medical marijuana establishment" has the meaning ascribed  
24 to it in NRS 453A.116, as that section existed on January 1, 2020.

25 **Sec. 241.** A person who, on January 2, 2020:

26 1. Is the holder of a valid medical marijuana establishment  
27 registration certificate issued pursuant to NRS 453A.322, as that  
28 section existed on January 1, 2020, or license to operate a marijuana  
29 establishment issued pursuant to NRS 453D.200, as that section  
30 existed on January 1, 2020, and who is otherwise qualified to hold  
31 such a license on that date shall be deemed to hold an appropriate  
32 license issued pursuant to section 91 or 96 of this act until his or her  
33 medical marijuana establishment registration certificate or license to  
34 operate a marijuana establishment expires or is revoked, whichever  
35 occurs first.

36 2. Is the holder of a medical marijuana establishment agent  
37 registration card issued pursuant to NRS 453A.332, as that section  
38 existed on January 1, 2020, or a marijuana establishment agent  
39 registration card issued pursuant to NAC 453D.340, as that section  
40 existed on January 1, 2020, and who is otherwise qualified to hold  
41 such a registration card on that date shall be deemed to hold a  
42 cannabis establishment agent registration card issued pursuant to  
43 section 103 of this act until his or her medical marijuana  
44 establishment agent registration card or marijuana establishment  
45 agent registration card expires or is revoked, whichever occurs first.



1     **Sec. 242.** Notwithstanding the amendatory provisions of this  
2 act:

3     1. A person who holds an ownership interest of 5 percent or  
4 more in a cannabis establishment may continue to own his or her  
5 ownership interest without obtaining a cannabis establishment agent  
6 registration card for a cannabis executive until January 2, 2022, or  
7 such other date as the Cannabis Compliance Board may prescribe by  
8 regulation.

9     2. A person who holds an ownership interest of less than 5  
10 percent in a cannabis establishment may continue to hold his or her  
11 ownership interest without obtaining a cannabis establishment agent  
12 registration card until January 2, 2022, or such other date as the  
13 Cannabis Compliance Board may prescribe by regulation.

14     3. As used in this section:

15     (a) "Cannabis Compliance Board" means the Cannabis  
16 Compliance Board created by section 54 of this act.

17     (b) "Cannabis establishment" has the meaning ascribed to it in  
18 section 22 of this act.

19     (c) "Cannabis establishment agent registration card" has the  
20 meaning ascribed to it in section 24 of this act.

21     (d) "Cannabis establishment agent registration card for a  
22 cannabis executive" has the meaning ascribed to it in section 25 of  
23 this act.

24     **Sec. 243.** The provisions of subsection 1 of NRS 218D.380 do  
25 not apply to any provision of this act which adds or revises a  
26 requirement to submit a report to the Legislature.

27     **Sec. 244.** The Legislative Counsel shall in preparing  
28 supplements to the Nevada Administrative Code, appropriately  
29 change any references to an officer, agency or other entity whose  
30 name is changed or whose responsibilities are transferred pursuant  
31 to the provisions of this act to refer to the appropriate officer,  
32 agency or other entity.

33     **Sec. 245.** NRS 453A.010, 453A.020, 453A.030, 453A.040,  
34 453A.050, 453A.053, 453A.056, 453A.060, 453A.075, 453A.3080,  
35 453A.090, 453A.101, 453A.102, 453A.103, 453A.104, 453A.105,  
36 453A.107, 453A.108, 453A.109, 453A.110, 453A.112, 453A.115,  
37 453A.116, 453A.117, 453A.118, 453A.119, 453A.120, 453A.125,  
38 453A.130, 453A.140, 453A.150, 453A.155, 453A.160, 453A.170,  
39 453A.200, 453A.205, 453A.208, 453A.210, 453A.220, 453A.225,  
40 453A.230, 453A.240, 453A.250, 453A.300, 453A.310, 453A.320,  
41 453A.322, 453A.324, 453A.326, 453A.328, 453A.330, 453A.332,  
42 453A.334, 453A.336, 453A.338, 453A.340, 453A.342, 453A.344,  
43 453A.350, 453A.352, 453A.354, 453A.356, 453A.358, 453A.360,  
44 453A.362, 453A.364, 453A.366, 453A.368, 453A.369, 453A.370,  
45 453A.400, 453A.410, 453A.500, 453A.510, 453A.600, 453A.610,





1 453A.620, 453A.630, 453A.700, 453A.710, 453A.720, 453A.730,  
2 453A.740, 453A.800, 453A.810, 453D.010, 453D.020, 453D.030,  
3 453D.100, 453D.110, 453D.120, 453D.130, 453D.140, 453D.200,  
4 453D.205, 453D.210, 453D.220, 453D.230, 453D.300, 453D.310,  
5 453D.320, 453D.400, 453D.500, 453D.510 and 453D.600 are  
6 hereby repealed.

7 **Sec. 246.** 1. This act becomes effective:

8 (a) Upon passage and approval for the purposes of adopting  
9 regulations and performing any other preparatory tasks that are  
10 necessary to carry out the provisions of this act; and

11 (b) On January 2, 2020, for all other purposes.

12 2. Sections 108 and 109 of this act expire by limitation on the  
13 date 2 years after the date on which the provisions of 42 U.S.C. §  
14 666 requiring each state to establish procedures under which the  
15 state has authority to withhold or suspend, or to restrict the use of  
16 professional, occupational and recreational licenses of persons who:

17 (a) Have failed to comply with a subpoena or warrant relating to  
18 a proceeding to determine the paternity of a child or to establish or  
19 enforce an obligation for the support of a child; or

20 (b) Are in arrears in the payment for the support of one or more  
21 children,

22 ↪ are repealed by the Congress of the United States.

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## LEADLINES OF REPEALED SECTIONS

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- 453A.010** Definitions.  
**453A.020** “Administer” defined.  
**453A.030** “Attending provider of health care” defined.  
**453A.040** “Cachexia” defined.  
**453A.050** “Chronic or debilitating medical condition”  
defined.  
**453A.053** “Crime of violence” defined.  
**453A.056** “Cultivation facility” defined.  
**453A.060** “Deliver” and “delivery” defined.  
**453A.075** “Department” defined.  
**453A.080** “Designated primary caregiver” defined.  
**453A.090** “Division” defined.  
**453A.101** “Edible marijuana products” defined.  
**453A.102** “Electronic verification system” defined.  
**453A.103** “Enclosed, locked facility” defined.  
**453A.104** “Excluded felony offense” defined.



- 453A.105 “Facility for the production of edible marijuana products or marijuana-infused products” defined.
- 453A.107 “Independent testing laboratory” defined.
- 453A.108 “Inventory control system” defined.
- 453A.109 “Letter of approval” defined.
- 453A.110 “Marijuana” defined.
- 453A.112 “Marijuana-infused products” defined.
- 453A.115 “Medical marijuana dispensary” defined.
- 453A.116 “Medical marijuana establishment” defined.
- 453A.117 “Medical marijuana establishment agent” defined.
- 453A.118 “Medical marijuana establishment agent registration card” defined.
- 453A.119 “Medical marijuana establishment registration certificate” defined.
- 453A.120 “Medical use of marijuana” defined.
- 453A.125 “Paraphernalia” defined.
- 453A.130 “Production” defined.
- 453A.140 “Registry identification card” defined.
- 453A.150 “State prosecution” defined.
- 453A.155 “THC” defined.
- 453A.160 “Usable marijuana” defined.
- 453A.170 “Written documentation” defined.
- 453A.200 Holder of valid registry identification card or medical marijuana establishment registration certificate exempt from state prosecution for certain acts involving marijuana and paraphernalia; no crime for mere presence in vicinity of medical use of marijuana; limitation on exemption from state prosecution; affirmative defense; holder of card prohibited from cultivating, growing or producing marijuana if dispensary opens in county of residence; exceptions.
- 453A.205 Holder of valid letter of approval exempt from state prosecution for certain acts involving marijuana and paraphernalia; limitation on exemption.
- 453A.208 Employee of State Department of Agriculture exempt from state prosecution for certain acts involving marijuana; no person subject to prosecution for being in presence or vicinity of medical use of marijuana.
- 453A.210 Registry identification cards and letters of approval: Program for issuance; application; required accompanying information; distribution of copies of application; verification of information contained in application; permissible grounds for denial of application; judicial review of decision to deny application; reapplication; applicant and caregiver deemed to hold card or letter pending



approval or denial of application; provider of health care required to maintain documentation of application.

**453A.220** Registry identification cards and letters of approval: Issuance of applicant; issuance of card to primary caregiver if primary caregiver has been designated at time of application; required contents; duration; renewal.

**453A.225** Registry identification cards and letters of approval: Revocation; duties; judicial review; reapplication prohibited for 12 months.

**453A.230** Registry identification cards and letters of approval: Holder to notify Division of certain changes in information; required update of documentation from attending provider of health care; designation of primary caregiver after initial issuance of card; card or letter deemed expired for failure to comply with provisions.

**453A.240** Registry identification cards and letters of approval: Card or letter to be returned to Division following diagnosis of absence of chronic or debilitating medical condition.

**453A.250** Registry identification cards and letters of approval: General requirements concerning designation of primary caregiver; only one designated primary caregiver allowed; timing of issuance of card or letter to caregiver if caregiver designated after initial issuance of card or letter to patient; parent or guardian who is also patient may be designated caregiver for child.

**453A.300** Acts for which holder of registry identification card or letter of approval is not exempt from state prosecution and may not raise affirmative defense; additional penalty.

**453A.310** Affirmative defenses.

**453A.320** Purpose of registration; no vested right acquired by holder of registration certificate or registration card.

**453A.322** Registration of establishments: Requirements; expiration and renewal.

**453A.324** Registration of establishments: Limitation on total number of certificates that can be issued in each jurisdiction; reallocation of certificates if county has no qualified applicants; acceptance of applications.

**453A.326** Registration of establishments in larger counties: Limitation on number of medical marijuana dispensaries located in any one governmental jurisdiction within county; limitation on number of certificates issued to any one person; certificates deemed provisional pending compliance with local requirements and issuance of local business license.



**453A.328 Registration of establishments: Considerations in determining whether to issue registration certificate.**

**453A.330 Records concerning oversight of medical marijuana establishment to be maintained by agency of local government; provision of records to establishment; fees paid by establishment; use of fees; appeal of fee.**

**453A.332 Agents required to register with Department; requirements for registration; establishment required to notify Department if agent ceases to be employed by, volunteer at or provide labor at establishment; expiration and renewal of registration; authorized activities of registrant; applicant deemed temporarily registered.**

**453A.334 Registration cards and registration certificates nontransferable unless ownership of establishment is transferred; requirements for transfer of registration card or registration certificate if ownership is transferred.**

**453A.336 Payment of child support: Statement by applicant for registration card or registration certificate; grounds for denial; duties of Department.**

**453A.338 Suspension of registration card or registration certificate for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of registration card or registration certificate.**

**453A.340 Grounds for immediate revocation of registration certificate.**

**453A.342 Grounds for immediate revocation of registration card.**

**453A.344 Fees.**

**453A.350 Location, land use, appearance and signage; change of location; certain provisions inapplicable to dual licensee.**

**453A.352 Operating documents; security measures; actions of establishment with respect to marijuana required to be for certain purpose; requirements for cultivation; dispensary and cultivation facility authorized to acquire marijuana from patient; allowing consumption on premises and dispensing of marijuana from vending machine prohibited; inspection; certain provisions inapplicable to dual licensee; installation of video monitoring system required; certain establishments authorized to acquire and use industrial hemp.**

**453A.354 Electronic verification system.**

**453A.356 Inventory control system.**

**453A.358 Duties of medical marijuana dispensaries relating to sale of medical marijuana and related products and relating to notice of legal limits on possession of medical marijuana;**



Department prohibited from requiring tracking of purchases; dual licensee authorized to allow any person who is at least 21 years of age on premises.

**453A.360** Requirements concerning edible marijuana products and marijuana-infused products; additional duties of medical marijuana dispensary and facility for production of edible marijuana products or marijuana-infused products.

**453A.362** Requirements concerning storage and removal of medical marijuana; transport of medical marijuana to another establishment or between buildings of establishment.

**453A.364** Medical marijuana dispensary authorized to dispense marijuana to nonresidents of this State under certain circumstances.

**453A.366** Designation of medical marijuana dispensary.

**453A.368** Testing laboratories.

**453A.369** Interlocal agreements.

**453A.370** Regulations.

**453A.400** Possession of registry identification card, letter of approval, registration certificate or registration card not permissible grounds for search or inspection; care and return of seized property.

**453A.410** Forfeiture of assets seized.

**453A.500** Professional licensing board prohibited from taking disciplinary action against attending provider of health care on basis of provider's participation in certain activities in accordance with chapter.

**453A.510** Professional licensing board prohibited from taking disciplinary action against licensee on basis of licensee's participation in certain activities in accordance with chapter.

**453A.600** Program for evaluation and research of medical use of marijuana: Establishment by University of Nevada School of Medicine; federal approval; participants and subjects; quarterly report to Interim Finance Committee.

**453A.610** Program for evaluation and research of medical use of marijuana: Duties of University of Nevada School of Medicine concerning confidentiality; certain items of information not subject to subpoena, discovery or inspection.

**453A.620** Program for evaluation and research of medical use of marijuana: Authority of Department of Administration of University of Nevada School of Medicine concerning gifts, grants, donations and contributions; deposit of money in State Treasury.

**453A.630** Program for evaluation and research of medical use of marijuana: Deposit, use and disposition of money;



**Department of Administration of University of Nevada School of Medicine to administer account.**

**453A.700 Duties of Division and Department concerning confidentiality; certain items of information not subject to subpoena, discovery or inspection.**

**453A.710 Addition of diseases and conditions to list of qualifying chronic or debilitating medical conditions: Petition; regulations.**

**453A.720 Authority of the Administrator of the Division or designee concerning gifts, grants, donations and contributions; deposit of money in State Treasury.**

**453A.730 Deposit, use and disposition of money; administration of account.**

**453A.740 Regulations; fees.**

**453A.800 Costs associated with medical use of marijuana not required to be paid or reimbursed; medical use of marijuana not required to be allowed in workplace; medical needs of employee who engages in medical use of marijuana to be accommodated by employer, other than law enforcement agency, in certain circumstances.**

**453A.810 State not responsible for deleterious outcomes.**

**453D.010 Short title. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]**

**453D.020 Findings and declarations. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]**

**453D.030 Definitions. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]**

**453D.100 Effect of chapter. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]**

**453D.110 Exemption from state or local prosecution for certain acts involving marijuana and marijuana paraphernalia. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]**

**453D.120 Additional exemption from state or local prosecution for certain acts involving marijuana and marijuana**



products. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.130** No crime for certain acts involving marijuana paraphernalia. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.140** Enforcement of contracts. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.200** Duties of Department relating to regulation and licensing of marijuana establishments; information about consumers. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.205** Department or marijuana establishment authorized to require person to submit fingerprints when conducting background check or determining criminal history.

**453D.210** Acceptance of applications for licensing; priority in licensing; conditions for approval of application; limitations on issuance of licenses to retail marijuana stores; competing applications. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.220** Expiration and renewal of licenses. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.230** Fees. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.300** Requirements for operation of marijuana establishment; inspection of establishment. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.310** Requirements and restrictions concerning sale and advertising of marijuana products; requirements on





marijuana product manufacturing facility and retail marijuana store; local government not prohibited from adopting more restrictive regulation concerning advertising.

**453D.320** Marijuana establishment prohibited from dispensing marijuana or marijuana products from vending machine.

**453D.400** Violations and penalties. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.500** Imposition of tax on wholesale sales of marijuana by marijuana cultivation facility. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.510** Use of proceeds of tax, fees and penalties. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

**453D.600** Severability. [This section was proposed by an initiative petition and approved by the voters at the 2016 General Election and therefore is not subject to legislative amendment or repeal until after November 22, 2019.]

