

**DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
MEDICAL CANNABIS PROGRAM**

PUBLIC NOTICE

**Notice of Availability of Cultivation Center, Manufacturer, and Retailer Licenses
To Existing Licensed Cultivation Centers and Retailers**

The Alcoholic Beverage and Cannabis Board (Board) hereby gives notice of the availability of cultivation center and manufacturer licenses to existing retailers, licensed as of March 22, 2023. The Board also gives notice of the availability of retailer licenses to existing cultivation centers, licensed as of March 22, 2023.

Specifically, Title 22-C of the District of Columbia Municipal Regulations require the Board to publish a Notice in the *D.C. Register* setting forth the process for the submission of available applications. The notice shall provide the address for submission and the process of obtaining application materials from the Board. This information shall also be provided on the Alcoholic Beverage and Cannabis Administration's (ABCA) website.

DC Law 24-0332, the Medical Cannabis Amendment Act of 2022 (Act), effective March 22, 2023, allows an existing cultivation center, licensed as of March 22, 2023, to apply to the Board for a retailer license. An existing retailer, licensed as of March 22, 2023, is eligible to apply to the Board for a cultivation center license and a manufacturer license. The Act also requires in relevant part that at least 50% of the new cultivation center, manufacturer, and retailer licenses made available by the Board be set aside for social equity applicants, as defined in the Act.

DC Act 25-0093, the Medical Cannabis Clarification Supplemental Emergency Amendment Act of 2023, effective April 26, 2023, requires existing licensed cultivation centers and retailers to apply for additional medical cannabis facility licenses by May 1, 2024, and no longer permits an existing licensed cultivation center to apply for an internet retailer license.

The notice addresses the regulatory requirement above by publishing in the *D.C. Register* the time period that existing licensed cultivation centers can apply for a retailer license and that existing licensed retailers can apply for a cultivation center and a manufacturer license with the Board.

The Board provides the following information regarding the application process timeline:

1. The first day for an existing licensed cultivation center to apply for a retailer license or for an existing licensed retailer to apply for a cultivation center license and a manufacturer license with the Board shall be 9:00 a.m. EST on Monday, May 1, 2023. The last day for an existing licensed cultivation center to apply for a retailer license or for an existing licensed retailer to apply for a cultivation center license and a manufacturer license with the Board is 4 p.m., on Wednesday, May 1, 2024.

2. Applications shall be submitted during the open application period in hard copy to the ABCA Medical Cannabis Program, 2000 14th Street, NW, Suite 400 South, Washington, DC 20009, or uploaded electronically as instructed on the application. It is your responsibility to submit in a manner to ensure confirmation of delivery with a date and time stamp.
3. Application forms and instructions are currently available on the ABCA website at <http://abca.dc.gov>. If you have trouble accessing the application, please contact abca.cannabislicensing@dc.gov. A list of the applicable application fees to be submitted with the application is currently available on the ABCA website. **All application fees are nonrefundable.**
4. Each applicant is strongly encouraged to read the regulations adopted by the Board on April 12, 2023 carefully before submitting an application. You will not be allowed to change the location on your application, excluding conditional license applicants, after May 1, 2024.
5. **PLEASE READ CAREFULLY:** Please note prior to filing your application the following:
 - a. A location for a cultivation center, manufacturer, or retailer cannot be located within any residential district or within 300 feet of a preschool, primary or secondary school, or a recreation center.
 - b. The 300 foot restriction does not apply where 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.
 - c. An applicant for a retailer license cannot be located within 400 feet of an existing retailer or a previously submitted retailer application filed by another applicant during an open application period.
 - d. In the event that two or more retailer applications filed during an open application period are for locations within 400 feet of each other, ABCA shall proceed forward with the application that is first in time. If that application is subsequently denied, ABCA shall proceed forward with the application that is second in time, third in time, et cetera, until an application is approved.
 - e. A retailer applying for both a cultivation center license and a manufacturer license must file a separate application for each license type requested.
 - f. An applicant for a cultivation center license may not already hold or have an ownership interest in an internet retailer, testing laboratory, or courier license.

- g. An applicant for a retailer license may not already hold or have an interest in a testing laboratory or courier license.
- h. An application for a cultivation center, manufacturer, or retailer license that is accepted by the Board will be required to undergo a 45-day public comment period with notice given to all Advisory Neighborhood Commissions in the affected ward.

Applicants must **e-mail** all written questions or requests for clarification regarding this announcement or the application process to abca.cannabislicensing@dc.gov with “MC Application Question” in the subject line. Questions and responses will be posted on ABCA’s website: www.abca.dc.gov. Questions will not be answered on an individual basis. Furthermore, ABCA may decide not to answer a question and the agency is not obligated to answer all questions. Applicants should also monitor ABCA’s website for questions or responses and other information about the program. **Phone inquiries will not be accepted.**

Finally, all applicants should be advised that federal law makes cannabis a controlled substance and has placed cannabis in Schedule I of the Controlled Substance Act. Growing, distributing, and possessing cannabis in any capacity, other than as a part of a federally authorized research program, is a violation of federal laws. The District of Columbia’s law authorizing the District’s medical cannabis program will not excuse any person from any violation of the federal laws governing cannabis or authorize any licensee to violate federal laws. Therefore, participation in the program is at your own risk.