

(Reprinted with amendments adopted on April 20, 2021)

FIRST REPRINT

A.B. 322

ASSEMBLY BILL NO. 322—ASSEMBLYMEN C.H. MILLER, GONZÁLEZ, FLORES; ANDERSON, BRITNEY MILLER, MONROE-MORENO, THOMAS AND TORRES

MARCH 17, 2021

JOINT SPONSOR: SENATOR D. HARRIS

Referred to Committee on Revenue

SUMMARY—Provides for the licensure and regulation of certain events at which the sale and consumption of cannabis or cannabis products is allowed. (BDR 56-789)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

~

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

AN ACT relating to cannabis; providing for the licensure and regulation by the Cannabis Compliance Board of certain events at which the sale and consumption of cannabis or cannabis products is allowed; setting forth certain requirements for the issuance of a cannabis event organizer license, temporary cannabis event permit and portable cannabis vendor license; setting forth certain requirements concerning the operation of a temporary cannabis event; imposing various requirements on cannabis event organizers and portable cannabis vendors; requiring the Board to take certain actions concerning applicants for certain licenses who are social equity applicants; requiring the Board to adopt regulations establishing certain fees; revising provisions relating to the consumption of cannabis in a public place; revising provisions relating to the excise tax on retail sales of cannabis and cannabis products; exempting the holder of a cannabis event organizer license from certain provisions prohibiting a person from maintaining a place for the purpose of unlawfully selling, giving away or using any controlled substance; and providing other matters properly relating thereto.



* A B 3 2 2 R 1 *

Legislative Counsel's Digest:

1 Existing law provides for the licensure and regulation of persons and
2 establishments involved in the cannabis industry in this State by the Cannabis
3 Compliance Board. (Title 56 of NRS) This bill provides for the licensure and
4 regulation of events at which the sale of cannabis or cannabis products and the
5 consumption of cannabis or cannabis products by persons 21 years of age or older
6 is allowed. **Section 8** of this bill designates such events as "temporary cannabis
7 events."

8 **Section 16** of this bill prohibits a person from holding a temporary cannabis
9 event unless: (1) the person has been licensed by the Board as a cannabis event
10 organizer; and (2) the Board has issued a temporary cannabis event permit for the
11 event. **Section 15** of this bill establishes requirements for licensure as a cannabis
12 event organizer. **Section 16** sets forth certain requirements for a cannabis event
13 organizer to obtain a temporary cannabis event permit.

14 **Section 17** of this bill prohibits a person other than a participating adult-use
15 cannabis retail store or portable cannabis vendor from selling cannabis or cannabis
16 products at a temporary cannabis event and sets forth certain requirements for such
17 sales. **Sections 18 and 19** of this bill impose certain requirements and restrictions
18 on a cannabis event organizer relating to the operation of a temporary cannabis
19 event.

20 **Section 21** of this bill establishes requirements for licensure as a "portable
21 cannabis vendor," which is defined by **section 4** of this bill to mean a business that:
22 (1) is licensed by the Board; and (2) purchases cannabis or cannabis products from
23 an adult-use cannabis retail store and sells such cannabis or cannabis products at a
24 temporary cannabis event.

25 **Section 23** of this bill requires a portable cannabis vendor who participates in a
26 temporary cannabis event to purchase all cannabis or cannabis products for resale at
27 a temporary cannabis event from an adult-use cannabis retail store.

28 **Section 25.3** of this bill requires the Board to give priority to a social equity
29 applicant in: (1) processing applications for a cannabis event organizer license or
30 portable cannabis vendor license; and (2) the issuance of such a license. **Section**
31 **14.5** defines "social equity applicant" to mean, in general, an applicant that has
32 been adversely affected by previous laws that criminalized activity relating to
33 cannabis. **Section 25.3** further requires the Board to adopt regulations establishing
34 criteria to determine whether an applicant qualifies as a social equity applicant.

35 **Section 25.6** of this bill sets forth certain requirements for the issuance of
36 cannabis event organizer licenses and portable cannabis vendor licenses in a local
37 governmental jurisdiction that limits the number of business licenses issued to
38 cannabis event organizers and portable cannabis vendors, which include, among
39 other requirements, a requirement that a certain number of those licenses be issued
40 to social equity applicants.

41 Existing law imposes an excise tax on each retail sale of cannabis or cannabis
42 products by an adult-use cannabis retail store. (NRS 372A.290) **Section 42** of this
43 bill applies this excise tax to retail sales of cannabis or cannabis products by a
44 portable cannabis vendor. **Sections 39 and 41** of this bill make conforming changes
45 to reflect the imposition of the excise tax on retail sales of cannabis or cannabis
46 products by a portable cannabis vendor.

47 **Section 25** of this bill authorizes a local government to charge a cannabis event
48 organizer a fee for holding a temporary cannabis event. **Section 31** of this bill
49 requires the Board to adopt regulations establishing fees associated with a cannabis
50 event organizer license, temporary cannabis event permit and portable cannabis
51 vendor license. **Section 31** authorizes the Board to establish reduced fees for the
52 initial issuance or renewal of a cannabis event organizer license and portable
53 cannabis vendor license for social equity applicants.



54 **Section 11** of this bill includes a cannabis event organizer and a portable
55 cannabis vendor within the definition of “cannabis establishment” provided in
56 existing law, thereby subjecting such businesses to the requirements of existing law
57 applicable to cannabis establishments. (NRS 678A.095) Similarly, **section 12** of
58 this bill includes a cannabis event organizer license, a temporary cannabis event
59 permit and a portable cannabis vendor license within the definition of “license”
60 provided in existing law, thereby subjecting the holders of such licenses to the
61 provisions of existing law applicable to holders of other licenses issued by the
62 Board. (NRS 678A.160) **Section 13** of this bill authorizes the Board to adopt
63 regulations providing policies and procedures under which the Board is authorized
64 to waive any requirement applicable to a cannabis establishment that the Board
65 determines is not appropriate for a cannabis event organizer or portable cannabis
66 vendor. **Section 33** of this bill requires the Board to adopt regulations concerning
67 the safe and healthful operation of temporary cannabis events.

68 **Section 27** of this bill provides that a license or permit issued by the Board
69 pursuant to the provisions of this bill is a revocable privilege. **Sections 28 and 29**
70 of this bill prohibit the issuance of a medical cannabis establishment license or an
71 adult-use cannabis establishment license, respectively, if any of the persons
72 proposed to be owners, officers or board members of the establishment have
73 previously served in such a position for a cannabis establishment that has had a
74 license or permit issued by the Board pursuant to the provisions of this bill revoked.

75 Existing law requires the Board to adopt regulations setting forth procedures
76 and requirements for the transfer of a license issued by the Board from a holder to
77 another person who is qualified to hold such a license. (NRS 678B.380) **Section 30**
78 of this bill specifies that such regulations must set forth procedures and requirement
79 for the transfer of a cannabis event organizer license or portable cannabis vendor
80 license that is held by a social equity applicant.

81 **Section 32** of this bill revises provisions of existing law that prohibit a person
82 from selling or advertising the sale of cannabis or cannabis products for the purpose
83 of authorizing the holder of a portable cannabis vendor license to engage in such
84 activities. (NRS 678B.530) Existing law exempts, in general, persons who hold
85 certain licenses issued by the Board from state prosecution for the possession,
86 delivery or production of cannabis. (NRS 678D.200) **Section 35** of this bill expands
87 this exemption to include the holder of a portable cannabis vendor license.

88 Existing law prohibits, in general, the consumption of cannabis or cannabis
89 products in a public place. (NRS 678C.300, 678D.300, 678D.310) **Sections 34, 36**
90 **and 37** of this bill revise these provisions for the purposes of authorizing a person
91 to consume cannabis or cannabis products in an area designated for that activity at a
92 temporary cannabis event.

93 Existing law prohibits a person from opening or maintaining a place for the
94 purpose of unlawfully selling, giving away or using any controlled substance. (NRS
95 453.316) **Section 44** of this bill exempts a cannabis event organizer whose
96 activities are confined to those authorized under the provisions of this bill from the
97 application of this provision.

98 **Sections 2-9** of this bill define words and terms applicable to the provisions of
99 this bill. **Sections 10, 27.5 and 40** of this bill make conforming changes to indicate
100 the proper placement of new provisions in the Nevada Revised Statutes. **Section 43**
101 of this bill makes a conforming change to reflect the addition of the provisions of
102 **section 31**.



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

1 **Section 1.** Chapter 678A of NRS is hereby amended by
2 adding thereto the provisions set forth as sections 2 to 9, inclusive,
3 of this act.

4 **Sec. 2.** *“Cannabis event organizer” means a business that:*

5 1. *Is licensed by the Board pursuant to section 15 of this act;*
6 *and*

7 2. *Permits, maintains, promotes, conducts, advertises,*
8 *operates, undertakes, organizes, manages, sells or gives away*
9 *tickets to temporary cannabis events.*

10 **Sec. 3.** *“Cannabis event organizer license” means a license*
11 *that is issued by the Board pursuant to section 15 of this act to*
12 *authorize the operation of a cannabis event organizer.*

13 **Sec. 4.** *“Portable cannabis vendor” means a business that:*

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

16 2. *Purchases cannabis or cannabis products from an adult-*
17 *use cannabis retail store and sells such cannabis or cannabis*
18 *products at a temporary cannabis event.*

19 **Sec. 5.** (Deleted by amendment.)

20 **Sec. 6.** (Deleted by amendment.)

21 **Sec. 7.** *“Portable cannabis vendor license” means a license*
22 *that is issued by the Board pursuant to section 21 of this act to*
23 *authorize the operation of a portable cannabis vendor.*

24 **Sec. 8.** *“Temporary cannabis event” means an event held by*
25 *a cannabis event organizer for which a temporary cannabis event*
26 *permit has been issued by the Board pursuant to section 16 of this*
27 *act and at which:*

28 1. *Participating adult-use cannabis retail stores or portable*
29 *cannabis vendors sell cannabis or cannabis products to persons 21*
30 *years of age or older; and*

31 2. *The consumption of cannabis or cannabis products by*
32 *persons 21 years of age or older is allowed.*

33 **Sec. 9.** *“Temporary cannabis event permit” means a license*
34 *that is issued by the Board pursuant to section 16 of this act to*
35 *authorize a cannabis event organizer to hold a temporary*
36 *cannabis event.*

37 **Sec. 10.** NRS 678A.010 is hereby amended to read as follows:
38 678A.010 As used in this title, unless the context otherwise
39 requires, the words and terms defined in NRS 678A.020 to
40 678A.240, inclusive, *and sections 2 to 9, inclusive, of this act* have
41 the meanings ascribed to them in those sections.



1 **Sec. 11.** NRS 678A.095 is hereby amended to read as follows:
2 678A.095 “Cannabis establishment” means:

- 3 1. An adult-use cannabis establishment; ~~{or}~~
4 2. A medical cannabis establishment ~~{,}~~;
5 **3. A cannabis event organizer; or**
6 **4. A portable cannabis vendor.**

7 **Sec. 12.** NRS 678A.160 is hereby amended to read as follows:
8 678A.160 “License” means:

- 9 1. An adult-use cannabis establishment license; ~~{or}~~
10 2. A medical cannabis establishment license ~~{,}~~;
11 **3. A cannabis event organizer license;**
12 **4. A temporary cannabis event permit; or**
13 **5. A portable cannabis vendor license.**

14 **Sec. 13.** NRS 678A.450 is hereby amended to read as follows:
15 678A.450 1. The Board may adopt regulations necessary or

16 convenient to carry out the provisions of this title. Such regulations
17 may include, without limitation:

- 18 (a) Financial requirements for licensees.
19 (b) Establishing such investigative and enforcement mechanisms
20 as the Board deems necessary to ensure the compliance of a licensee
21 or registrant with the provisions of this title.
22 (c) Requirements for licensees or registrants relating to the
23 cultivation, processing, manufacture, transport, distribution, testing,
24 study, advertising and sale of cannabis and cannabis products.
25 (d) Policies and procedures to ensure that the cannabis industry
26 in this State is economically competitive, inclusive of racial
27 minorities, women and persons and communities that have been
28 adversely affected by cannabis prohibition and accessible to persons
29 of low-income seeking to start a business.
30 (e) Policies and procedures governing the circumstances under
31 which the Board may waive the requirement to obtain a registration
32 card pursuant to this title for any person who holds an ownership
33 interest of less than 5 percent in any one cannabis establishment or
34 an ownership interest in more than one cannabis establishment of
35 the same type that, when added together, is less than 5 percent.
36 (f) Reasonable restrictions on the signage, marketing, display
37 and advertising of cannabis establishments. Such a restriction must
38 not require a cannabis establishment to obtain the approval of the
39 Board before using a logo, sign or advertisement.
40 (g) Provisions governing the sales of products and commodities
41 made from hemp, as defined in NRS 557.160, or containing
42 cannabidiol by cannabis establishments.

43 ***(h) Policies and procedures governing the circumstances***
44 ***under which the Board may waive any requirement applicable to a***
45 ***cannabis establishment that the Board determines is not***



1 *appropriate for a cannabis event organizer or portable cannabis*
2 *vendor.*

3 2. The Board shall adopt regulations providing for the
4 gathering and maintenance of comprehensive demographic
5 information, including, without limitation, information regarding
6 race, ethnicity, age and gender, concerning each:

7 (a) Owner and manager of a cannabis establishment.

8 (b) Holder of a cannabis establishment agent registration card.

9 3. The Board shall transmit the information gathered and
10 maintained pursuant to subsection 2 to the Director of the
11 Legislative Counsel Bureau for transmission to the Legislature on or
12 before January 1 of each odd-numbered year.

13 4. The Board shall, by regulation, establish a pilot program for
14 identifying opportunities for an emerging small cannabis business to
15 participate in the cannabis industry. As used in this subsection,
16 "emerging small cannabis business" means a cannabis-related
17 business that:

18 (a) Is in existence, operational and operated for a profit;

19 (b) Maintains its principal place of business in this State; and

20 (c) Satisfies requirements for the number of employees and
21 annual gross revenue established by the Board by regulation.

22 **Sec. 14.** Chapter 678B of NRS is hereby amended by adding
23 thereto the provisions set forth as sections 14.5 to 26, inclusive, of
24 this act.

25 **Sec. 14.5.** *"Social equity applicant" means an applicant for*
26 *the issuance or renewal of a cannabis event organizer license or*
27 *portable cannabis vendor license who has been adversely affected*
28 *by provisions of previous laws which criminalized activity relating*
29 *to cannabis, including, without limitation, adverse effects on an*
30 *owner, officer or board member of the applicant.*

31 **Sec. 15. 1.** *A person shall not engage in the business of a*
32 *cannabis event organizer unless the person holds a cannabis event*
33 *organizer license issued pursuant to this section.*

34 **2.** *A person who wishes to engage in the business of a*
35 *cannabis event organizer must submit to the Board an application*
36 *on a form prescribed by the Board.*

37 **3.** *The Board shall issue a cannabis event organizer license to*
38 *an applicant if:*

39 (a) *The person who wishes to engage in the business of a*
40 *cannabis event organizer has submitted to the Board all of the*
41 *following:*

42 (1) *The application fee, as set forth in NRS 678B.390;*

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

44 (I) *The legal name of the proposed cannabis event*
45 *organizer;*



1 (II) The physical address where the proposed cannabis
2 event organizer will be located;

3 (III) For the applicant and each person who is proposed
4 to be an owner, officer or board member of the proposed cannabis
5 event organizer, a complete set of the person's fingerprints and
6 written permission of the person authorizing the Board to forward
7 the fingerprints to the Central Repository for Nevada Records of
8 Criminal History for submission to the Federal Bureau of
9 Investigation for its report; and

10 (IV) The name, address and date of birth of each person
11 who is proposed to be an owner, officer or board member of the
12 proposed cannabis event organizer;

13 (3) Operating procedures consistent with rules of the Board
14 for oversight of the proposed cannabis event organizer; and

15 (4) Such other information as the Board may require by
16 regulation;

17 (b) None of the persons who are proposed to be owners,
18 officers or board members of the proposed cannabis event
19 organizer have:

20 (1) Served as an owner, officer or board member for a
21 cannabis establishment that has had its cannabis event organizer
22 license, temporary cannabis event permit, portable cannabis
23 vendor license, adult-use cannabis establishment license or
24 medical cannabis establishment license revoked;

25 (2) Previously had a cannabis establishment agent
26 registration card revoked; or

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

29 (c) None of the persons who are proposed to be owners,
30 officers or board members of the proposed cannabis event
31 organizer are under 21 years of age.

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

39 5. Except as otherwise provided in section 25.6 of this act, if
40 an applicant for licensure to engage in the business of a cannabis
41 event organizer satisfies the requirements of this section, is
42 qualified in the determination of the Board pursuant to NRS
43 678B.200 and is not disqualified from being licensed pursuant to
44 this section or other applicable law, the Board shall issue to the
45 applicant a cannabis event organizer license. A cannabis event



1 *organizer license expires 1 year after the date of issuance and may*
2 *be renewed upon:*

3 *(a) Submission of the information required by the Board by*
4 *regulation; and*

5 *(b) Payment of the renewal fee set forth in NRS 678B.390.*

6 **Sec. 16. 1.** *A person shall not hold a temporary cannabis*
7 *event unless the person:*

8 *(a) Is a cannabis event organizer; and*

9 *(b) Has been issued a temporary cannabis event permit for the*
10 *temporary cannabis event by the Board pursuant to this section.*

11 **2.** *A cannabis event organizer who wishes to obtain a*
12 *temporary cannabis event permit must submit to the Board the*
13 *application fee, as set forth in NRS 678B.390, and an application*
14 *on a form prescribed by the Board. The application must include:*

15 *(a) The name and address of the applicant;*

16 *(b) The physical address of the location at which the proposed*
17 *temporary cannabis event will be held;*

18 *(c) The date or dates of the proposed temporary cannabis*
19 *event;*

20 *(d) The number of persons expected to attend the proposed*
21 *temporary cannabis event;*

22 *(e) A detailed description of each area within the proposed*
23 *temporary cannabis event designated for the sale of cannabis or*
24 *cannabis products;*

25 *(f) A detailed description of each area within the proposed*
26 *temporary cannabis event designated for the consumption of*
27 *cannabis or cannabis products;*

28 *(g) Operating procedures consistent with regulations of the*
29 *Board for the safe and healthful operation of temporary cannabis*
30 *events;*

31 *(h) Evidence that the local government having jurisdiction*
32 *over the location in which the proposed temporary cannabis event*
33 *is to be held has approved the event to be held at the specified*
34 *location and on the specified date or dates;*

35 *(i) A list of each adult-use cannabis retail store, portable*
36 *cannabis vendor and cannabis establishment agent that will be*
37 *participating in the proposed temporary cannabis event; and*

38 *(j) Such other information as the Board may require by*
39 *regulation.*

40 **3.** *The Board shall issue a temporary cannabis event permit*
41 *to an applicant if:*

42 *(a) The application satisfies the requirements of this section;*

43 *(b) The applicant is a cannabis event organizer who is*
44 *qualified in the determination of the Board pursuant to NRS*
45 *678B.200; and*



1 (c) *The temporary cannabis event is not disqualified from*
2 *being licensed pursuant to any other applicable law.*

3 4. *Each temporary cannabis event permit issued pursuant to*
4 *this section must set forth the location and date or dates of the*
5 *temporary cannabis event for which the temporary cannabis event*
6 *permit is issued.*

7 **Sec. 17.** 1. *A person shall not sell cannabis or cannabis*
8 *products at a temporary cannabis event unless the person is an*
9 *adult-use cannabis retail store or a portable cannabis vendor and*
10 *has been listed as a participant in the event in a list submitted to*
11 *the Board pursuant to section 16 of this act.*

12 2. *Except as otherwise provided by regulation adopted by the*
13 *Board, all provisions of this title and the regulations adopted*
14 *pursuant thereto relating to the testing and labeling of cannabis*
15 *and cannabis products and the sale of cannabis and cannabis*
16 *products on the premises of an adult-use cannabis retail store also*
17 *apply to cannabis and cannabis products sold at a temporary*
18 *cannabis event.*

19 **Sec. 18.** *A cannabis event organizer that holds a temporary*
20 *cannabis event shall:*

21 1. *Ensure that only persons who are 21 years of age or older*
22 *are allowed to access areas within the temporary cannabis event*
23 *designated for the sale or consumption of cannabis or cannabis*
24 *products;*

25 2. *Comply with all procedures and requirements prescribed*
26 *by regulation of the Board for the collection and disposal of*
27 *cannabis or cannabis products which are left at the temporary*
28 *cannabis event;*

29 3. *Ensure that all sales and consumption of cannabis or*
30 *cannabis products at the temporary cannabis event are confined to*
31 *areas within the event designated for such activities;*

32 4. *Ensure that each adult-use cannabis retail store and*
33 *portable cannabis vendor that participates in the temporary*
34 *cannabis event complies with the requirements set forth in section*
35 *17 of this act and any other requirements prescribed by regulation*
36 *of the Board; and*

37 5. *Comply with any other requirements prescribed by*
38 *regulation of the Board.*

39 **Sec. 19.** *A cannabis event organizer shall not sell cannabis*
40 *or cannabis products at a temporary cannabis event unless the*
41 *cannabis event organizer is an adult-use cannabis retail store or*
42 *portable cannabis vendor and has been listed as a participant in*
43 *the event in a list submitted to the Board pursuant to section 16 of*
44 *this act.*

45 **Sec. 20.** (Deleted by amendment.)



1 **Sec. 21. 1. A person shall not engage in the business of a**
2 **portable cannabis vendor unless the person holds a portable**
3 **cannabis vendor license issued pursuant to this section.**

4 **2. A person who wishes to engage in the business of a**
5 **portable cannabis vendor must submit to the Board an application**
6 **on a form prescribed by the Board.**

7 **3. The Board shall issue a portable cannabis vendor license**
8 **to an applicant if:**

9 **(a) The person who wishes to engage in the business of a**
10 **portable cannabis vendor has submitted to the Board all of the**
11 **following:**

12 **(1) The application fee, as set forth in NRS 678B.390;**

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

14 **(I) The legal name of the proposed portable cannabis**
15 **vendor;**

16 **(II) The physical address where the proposed portable**
17 **cannabis vendor will be located;**

18 **(III) For the applicant and each person who is proposed**
19 **to be an owner, officer or board member of the proposed portable**
20 **cannabis vendor, a complete set of the person's fingerprints and**
21 **written permission of the person authorizing the Board to forward**
22 **the fingerprints to the Central Repository for Nevada Records of**
23 **Criminal History for submission to the Federal Bureau of**
24 **Investigation for its report; and**

25 **(IV) The name, address and date of birth of each person**
26 **who is proposed to be an owner, officer or board member of the**
27 **proposed portable cannabis vendor;**

28 **(3) Operating procedures consistent with the rules of the**
29 **Board for oversight of the proposed portable cannabis vendor; and**

30 **(4) Such other information as the Board may require by**
31 **regulation;**

32 **(b) None of the persons who are proposed to be owners,**
33 **officers or board members of the proposed portable cannabis**
34 **vendor have:**

35 **(1) Served as an owner, officer or board member for a**
36 **cannabis establishment that has had its portable cannabis vendor**
37 **license, cannabis event organizer license, temporary cannabis**
38 **event permit, adult-use cannabis establishment license or medical**
39 **cannabis establishment license revoked;**

40 **(2) Previously had a cannabis establishment agent**
41 **registration card revoked; or**

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



1 (c) None of the persons who are proposed to be owners,
2 officers or board members of the proposed portable cannabis
3 vendor are under 21 years of age.

4 4. For each person who submits an application pursuant to
5 this section, and each person who is proposed to be an owner,
6 officer or board member of a proposed portable cannabis vendor,
7 the Board shall submit the fingerprints of the person to the
8 Central Repository for Nevada Records of Criminal History for
9 submission to the Federal Bureau of Investigation to determine
10 the criminal history of that person.

11 5. Except as otherwise provided in section 25.6 of this act, if
12 an applicant for licensure to engage in the business of a portable
13 cannabis vendor satisfies the requirements of this section, is
14 qualified in the determination of the Board pursuant to NRS
15 678B.200 and is not disqualified from being licensed pursuant to
16 this section or other applicable law, the Board shall issue to the
17 applicant a portable cannabis vendor license. A portable cannabis
18 vendor license expires 1 year after the date of issuance and may be
19 renewed upon:

20 (a) Submission of the information required by the Board by
21 regulation; and

22 (b) Payment of the renewal fee set forth in NRS 678B.390.

23 **Sec. 22.** (Deleted by amendment.)

24 **Sec. 23.** A portable cannabis vendor that participates in a
25 temporary cannabis event shall purchase all cannabis or cannabis
26 products for resale at the temporary cannabis event from an adult-
27 use cannabis retail store.

28 **Sec. 24.** (Deleted by amendment.)

29 **Sec. 25.** A local government having jurisdiction over the
30 location in which a temporary cannabis event is to be held may
31 charge the cannabis event organizer a fee for holding the event.

32 **Sec. 25.3. 1.** In processing applications for a cannabis
33 event organizer license or portable cannabis vendor license and in
34 the issuance of such a license, the Board shall give priority to a
35 social equity applicant.

36 2. The Board shall adopt regulations establishing criteria to
37 be used by the Board for determining whether an applicant for the
38 issuance or renewal of a cannabis event organizer license or
39 portable cannabis vendor license qualifies as a social equity
40 applicant for the purposes of this chapter.

41 **Sec. 25.6. 1.** If, in a local governmental jurisdiction that
42 issues business licenses, the local governmental jurisdiction limits
43 the number of business licenses issued to cannabis event
44 organizers and portable cannabis vendors, the Board shall
45 determine the total number of cannabis event organizer licenses



1 *and portable cannabis vendor licenses that will be allocated to the*
2 *local governmental jurisdiction.*

3 2. *Of the total number cannabis event organizer licenses and*
4 *portable cannabis vendor licenses allocated to a local*
5 *governmental jurisdiction pursuant to subsection 1, not less than*
6 *50 percent must be issued to social equity applicants. If, at any*
7 *time, there are an insufficient number of qualified social equity*
8 *applicants to satisfy this requirement, the Board shall hold the*
9 *remaining number of licenses necessary to satisfy this requirement*
10 *in reserve for the issuance to future social equity applicants.*

11 3. *Except as otherwise provided in subsection 2, if, at any*
12 *time, the number of qualified applicants for the issuance of*
13 *cannabis event organizer licenses or portable cannabis event*
14 *licenses exceed the number of licenses allocated to that*
15 *jurisdiction pursuant to subsection 1, the Board shall issue*
16 *cannabis event organizer licenses and portable cannabis event*
17 *licenses in the local governmental jurisdiction on the basis of a*
18 *separate lottery system for each type of license.*

19 4. *As used in this section, "local governmental jurisdiction"*
20 *means a city or unincorporated area within a county.*

21 **Sec. 26.** (Deleted by amendment.)

22 **Sec. 27.** NRS 678B.010 is hereby amended to read as follows:
23 678B.010 The Legislature hereby finds and declares that:

24 1. The purpose for licensing cannabis establishments and
25 registering cannabis establishment agents is to protect the public
26 health and safety and the general welfare of the people of this State.

27 2. Any:

28 (a) Medical cannabis establishment license issued pursuant to
29 NRS 678B.210;

30 (b) Adult-use cannabis establishment license issued pursuant to
31 NRS 678B.250;

32 (c) *Cannabis event organizer license issued pursuant to section*
33 *15 of this act;*

34 (d) *Temporary cannabis event permit issued pursuant to*
35 *section 16 of this act;*

36 (e) *Portable cannabis vendor license issued pursuant to section*
37 *21 of this act;*

38 (f) Cannabis establishment agent registration card issued
39 pursuant to NRS 678B.340; and

40 ~~(d)~~ (g) Cannabis establishment agent registration card for a
41 cannabis executive issued pursuant to NRS 678B.350,

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



1 **Sec. 27.5.** NRS 678B.020 is hereby amended to read as
2 follows:

3 678B.020 As used in this chapter, unless the context otherwise
4 requires, the words and terms defined in NRS 678B.030 to
5 678B.070, inclusive, *and section 14.5 of this act* have the meanings
6 ascribed to them in those sections.

7 **Sec. 28.** NRS 678B.210 is hereby amended to read as follows:

8 678B.210 1. A person shall not engage in the business of a
9 medical cannabis establishment unless the person holds a medical
10 cannabis establishment license issued by the Board pursuant to this
11 section.

12 2. A person who wishes to engage in the business of a medical
13 cannabis establishment must submit to the Board an application on a
14 form prescribed by the Board.

15 3. Except as otherwise provided in NRS 678B.220, 678B.230
16 and 678B.240, not later than 90 days after receiving an application
17 to engage in the business of a medical cannabis establishment, the
18 Board shall register the medical cannabis establishment and issue a
19 medical cannabis establishment license and a random 20-digit
20 alphanumeric identification number if:

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

24 (1) The application fee, as set forth in NRS 678B.390;

25 (2) An application, which must include:

26 (I) The legal name of the proposed medical cannabis
27 establishment;

28 (II) The physical address where the proposed medical
29 cannabis establishment will be located and the physical address of
30 any co-owned additional or otherwise associated medical cannabis
31 establishments, the locations of which may not be within 1,000 feet
32 of a public or private school that provides formal education
33 traditionally associated with preschool or kindergarten through
34 grade 12 and that existed on the date on which the application for
35 the proposed medical cannabis establishment was submitted to the
36 Board, within 300 feet of a community facility that existed on the
37 date on which the application for the proposed medical cannabis
38 establishment was submitted to the Board or, if the proposed
39 medical cannabis establishment will be located in a county whose
40 population is 100,000 or more, within 1,500 feet of an establishment
41 that holds a nonrestricted gaming license described in subsection 1
42 or 2 of NRS 463.0177 and that existed on the date on which the
43 application for the proposed medical cannabis establishment was
44 submitted to the Board;



1 (III) Evidence that the applicant controls not less than
2 \$250,000 in liquid assets to cover the initial expenses of opening the
3 proposed medical cannabis establishment and complying with the
4 provisions of this title;

5 (IV) Evidence that the applicant owns the property on
6 which the proposed medical cannabis establishment will be located
7 or has the written permission of the property owner to operate the
8 proposed medical cannabis establishment on that property;

9 (V) For the applicant and each person who is proposed to
10 be an owner, officer or board member of the proposed medical
11 cannabis establishment, a complete set of the person's fingerprints
12 and written permission of the person authorizing the Board to
13 forward the fingerprints to the Central Repository for Nevada
14 Records of Criminal History for submission to the Federal Bureau
15 of Investigation for its report; and

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

19 (3) Operating procedures consistent with rules of the Board
20 for oversight of the proposed medical cannabis establishment,
21 including, without limitation:

22 (I) Procedures to ensure the use of adequate security
23 measures; and

24 (II) The use of an electronic verification system and an
25 inventory control system pursuant to NRS 678C.420 and 678C.430;

26 (4) If the proposed medical cannabis establishment will sell
27 or deliver medical cannabis products, proposed operating
28 procedures for handling such products which must be preapproved
29 by the Board;

30 (5) If the city or county in which the proposed medical
31 cannabis establishment will be located has enacted zoning
32 restrictions, proof that the proposed location is in compliance with
33 those restrictions and satisfies all applicable building requirements;
34 and

35 (6) Such other information as the Board may require by
36 regulation;

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

40 (c) None of the persons who are proposed to be owners, officers
41 or board members of the proposed medical cannabis establishment
42 have:

43 (1) Served as an owner, officer or board member for a
44 cannabis establishment that has had its medical cannabis
45 establishment license , ~~or~~ adult-use cannabis establishment license



1 , *cannabis event organizer license, temporary cannabis event*
2 *permit or portable cannabis vendor license* revoked;

3 (2) Previously had a cannabis establishment agent
4 registration card revoked; or

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

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

10 4. For each person who submits an application pursuant to this
11 section, and each person who is proposed to be an owner, officer or
12 board member of a proposed medical cannabis establishment, the
13 Board shall submit the fingerprints of the person to the Central
14 Repository for Nevada Records of Criminal History for submission
15 to the Federal Bureau of Investigation to determine the criminal
16 history of that person.

17 5. Except as otherwise provided in subsection 6, if an
18 application for registration as a medical cannabis establishment
19 satisfies the requirements of this section, is qualified in the
20 determination of the Board pursuant to NRS 678B.200 and the
21 establishment is not disqualified from being registered as a medical
22 cannabis establishment pursuant to this section or other applicable
23 law, the Board shall issue to the establishment a medical cannabis
24 establishment license. A medical cannabis establishment license
25 expires 1 year after the date of issuance and may be renewed upon:

26 (a) Submission of the information required by the Board by
27 regulation; and

28 (b) Payment of the renewal fee set forth in NRS 678B.390.

29 6. In determining whether to issue a medical cannabis
30 establishment license pursuant to this section, the Board shall
31 consider the criteria of merit set forth in NRS 678B.240.

32 7. For the purposes of sub-subparagraph (II) of subparagraph
33 (2) of paragraph (a) of subsection 3, the distance must be measured
34 from the front door of the proposed medical cannabis establishment
35 to the closest point of the property line of a school, community
36 facility or gaming establishment.

37 8. As used in this section, "community facility" means:

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

39 (b) A public park.

40 (c) A playground.

41 (d) A public swimming pool.

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



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

3 **Sec. 29.** NRS 678B.250 is hereby amended to read as follows:

4 678B.250 1. A person shall not engage in the business of an
5 adult-use cannabis establishment unless the person holds an adult-
6 use cannabis establishment license issued pursuant to this section.

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

10 3. Except as otherwise provided in NRS 678B.260, 678B.270
11 and 678B.280, the Board shall issue an adult-use cannabis
12 establishment license to an applicant if:

13 (a) The person who wishes to operate the proposed adult-use
14 cannabis establishment has submitted to the Board all of the
15 following:

16 (1) The application fee, as set forth in NRS 678B.390;

17 (2) An application, which must include:

18 (I) The legal name of the proposed adult-use cannabis
19 establishment;

20 (II) The physical address where the proposed adult-use
21 cannabis establishment will be located and the physical address of
22 any co-owned additional or otherwise associated adult-use cannabis
23 establishments, the locations of which may not be within 1,000 feet
24 of a public or private school that provides formal education
25 traditionally associated with preschool or kindergarten through
26 grade 12 and that existed on the date on which the application for
27 the proposed adult-use cannabis establishment was submitted to the
28 Board, within 300 feet of a community facility that existed on the
29 date on which the application for the proposed adult-use cannabis
30 establishment was submitted to the Board or, if the proposed adult-
31 use cannabis establishment will be located in a county whose
32 population is 100,000 or more, within 1,500 feet of an establishment
33 that holds a nonrestricted gaming license described in subsection 1
34 or 2 of NRS 463.0177 and that existed on the date on which the
35 application for the proposed adult-use cannabis establishment was
36 submitted to the Board;

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

41 (IV) Evidence that the applicant owns the property on
42 which the proposed adult-use cannabis establishment will be located
43 or has the written permission of the property owner to operate the
44 proposed adult-use cannabis establishment on that property;



1 (V) For the applicant and each person who is proposed to
2 be an owner, officer or board member of the proposed adult-use
3 cannabis establishment, a complete set of the person's fingerprints
4 and written permission of the person authorizing the Board to
5 forward the fingerprints to the Central Repository for Nevada
6 Records of Criminal History for submission to the Federal Bureau
7 of Investigation for its report; and

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

11 (3) Operating procedures consistent with rules of the Board
12 for oversight of the proposed adult-use cannabis establishment,
13 including, without limitation:

14 (I) Procedures to ensure the use of adequate security
15 measures; and

16 (II) The use of an inventory control system;

17 (4) If the proposed adult-use cannabis establishment will sell
18 or deliver adult-use cannabis products, proposed operating
19 procedures for handling such products which must be preapproved
20 by the Board; and

21 (5) Such other information as the Board may require by
22 regulation;

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

26 (c) None of the persons who are proposed to be owners, officers
27 or board members of the proposed adult-use cannabis establishment
28 have:

29 (1) Served as an owner, officer or board member for a
30 cannabis establishment that has had its adult-use cannabis
31 establishment license, ~~or~~ medical cannabis establishment license,
32 *cannabis event organizer license, temporary cannabis event permit*
33 *or portable cannabis vendor license* revoked;

34 (2) Previously had a cannabis establishment agent
35 registration card revoked; or

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

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

41 4. For each person who submits an application pursuant to this
42 section, and each person who is proposed to be an owner, officer or
43 board member of a proposed adult-use cannabis establishment, the
44 Board shall submit the fingerprints of the person to the Central
45 Repository for Nevada Records of Criminal History for submission



1 to the Federal Bureau of Investigation to determine the criminal
2 history of that person.

3 5. Except as otherwise provided in subsection 6, if an applicant
4 for licensure to operate an adult-use cannabis establishment satisfies
5 the requirements of this section, is qualified in the determination of
6 the Board pursuant to NRS 678B.200 and is not disqualified from
7 being licensed pursuant to this section or other applicable law, the
8 Board shall issue to the applicant an adult-use cannabis
9 establishment license. An adult-use cannabis establishment license
10 expires 1 year after the date of issuance and may be renewed upon:

11 (a) Submission of the information required by the Board by
12 regulation; and

13 (b) Payment of the renewal fee set forth in NRS 678B.390.

14 6. In determining whether to issue an adult-use cannabis
15 license pursuant to this section, the Board shall consider the criteria
16 of merit set forth in NRS 678B.280.

17 7. For the purposes of sub-subparagraph (II) of subparagraph
18 (2) of paragraph (a) of subsection 3, the distance must be measured
19 from the front door of the proposed adult-use cannabis
20 establishment to the closest point of the property line of a school,
21 community facility or gaming establishment.

22 8. As used in this section, "community facility" means:

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

24 (b) A public park.

25 (c) A playground.

26 (d) A public swimming pool.

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

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

32 **Sec. 30.** NRS 678B.380 is hereby amended to read as follows:

33 678B.380 1. Except as otherwise provided by regulations
34 adopted by the Board pursuant to subsection 2, the following are
35 nontransferable:

36 (a) A cannabis establishment agent registration card.

37 (b) A cannabis establishment agent registration card for a
38 cannabis executive.

39 (c) A medical cannabis establishment license.

40 (d) An adult-use cannabis establishment license.

41 (e) *A cannabis event organizer license.*

42 (f) *A temporary cannabis event permit.*

43 (g) *A portable cannabis vendor license.*

44 2. The Board shall adopt regulations which prescribe
45 procedures and requirements by which a holder of a license ,



1 *including, without limitation, the holder of a cannabis event*
2 *organizer license or portable cannabis vendor license who is a*
3 *social equity applicant,* may transfer the license to another party
4 who is qualified to hold such a license pursuant to the provisions of
5 this chapter.

6 **Sec. 31.** NRS 678B.390 is hereby amended to read as follows:

7 678B.390 1. Except as otherwise provided in subsection ~~[2.]~~
8 **4,** the Board shall collect not more than the following maximum
9 fees:

11	For the initial issuance of a medical cannabis	
12	establishment license for a medical	
13	cannabis dispensary.....	\$30,000
14	For the renewal of a medical cannabis	
15	establishment license for a medical	
16	cannabis dispensary.....	5,000
17	For the initial issuance of a medical cannabis	
18	establishment license for a medical	
19	cannabis cultivation facility	3,000
20	For the renewal of a medical cannabis	
21	establishment license for a medical	
22	cannabis cultivation facility	1,000
23	For the initial issuance of a medical cannabis	
24	establishment license for a medical	
25	cannabis production facility	3,000
26	For the renewal of a medical cannabis	
27	establishment license for a medical	
28	cannabis production facility	1,000
29	For the initial issuance of a medical cannabis	
30	establishment license for a medical	
31	cannabis independent testing laboratory	5,000
32	For the renewal of a medical cannabis	
33	establishment license for a medical	
34	cannabis independent testing laboratory	3,000
35	For the initial issuance of an adult-use	
36	cannabis establishment license for an	
37	adult-use cannabis retail store	20,000
38	For the renewal of an adult-use cannabis	
39	establishment license for an adult-use	
40	cannabis retail store.....	6,600
41	For the initial issuance of an adult-use	
42	cannabis establishment license for an	
43	adult-use cannabis cultivation facility.....	30,000



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

2. *The Board shall establish by regulation fees for:*

(a) *The issuance and renewal of a cannabis event organizer license.*

(b) *The issuance of a temporary cannabis event permit.*

(c) *The issuance and renewal of a portable cannabis vendor license.*

3. *The Board may by regulation establish reduced fees for an applicant for the initial issuance or renewal of a cannabis event organizer license or portable cannabis vendor license that is a social equity applicant.*

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

(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 ~~3.1~~ 5. Any revenue generated from the fees imposed pursuant
5 to 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 to
10 the State Treasurer to be deposited to the credit of the State
11 Education Fund.

12 **Sec. 32.** NRS 678B.530 is hereby amended to read as follows:

13 678B.530 1. A person shall not:

14 (a) Advertise the sale of cannabis or cannabis products by the
15 person; or

16 (b) Sell, offer to sell or appear to sell cannabis or cannabis
17 products or allow the submission of an order for cannabis or
18 cannabis products,

19 ↪ unless the person holds an adult-use cannabis establishment
20 license, ~~for~~ a medical cannabis establishment license ~~or~~ *or a*
21 *portable cannabis vendor license.*

22 2. A local government shall not regulate the content of an
23 advertisement for the sale of cannabis or cannabis products unless
24 the local government adopts an ordinance setting forth such
25 regulations.

26 **Sec. 33.** NRS 678B.650 is hereby amended to read as follows:

27 678B.650 The Board shall adopt such regulations as it
28 determines to be necessary or advisable to carry out the provisions
29 of this chapter. Such regulations are in addition to any requirements
30 set forth in statute and must, without limitation:

31 1. Prescribe the form and any additional required content of
32 applications for licenses or registration cards issued pursuant to this
33 chapter;

34 2. Establish procedures for the suspension or revocation of a
35 license or registration card or other disciplinary action to be taken
36 against a licensee or registrant;

37 3. Set forth rules pertaining to the safe and healthful operation
38 of cannabis establishments, including, without limitation:

39 (a) The manner of protecting against diversion and theft without
40 imposing an undue burden on cannabis establishments or
41 compromising the confidentiality of consumers and holders of
42 registry identification cards and letters of approval, as those terms
43 are defined in NRS 678C.080 and 678C.070, respectively;

44 (b) Minimum requirements for the oversight of cannabis
45 establishments;



1 (c) Minimum requirements for the keeping of records by
2 cannabis establishments;

3 (d) Provisions for the security of cannabis establishments,
4 including without limitation, requirements for the protection by a
5 fully operational security alarm system of each cannabis
6 establishment; and

7 (e) Procedures pursuant to which cannabis establishments must
8 use the services of cannabis independent testing laboratories to
9 ensure that any cannabis or cannabis product or commodity or
10 product made from hemp, as defined in NRS 557.160, sold by a
11 cannabis sales facility to an end user is tested for content, quality
12 and potency in accordance with standards established by the Board;

13 4. Establish circumstances and procedures pursuant to which
14 the maximum fees set forth in NRS 678B.390 may be reduced over
15 time to ensure that the fees imposed pursuant to NRS 678B.390 are,
16 insofar as may be practicable, revenue neutral;

17 5. Establish different categories of cannabis establishment
18 agent registration cards, including, without limitation, criteria for
19 issuance of a cannabis establishment agent registration card for a
20 cannabis executive and criteria for training and certification, for
21 each of the different types of cannabis establishments at which such
22 an agent may be employed or volunteer or provide labor as a
23 cannabis establishment agent;

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

28 7. Establish procedures and requirements to enable a dual
29 licensee to operate a medical cannabis establishment and an adult-
30 use cannabis establishment at the same location;

31 8. Determine whether any provision of this chapter or chapter
32 678C or 678D of NRS would make the operation of a cannabis
33 establishment by a dual licensee unreasonably impracticable; ~~and~~

34 9. *Set forth rules pertaining to the safe and healthful*
35 *operation of temporary cannabis events, including, without*
36 *limitation:*

37 (a) *Requirements for the testing, labeling and sale of cannabis*
38 *and cannabis products at a temporary cannabis event; and*

39 (b) *Procedures and requirements for the collection and*
40 *disposal of cannabis and cannabis products which are left at a*
41 *temporary cannabis event; and*

42 10. Address such other matters as the Board deems necessary
43 to carry out the provisions of this title.



1 **Sec. 34.** NRS 678C.300 is hereby amended to read as follows:
2 678C.300 1. A person who holds a registry identification
3 card or letter of approval issued to him or her pursuant to NRS
4 678C.230 or 678C.270 is not exempt from state prosecution for, nor
5 may the person establish an affirmative defense to charges arising
6 from, any of the following acts:

7 (a) Driving, operating or being in actual physical control of a
8 vehicle or a vessel under power or sail while under the influence of
9 cannabis.

10 (b) Engaging in any other conduct prohibited by NRS 484C.110,
11 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS
12 488.410, 488.420, 488.425 or 493.130.

13 (c) Possessing a firearm in violation of paragraph (b) of
14 subsection 1 of NRS 202.257.

15 (d) Possessing cannabis in violation of NRS 453.336 or
16 possessing paraphernalia in violation of NRS 453.560 or 453.566:

17 (1) If the possession of the cannabis or paraphernalia is
18 discovered because the person engaged or assisted in the medical
19 use of cannabis in:

20 (I) Any public place or in any place open to the public or
21 exposed to public view; or

22 (II) Any local detention facility, county jail, state prison,
23 reformatory or other correctional facility, including, without
24 limitation, any facility for the detention of juvenile offenders; or

25 (2) If the possession of the cannabis or paraphernalia occurs
26 on school property.

27 (e) Delivering cannabis to another person who he or she knows
28 does not lawfully hold a registry identification card or letter of
29 approval issued by the Division or its designee pursuant to NRS
30 678C.230 or 678C.270.

31 (f) Delivering cannabis for consideration to any person,
32 regardless of whether the recipient lawfully holds a registry
33 identification card or letter of approval issued by the Division or its
34 designee pursuant to NRS 678C.230 or 678C.270.

35 2. Except as otherwise provided in NRS 678C.240 and in
36 addition to any other penalty provided by law, if the Division
37 determines that a person has willfully violated a provision of this
38 chapter or any regulation adopted by the Division to carry out the
39 provisions of this chapter, the Division may, at its own discretion,
40 prohibit the person from obtaining or using a registry identification
41 card or letter of approval for a period of up to 6 months.

42 3. *For the purposes of sub-subparagraph (1) of subparagraph*
43 *(1) of paragraph (d) of subsection 1, an area within a temporary*
44 *cannabis event that is designated for the consumption of cannabis*



1 *or cannabis products is not a public place or a place open to the*
2 *public or exposed to public view.*

3 4. Nothing in the provisions of this chapter shall be construed
4 as in any manner affecting the provisions of chapter 678D of NRS
5 relating to the adult use of cannabis.

6 ~~[4.]~~ 5. As used in this section, "school property" means the
7 grounds of any public school described in NRS 388.020 and any
8 private school as defined in NRS 394.103.

9 **Sec. 35.** NRS 678D.200 is hereby amended to read as follows:
10 678D.200 1. Except as otherwise provided in NRS
11 678D.300, a person who is 21 years of age or older is exempt from
12 state prosecution for:

- 13 (a) The possession, delivery or production of cannabis;
- 14 (b) The possession or delivery of paraphernalia;
- 15 (c) Aiding and abetting another in the possession, delivery or
16 production of cannabis;
- 17 (d) Aiding and abetting another in the possession or delivery of
18 paraphernalia;
- 19 (e) Any combination of the acts described in paragraphs (a) to
20 (d), inclusive; and
- 21 (f) Any other criminal offense in which the possession, delivery
22 or production of cannabis or the possession or delivery of
23 paraphernalia is an element.

24 2. In addition to the provisions of subsections 1 and 5, no
25 person may be subject to state prosecution for constructive
26 possession, conspiracy or any other criminal offense solely for being
27 in the presence or vicinity of the adult use of cannabis in accordance
28 with the provisions of this title.

29 3. The exemption from state prosecution set forth in subsection
30 1 applies only to the extent that a person:

- 31 (a) Is 21 years of age or older;
- 32 (b) Is not employed by any agency or political subdivision of
33 this State in a position which requires the person to be certified by
34 the Peace Officers' Standards and Training Commission;
- 35 (c) Engages in the adult use of cannabis in accordance with the
36 provisions of this title;
- 37 (d) Does not, at any one time, possess, deliver or produce more
38 than:
 - 39 (1) One ounce of usable cannabis;
 - 40 (2) One-eighth of an ounce of concentrated cannabis;
 - 41 (3) Six cannabis plants, irrespective of whether the cannabis
42 plants are mature or immature; and
 - 43 (4) A maximum allowable quantity of adult-use cannabis
44 products as established by regulation of the Board;



1 (e) Cultivates, grows or produces not more than six cannabis
2 plants:

3 (1) Within an enclosed area that is not exposed to public
4 view that is equipped with locks or other security devices which
5 allow access only by an authorized person; and

6 (2) At a residence or upon the grounds of a residence in
7 which not more than 12 cannabis plants are cultivated, grown or
8 produced;

9 (f) Delivers 1 ounce or less of usable cannabis or one-eighth of
10 an ounce or less of concentrated cannabis without remuneration to a
11 person who is 21 years of age or older so long as such delivery is
12 not advertised or promoted to the public; and

13 (g) Assists another person who is 21 years of age or older in
14 carrying out any of the acts described in paragraphs (a) to (f),
15 inclusive.

16 4. If a person possesses, uses or produces cannabis in an
17 amount which exceeds the amount set forth in paragraph (d) of
18 subsection 3 or in any manner other than that set forth in subsection
19 3, the person is not exempt from state prosecution for the
20 possession, delivery or production of cannabis.

21 5. A person who holds an adult-use cannabis establishment
22 license issued to the person pursuant to NRS 678B.250, *a portable*
23 *cannabis vendor license issued to the person pursuant to section*
24 *21 of this act*, a cannabis establishment agent registration card
25 issued to the person pursuant to NRS 678B.340 or a cannabis
26 establishment agent registration card for a cannabis executive issued
27 to the person pursuant to NRS 678B.350, and confines his or her
28 activities to those authorized by this title, and the regulations
29 adopted by the Board pursuant thereto, is exempt from state
30 prosecution for:

31 (a) The possession, delivery or production of cannabis;

32 (b) The possession or delivery of paraphernalia;

33 (c) Aiding and abetting another in the possession, delivery or
34 production of cannabis;

35 (d) Aiding and abetting another in the possession or delivery of
36 paraphernalia;

37 (e) Any combination of the acts described in paragraphs (a) to
38 (d), inclusive; and

39 (f) Any other criminal offense in which the possession, delivery
40 or production of cannabis or the possession or delivery of
41 paraphernalia is an element.

42 6. The commission of any act by a person for which the person
43 is exempt from state prosecution pursuant to this section must not be
44 used as the basis for the seizure or forfeiture of any property of the
45 person or for the imposition of a civil penalty.



1 **Sec. 36.** NRS 678D.300 is hereby amended to read as follows:
2 678D.300 1. A person is not exempt from state prosecution
3 for any of the following acts:

4 (a) Driving, operating or being in actual physical control of a
5 vehicle or a vessel under power or sail while under the influence of
6 cannabis.

7 (b) Engaging in any other conduct prohibited by NRS 484C.110,
8 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS
9 488.410, 488.420, 488.425 or 493.130.

10 (c) Possessing a firearm in violation of paragraph (b) of
11 subsection 1 of NRS 202.257.

12 (d) Possessing cannabis in violation of NRS 453.336 or
13 possessing paraphernalia in violation of NRS 453.560 or 453.566:

14 (1) If the possession of the cannabis or paraphernalia is
15 discovered because the person engaged in the adult use of cannabis
16 in:

17 (I) Any public place or in any place open to the public or
18 exposed to public view; or

19 (II) Any local detention facility, county jail, state prison,
20 reformatory or other correctional facility, including, without
21 limitation, any facility for the detention of juvenile offenders; or

22 (2) If the possession of the cannabis or paraphernalia occurs
23 on school property.

24 (e) Knowingly delivering cannabis to another person who is not
25 21 years of age or older unless:

26 (1) The recipient holds a valid registry identification card or
27 letter of approval issued to the person by the Division of Public and
28 Behavioral Health of the Department of Health and Human Services
29 or its designee pursuant to NRS 678C.230 or 678C.270.

30 (2) The person demanded and was shown bona fide
31 documentary evidence of the age and identity of the recipient issued
32 by a federal, state, county or municipal government, or subdivision
33 or agency thereof.

34 2. *For the purposes of sub-subparagraph (I) of subparagraph*
35 *(1) of paragraph (d) of subsection 1, an area within a temporary*
36 *cannabis event that is designated for the consumption of cannabis*
37 *or cannabis products is not a public place or a place open to the*
38 *public or exposed to public view.*

39 3. As used in this section, "school property" means the grounds
40 of any public school described in NRS 388.020 and any private
41 school as defined in NRS 394.103.

42 **Sec. 37.** NRS 678D.310 is hereby amended to read as follows:
43 678D.310 1. Except as otherwise provided in chapter 678C
44 of NRS, any person shall not:



1 (a) Cultivate cannabis within 25 miles of an adult-use cannabis
2 retail store licensed pursuant to chapter 678B of NRS, unless the
3 person is an adult-use cannabis cultivation facility or is a cannabis
4 establishment agent volunteering at, employed by or providing labor
5 to an adult-use cannabis cultivation facility;

6 (b) Cultivate cannabis plants where they are visible from a
7 public place by normal unaided vision; or

8 (c) Cultivate cannabis on property not in the cultivator's lawful
9 possession or without the consent of the person in lawful physical
10 possession of the property.

11 2. A person who violates the provisions of subsection 1 is
12 guilty of:

13 (a) For a first violation, a misdemeanor punished by a fine of not
14 more than \$600.

15 (b) For a second violation, a misdemeanor punished by a fine of
16 not more than \$1,000.

17 (c) For a third violation, a gross misdemeanor.

18 (d) For a fourth or subsequent violation, a category E felony.

19 3. ~~1A~~ *Except as otherwise provided in subsection 9, a* person
20 who smokes or otherwise consumes cannabis or a cannabis product
21 in a public place, in an adult-use cannabis retail store or in a vehicle
22 is guilty of a misdemeanor punished by a fine of not more than
23 \$600.

24 4. A person under 21 years of age who falsely represents
25 himself or herself to be 21 years of age or older to obtain cannabis is
26 guilty of a misdemeanor.

27 5. A person under 21 years of age who knowingly enters,
28 loiters or remains on the premises of an adult-use cannabis
29 establishment shall be punished by a fine of not more than \$500
30 unless the person is authorized to possess cannabis pursuant to
31 chapter 678C of NRS and the adult-use cannabis establishment is a
32 dual licensee.

33 6. A person who manufactures cannabis by chemical extraction
34 or chemical synthesis, unless done pursuant to an adult-use cannabis
35 establishment license for an adult-use cannabis production facility
36 issued by the Board or authorized by this title, is guilty of a category
37 E felony.

38 7. A person who knowingly gives cannabis or a cannabis
39 product to any person under 21 years of age or who knowingly
40 leaves or deposits any cannabis or cannabis product in any place
41 with the intent that it will be procured by any person under 21 years
42 of age is guilty of a misdemeanor.

43 8. A person who knowingly gives cannabis to any person under
44 18 years of age or who knowingly leaves or deposits any cannabis in



1 any place with the intent that it will be procured by any person
2 under 18 years of age is guilty of a gross misdemeanor.

3 **9. A person may smoke or otherwise consume cannabis or a**
4 **cannabis product in an area within a temporary cannabis event**
5 **that is designated for the consumption of cannabis or cannabis**
6 **products.**

7 **Sec. 38.** (Deleted by amendment.)

8 **Sec. 39.** Chapter 372A of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 ***“Portable cannabis vendor” has the meaning ascribed to it in***
11 ***section 4 of this act.***

12 **Sec. 40.** NRS 372A.200 is hereby amended to read as follows:

13 372A.200 As used in NRS 372A.200 to 372A.380, inclusive,
14 **and section 39 of this act**, unless the context otherwise requires, the
15 words and terms defined in NRS 372A.205 to 372A.250, inclusive,
16 **and section 39 of this act**, have the meanings ascribed to them in
17 those sections.

18 **Sec. 41.** NRS 372A.250 is hereby amended to read as follows:

19 372A.250 “Taxpayer” means a:

- 20 1. Cannabis cultivation facility; ~~for~~
- 21 2. Adult-use cannabis retail store ~~for~~; **or**
- 22 **3. Portable cannabis vendor.**

23 **Sec. 42.** NRS 372A.290 is hereby amended to read as follows:

24 372A.290 1. An excise tax is hereby imposed on each
25 wholesale sale in this State of cannabis by a medical cannabis
26 cultivation facility to another cannabis establishment at the rate of
27 15 percent of the fair market value at wholesale of the cannabis. The
28 excise tax imposed pursuant to this subsection is the obligation of
29 the medical cannabis cultivation facility.

30 2. An excise tax is hereby imposed on each wholesale sale in
31 this State of cannabis by an adult-use cannabis cultivation facility to
32 another cannabis establishment at the rate of 15 percent of the fair
33 market value at wholesale of the cannabis. The excise tax imposed
34 pursuant to this subsection is the obligation of the adult-use
35 cannabis cultivation facility.

36 3. An excise tax is hereby imposed on each retail sale in this
37 State of cannabis or cannabis products by an adult-use cannabis
38 retail store **or a portable cannabis vendor** at the rate of 10 percent
39 of the sales price of the cannabis or cannabis products. The excise
40 tax imposed pursuant to this subsection:

41 (a) Is the obligation of the ~~adult-use cannabis retail store.~~ **seller**
42 **of the cannabis or cannabis product.**

43 (b) Is separate from and in addition to any general state and
44 local sales and use taxes that apply to retail sales of tangible
45 personal property.



1 4. The revenues collected from the excise tax imposed pursuant
2 to subsection 1 must be distributed:

3 (a) To the Cannabis Compliance Board and to local
4 governments in an amount determined to be necessary by the Board
5 to pay the costs of the Board and local governments in carrying out
6 the provisions of chapter 678C of NRS; and

7 (b) If any money remains after the revenues are distributed
8 pursuant to paragraph (a), to the State Treasurer to be deposited to
9 the credit of the State Education Fund.

10 5. The revenues collected from the excise tax imposed pursuant
11 to subsection 2 must be distributed:

12 (a) To the Cannabis Compliance Board and to local
13 governments in an amount determined to be necessary by the Board
14 to pay the costs of the Board and local governments in carrying out
15 the provisions of chapter 678D of NRS; and

16 (b) If any money remains after the revenues are distributed
17 pursuant to paragraph (a), to the State Treasurer to be deposited to
18 the credit of the State Education Fund.

19 6. For the purpose of subsections 4 and 5, a total amount of
20 \$5,000,000 of the revenues collected from the excise tax imposed
21 pursuant to subsection 1 and the excise tax imposed pursuant to
22 subsection 2 in each fiscal year shall be deemed sufficient to pay the
23 costs of all local governments to carry out the provisions of chapters
24 678C and 678D of NRS. The Board shall, by regulation, determine
25 the manner in which local governments may be reimbursed for the
26 costs of carrying out the provisions of chapters 678C and 678D of
27 NRS.

28 7. The revenues collected from the excise tax imposed pursuant
29 to subsection 3 must be paid over as collected to the State Treasurer
30 to be deposited to the credit of the State Education Fund.

31 8. As used in this section:

32 (a) "Adult-use cannabis cultivation facility" has the meaning
33 ascribed to it in NRS 678A.025.

34 (b) "Cannabis product" has the meaning ascribed to it in
35 NRS 678A.120.

36 (c) "Local government" has the meaning ascribed to it in
37 NRS 360.640.

38 (d) "Medical cannabis cultivation facility" has the meaning
39 ascribed to it in NRS 678A.170.

40 (e) "Medical cannabis establishment" has the meaning ascribed
41 to it in NRS 678A.180.

42 **Sec. 43.** NRS 387.1212 is hereby amended to read as follows:

43 387.1212 1. The State Education Fund is hereby created as a
44 special revenue fund to be administered by the Superintendent of
45 Public Instruction for the purpose of supporting the operation of the



1 public schools in this State. The interest and income earned on the
2 money in the Fund, after deducting any applicable charges, must be
3 credited to the Fund.

4 2. Money which must be deposited for credit to the State
5 Education Fund includes, without limitation:

6 (a) All money derived from interest on the State Permanent
7 School Fund, as provided in NRS 387.030;

8 (b) The proceeds of the tax imposed pursuant to NRS 244.33561
9 and any applicable penalty or interest, less any amount retained by
10 the county treasurer for the actual cost of collecting and
11 administering the tax;

12 (c) The proceeds of the tax imposed pursuant to subsection 1 of
13 NRS 387.195;

14 (d) The portion of the money in each special account created
15 pursuant to subsection 1 of NRS 179.1187 which is identified in
16 paragraph (d) of subsection 2 of NRS 179.1187;

17 (e) The money identified in subsection 1 of NRS 328.450;

18 (f) The money identified in subsection 1 of NRS 328.460;

19 (g) The money identified in paragraph (a) of subsection 2 of
20 NRS 360.850;

21 (h) The money identified in paragraph (a) of subsection 2 of
22 NRS 360.855;

23 (i) The money required to be paid over to the State Treasurer for
24 deposit to the credit of the State Education Fund pursuant to
25 subsection 4 of NRS 362.170;

26 (j) The portion of the proceeds of the tax imposed pursuant to
27 subsection 1 of NRS 372A.290 identified in paragraph (b) of
28 subsection 4 of NRS 372A.290;

29 (k) The proceeds of the tax imposed pursuant to subsection 3 of
30 NRS 372A.290;

31 (l) The proceeds of the fees, taxes, interest and penalties
32 imposed pursuant to chapter 374 of NRS, as transferred pursuant to
33 subsection 3 of NRS 374.785;

34 (m) The money identified in paragraph (b) of subsection ~~3~~ 5 of
35 NRS 678B.390;

36 (n) The portion of the proceeds of the excise tax imposed
37 pursuant to subsection 1 of NRS 463.385 identified in paragraph (c)
38 of subsection 5 of NRS 463.385;

39 (o) The money required to be distributed to the State Education
40 Fund pursuant to subsection 3 of NRS 482.181;

41 (p) The portion of the net profits of the grantee of a franchise,
42 right or privilege identified in NRS 709.110;

43 (q) The portion of the net profits of the grantee of a franchise
44 identified in NRS 709.230;



1 (r) The portion of the net profits of the grantee of a franchise
2 identified in NRS 709.270; and

3 (s) The direct legislative appropriation from the State General
4 Fund required by subsection 3.

5 3. In addition to money from any other source provided by law,
6 support for the State Education Fund must be provided by direct
7 legislative appropriation from the State General Fund in an amount
8 determined by the Legislature to be sufficient to fund the operation
9 of the public schools in this State for kindergarten through grade 12
10 for the next ensuing biennium for the population reasonably
11 estimated for that biennium. Money in the State Education Fund
12 does not revert to the State General Fund at the end of a fiscal year,
13 and the balance in the State Education Fund must be carried forward
14 to the next fiscal year.

15 4. Money in the Fund must be paid out on claims as other
16 claims against the State are paid.

17 5. The Superintendent of Public Instruction may create one or
18 more accounts in the State Education Fund for the purpose of
19 administering any money received from the Federal Government for
20 the support of education and any State money required to be
21 administered separately to satisfy any requirement imposed by the
22 Federal Government. The money in any such account must not be
23 considered when calculating the statewide base per pupil funding
24 amount or appropriating money from the State Education Fund
25 pursuant to NRS 387.1214. The interest and income earned on the
26 money in any such account, after deducting any applicable charges,
27 must be credited to the account.

28 **Sec. 44.** 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 C felony and shall be
32 punished as provided in NRS 193.130.

33 2. If a person convicted of violating this section has previously
34 been convicted of violating this section, or if, in the case of a first
35 conviction of violating this section, the person has been convicted of
36 an offense under the laws of the United States or any state, territory
37 or district which, if committed in this State, would amount to a
38 felony under this section, the person is guilty of a category B felony
39 and shall be punished by imprisonment in the state prison for a
40 minimum term of not less than 1 year and a maximum term of not
41 more than 6 years, and may be further punished by a fine of not
42 more than \$10,000.

43 3. This section does not apply to **[any]**:

44 (a) **Any** rehabilitation clinic established or licensed by the
45 Division of Public and Behavioral Health of the Department.



1 ***(b) A cannabis event organizer, as defined in section 2 of this***
2 ***act, that holds a temporary cannabis event, as defined in section 8***
3 ***of this act, and whose activities are confined to those authorized in***
4 ***title 56 of NRS.***

5 **Sec. 45.** 1. This section becomes effective upon passage and
6 approval.

7 2. Sections 1 to 44, inclusive, of this act become effective:

8 (a) Upon passage and approval for the purpose of adopting any
9 regulations and performing any other preparatory administrative
10 tasks that are necessary to carry out the provisions of this act; and

11 (b) On July 1, 2022, for all other purposes.

