

Application Period for Standard and Social Equity Applicants

August 10, 2023



PRESENTERS



Sarah Weniger

Community Resource Officer

Sarah.Weniger@dc.gov | (202) 397.3971



Anna Ray

Staff Assistant, Licensing Division

Anna.Ray2@dc.gov | (202) 442.6958

AGENDA

- Agency and Program Overview
- Open Application Period
- Eligibility, Site Selection Considerations
- Application Overview
- Public Comments and Protests
- Q&A

AGENCY AND PROGRAM OVERVIEW



AGENCY, PROGRAM OVERVIEW

- The **Alcoholic Beverage and Cannabis Administration (ABCA)** is an independent agency within DC Government charged with supporting the public's health, safety, and welfare through the control and regulation of the sale and distribution of alcohol and medical cannabis. ABCA operates under the authority of the **Alcoholic Beverage and Cannabis (ABC) Board**.
- DC's medical cannabis program permits persons with a valid medical cannabis patient registration issued by ABCA or a US state or territory extended reciprocity to purchase cannabis from a licensed Retailer for medical purposes. Patients may purchase up to 8-ounces within a 30-day rolling period.
- ABCA is responsible for issuing patient and caregiver registrations and medical cannabis business licenses, tracking medical cannabis products from seed to sale, and enforcing DC alcohol and medical cannabis laws and regulations.

OPEN APPLICATION PERIOD



OPEN APPLICATION PERIOD

START/END DATES	LICENSE TYPES	ELIGIBILITY
April 13, 2023- May 1, 2024	Manufacturer	Licensed Cultivation Centers
May 1, 2023- May 1, 2024	Cultivation Center, Manufacturer, Retailer	Licensed Operators—All
May 1, 2023- June 30, 2023	Courier, Cultivation Center, Manufacturer	Social Equity Applicants
August 29, 2023- October 30, 2023	Courier, Cultivation Center, Manufacturer	Standard and Social Equity Applicants
November 1, 2023- January 29, 2024	Cultivation Center, Internet Retailer, and Retailer	Unlicensed Operators
March 1, 2024- April 30, 2024	Internet Retailer, Retailer	Social Equity Applicants
July 1, 2024- August 29, 2024	Internet Retailer, Retailer	Non-Social Equity Applicants

OPEN APPLICATION PERIOD

Three (3) medical cannabis business license types are available during the upcoming open application period. They include:

- 1. Courier**—Permits the third-party delivery of medical cannabis, medical cannabis products, and paraphernalia on behalf of licensed Retailers and Internet Retailers to eligible patients and their caregivers. *(NEW)*
- 2. Cultivation Center**—Permits the growing of cannabis for sale to licensed Retailers in DC for resale to eligible patients and their caregivers.
- 3. Manufacturer**—Permits the manufacturing of medical cannabis products for resale to retailers and internet retailers. *(NEW)*

Licenses are valid for up to three (3) years. Licenses of the same type expire on the same date.

OPEN APPLICATION PERIOD

At least 50% of all new medical cannabis business license types, except Testing Laboratories, are required to be set aside for social equity applicants.

Forty-six (46) applications (2 Courier, 24 Cultivation Center, and 20 Manufacturer) from social equity applicants were accepted during the previous open period. Accordingly, the same number of each license type will be made available to standard applicants.

Applications will be accepted from standard applicants during the upcoming application period on a first come basis. The Board reserves the right to close the application period earlier than October 30, 2023 depending upon the volume of applications received from standard applications during the open application period.

OPEN APPLICATION PERIOD

Applicants must meet at least two (2) of the below criteria to be considered a social equity applicant.

Applicants must have at least one owner who is a DC resident, individually or collectively owns at least 50% of the business, and is/has:

1. A returning citizen
2. Married to or in a civil union, has a child, or is the child of a person or has a non-parent legal guardian, or a **grandparent or a sibling** who is or has been **arrested, convicted**, or incarcerated in DC or in any other jurisdiction for a cannabis or drug-related offense
 - [The Medical Cannabis Clarification and Non-Resident Patient Access Emergency Amendment Act of 2023](#) that took effect on July 31, 2023 expanded eligibility to include grandparents and siblings and now also considers arrests and convictions of qualifying family members.
3. An income that does not exceed 150% of the median family income as set forth by US HUD, adjusted for household size, at the time of application submission.

OPEN APPLICATION PERIOD

A Conditional License Application may be submitted by both standard and social equity applicants for all medical cannabis business license types that do not currently have a proposed location.

If approved, restrictions apply, including being unable to distribute, purchase, possess, cultivate, manufacture, or sell medical cannabis or medical cannabis products.

Conditional license holders have one (1) year from the date of issuance to provide the required documentation, including but not limited to, a lease, Certificate of Occupancy, security plan, and a permanent license application.

OPEN APPLICATION PERIOD

Filing and annual license fees apply for all available license and endorsement applications.

Social equity applicants are entitled to a 75% fee reduction on application and licensing fees for the first three (3) years. The fee reduction does not apply to endorsement application and license fees. There is no application fee for a Testing Laboratory.

Fees are non-refundable.

Application and fee schedules are available at abca.dc.gov.

ELIGIBILITY, SITE CONSIDERATIONS



ELIGIBILITY, SITE CONSIDERATIONS

Applicants may not have had any felony conviction for a crime of violence, a gun offense, tax evasion, fraud, or credit card fraud within the three (3) years preceding the date the application is filed unless the applicant demonstrates rehabilitation and fitness for licensure in accordance with D.C. Official Code § 7-1671.06.

A medical cannabis business, except for a Courier license, shall not locate within three hundred feet (300 ft.) of a preschool, primary or secondary school, or recreation center unless the main entrance to the preschool, primary or secondary school, or recreation center, or the nearest property line of the school or recreation center, is actually on or occupies ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia.

APPLICATION OVERVIEW



APPLICATION INSTRUCTIONS

- Checklists and instructions are provided in the [application](#) and on ABCA's [website](#).
- To apply for a Conditional license, the minimum documents that need to be filed are below:
 - Medical Cannabis License Application
 - Trade Name Registration – [Department of Licensing and Consumer Protection \(DLCP\)](#)
 - Certificate of Good Standing for the Corporation - [DLCP](#)
 - Clean Hands Certification – [Office of Tax and Revenue](#)
 - Medical Cannabis Acknowledgment and Attestation Form
 - Medical Cannabis Social Equity Declaration Form
 - Social Equity Applicant Attestation Statement (if applying as a Social Equity Applicant)
 - Medical Cannabis Certified Business Enterprise (CBE) Declaration Form
 - Annual Personal Net Income Attestation Form (if applying as a Medical Cannabis CBE)
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 - Certification as a Medical Cannabis CBE from the Department of Small & Local Business Development (DSLBD) (if applying as a Medical Cannabis CBE)
 - Non-refundable application fee

APPLICATION INSTRUCTIONS

- Common mistakes made by applicants for medical cannabis licenses include:
 - Not notarizing the application
 - Submitting an incomplete application
 - Filling out the application incorrectly
- Applications may be submitted online (*recommended*), in-person, drop box, or by emailing ABCA.CannabisLicensing@dc.gov.
- Applications received by any amount of time after 4:00 p.m. on Monday, October 30, 2023 will be rejected.
- For technical assistance and/or scheduling an appointment with a licensing specialist, email ABCA.CannabisLicensing@dc.gov.

PUBLIC COMMENT, PROTESTS



PUBLIC COMMENT, PROTESTS

- Applications, excluding Courier license applications, are subject to a 45-day public comment period. Conditional license applications are not subject to a public comment period until their permanent license application is submitted.
- Protests may only be submitted by an ANC located in the Ward the establishment is in or is requesting to operate in.
- Applicants and ANCs may enter into Settlement Agreements but they must be approved by the ABC Board to be enforceable.

PUBLIC COMMENT, PROTESTS

- Resolutions submitted by an ANC must address concerns or support regarding the proposed location, including but not limited to:
 - The effect of the establishment on real property values
 - The effect of the establishment on peace, order, and quiet
 - The effect of the establishment upon residential parking needs and vehicular and pedestrian safety
 - The proximity of the establishment to schools, recreation centers, day care centers, public libraries, or other similar facilities (new and transfer to new location applicants)
 - The effect of the establishment on the operation and clientele of schools, recreation centers, day care centers, public libraries, or other similar facilities (new and transfer to new location applicants)
 - Whether school-age children using facilities in proximity to the establishment will be unduly attracted to the establishment while present at, or going to or from, the school, recreation center, day care center, public library, or similar facility at issue (new and transfer to new location applicants)
 - Whether issuance of the license would create or contribute to an overconcentration of licensed medical cannabis establishments of the same type which is likely to affect adversely the locality, section, or portion in which the establishment is located (new and transfer to new location applicants)

WHAT TO EXPECT



AFTER SUBMISSION – NEXT STEPS

Once an application is submitted, a licensing specialist is assigned. Licensing specialists verify Social Equity Applicant or CBE status (*if selected*) and that all required documents are submitted and valid.

Complete applications are submitted to the ABC Board within 30 days for review. If a permanent license application is accepted, fees are invoiced and placards initiating a 45-day public comment period are issued. If a conditional license application is accepted, fees are invoiced and Conditional Approval Letters are issued.

- Conditional licensees have one (1) year from approval letter issuance to submit all required documentation for a permanent license.

Applicants whose applications are determined to be incomplete must be responsive to ABCA communications and actively attempt to provide the missing documentation and/or correct identified problems within 30 days. Applications whose applicants prove to be unresponsive will be returned.