

(Reprinted with amendments adopted on June 2, 2023)

SECOND REPRINT

A.B. 253

ASSEMBLY BILL NO. 253—ASSEMBLYMAN C.H. MILLER

MARCH 7, 2023

Referred to Committee on Judiciary

SUMMARY—Provides for the permitting and regulation of certain events at which the sale and consumption of cannabis or cannabis products is allowed. (BDR 56-152)

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 permitting and regulation by the board of county commissioners of a county and the governing body of an incorporated city of certain events at which the sale and consumption of cannabis or cannabis products is allowed; providing for the licensure and regulation by the Cannabis Compliance Board of persons who sell cannabis and cannabis products at such events; setting forth certain requirements for the issuance of a cannabis concierge sales permit and cannabis concierge license; setting forth certain requirements concerning the sale of cannabis and cannabis products at a temporary cannabis event; imposing various requirements on cannabis concierges; revising provisions relating to social equity applicants; 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 a person who has been issued a permit to hold a temporary cannabis event and a cannabis concierge from certain provisions prohibiting a person from maintaining a place for the purpose of unlawfully selling, giving away or using any controlled substance; making an appropriation; and providing other matters properly relating thereto.



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 permitting and
4 regulation by the board of county commissioners of a county and the governing
5 body of an incorporated city of events at which the sale of cannabis or cannabis
6 products and the consumption of cannabis or cannabis products by persons 21 years
7 of age or older is allowed. **Section 6** of this bill designates such events as
8 "temporary cannabis events." This bill also provides for the licensure and
9 regulation by the Cannabis Compliance Board of persons who sell cannabis and
10 cannabis products at temporary cannabis events. **Section 4** of this bill designates
11 such a person a "cannabis concierge."

12 **Section 35.3** of this bill authorizes the board of county commissioners of a
13 county to adopt an ordinance providing for the issuance of a permit to authorize a
14 person to hold a temporary cannabis event in an unincorporated area of the county.

15 **Section 35.3** prohibits a person from holding a temporary cannabis event in an
16 unincorporated area of a county unless the board of county commissioners has
17 adopted such an ordinance and issued the person a permit. **Section 35.3** also: (1)
18 sets forth various requirements for the contents of such an ordinance, including,
19 without limitation, requirements concerning the process by which a person may
20 obtain a permit to hold a temporary cannabis event and requirements concerning
21 the operation of such an event; and (2) authorizes a board of county commissioners
22 that adopts such an ordinance to charge a fee for the issuance of a permit and
23 engage in certain other activities. **Section 35.6** of this bill establishes similar
24 provisions for the governing body of an incorporated city for temporary cannabis
25 events held in the incorporated city. **Section 14** of this bill prohibits a person from
26 selling cannabis or cannabis products at a temporary cannabis event unless: (1) the
27 person has been licensed by the Cannabis Compliance Board as a cannabis
28 concierge; and (2) the Board has issued the person a cannabis concierge sales
29 permit for the temporary cannabis event. **Section 18** of this bill establishes
30 requirements for licensure as a cannabis concierge. **Section 14** sets forth certain
31 requirements for a cannabis concierge to obtain a cannabis concierge sales permit.
32 **Sections 15 and 16** of this bill set forth certain requirements for sales of cannabis
33 and cannabis products by a cannabis concierge at a temporary cannabis event.

34 **Section 19** of this bill requires a cannabis concierge who sells cannabis
35 and cannabis products at a temporary cannabis event to purchase all cannabis or
36 cannabis products for resale at the temporary cannabis event from an adult-use
37 cannabis retail store.

38 Existing law defines "social equity applicant" to mean, in general, an applicant
39 for the issuance or renewal of an adult-use cannabis establishment license for an
40 independent cannabis consumption lounge who has been adversely affected by
41 previous laws which criminalized activity relating to cannabis. (NRS 678B.065)

42 Existing law requires the Board to adopt regulations establishing criteria for
43 determining whether an applicant qualifies as a social equity applicant. (NRS
44 678B.323) **Section 24** of this bill expands the definition of "social equity applicant"
45 to include an applicant for the issuance or renewal of a cannabis concierge license
46 who has been adversely affected by previous laws which criminalized activity
47 relating to cannabis. **Section 27** of this bill requires the Board to adopt regulations
48 establishing criteria for determining whether such an applicant qualifies as a social
49 equity applicant. **Section 21** of this bill imposes certain requirements and
50 restrictions on the Board concerning the manner in which cannabis concierge
51 licenses must be issued.

52 **Section 22** of this bill sets forth certain requirements for the issuance of a
53 cannabis concierge license under circumstances in which more than one qualified
54 applicant has applied for a license. **Section 22** requires the Board to revoke the



55 license of a cannabis concierge who has held a cannabis concierge license for at
56 least 18 months and has not been issued a cannabis concierge sales permit for a
57 temporary cannabis event in the immediately preceding 18 months and provides for
58 the reissuance of such a revoked license. **Section 41.5** of this bill provides that a
59 person who is issued one of the first five cannabis concierge licenses is deemed not
60 to hold a license for the purposes of those requirements until 2 years after the date
61 on which the license was issued. As such, under **sections 22 and 41.5**, the license
62 of a such a person is not subject to revocation for failing to be issued a cannabis
63 concierge sales permit until at least 42 months after the issuance of the license.

64 Existing law imposes an excise tax on each retail sale of cannabis or cannabis
65 products by an adult-use cannabis retail store or cannabis consumption lounge.
66 (NRS 372A.290) **Section 39** of this bill applies this excise tax to retail sales of
67 cannabis or cannabis products by a cannabis concierge. **Sections 36 and 38** of this
68 bill make conforming changes to reflect the imposition of the excise tax on retail
69 sales of cannabis or cannabis products by a cannabis concierge.

70 **Section 29** of this bill establishes certain fees associated with a cannabis
71 concierge license and a cannabis concierge sales permit.

72 **Section 9** of this bill includes a cannabis concierge within the definition of
73 “cannabis establishment” provided in existing law, thereby subjecting such
74 businesses to the requirements of existing law applicable to cannabis
75 establishments. (NRS 678A.095) Similarly, **section 10** of this bill includes a
76 cannabis concierge sales permit and a cannabis concierge license within the
77 definition of “license” provided in existing law, thereby subjecting the holders of
78 such licenses to the provisions of existing law applicable to holders of other
79 licenses issued by the Board. (NRS 678A.160) **Section 11** of this bill authorizes the
80 Board to adopt regulations providing policies and procedures under which the
81 Board is authorized to waive any requirement applicable to a cannabis
82 establishment that the Board determines is not appropriate for a cannabis concierge.
83 **Section 31** of this bill requires the Board to adopt regulations concerning the safe
84 and healthful conduct of sales of cannabis and cannabis products by a cannabis
85 concierge at a temporary cannabis event.

86 **Section 23** of this bill provides that a cannabis concierge license or cannabis
87 concierge sales permit issued by the Board pursuant to the provisions of this bill is
88 a revocable privilege. **Sections 25 and 26** of this bill prohibit the issuance of
89 a medical cannabis establishment license or an adult-use cannabis establishment
90 license, respectively, if any of the persons proposed to be owners, officers or board
91 members of the establishment have previously served in such a position for a
92 cannabis establishment that has had a cannabis concierge license or cannabis
93 concierge sales permit issued by the Board revoked.

94 Existing law requires the Board to adopt regulations setting forth procedures
95 and requirements for the transfer of a license. (NRS 678B.380) **Section 28** of this
96 bill requires such regulations to set forth certain specified authorizations and
97 requirements for the transfer of a cannabis concierge license.

98 **Section 30** of this bill revises provisions of existing law that prohibit a person
99 from selling or advertising the sale of cannabis or cannabis products for the purpose
100 of authorizing the holder of a cannabis concierge license to engage in such
101 activities. (NRS 678B.530) Existing law exempts, in general, persons who hold
102 certain licenses issued by the Board from state prosecution for certain offenses
103 relating to cannabis. (NRS 678D.200) **Section 33** of this bill expands this
104 exemption to include the holder of a cannabis concierge license.

105 Existing law prohibits, with certain exceptions, the consumption of cannabis or
106 cannabis products in a public place. (NRS 678C.300, 678D.300, 678D.310)
107 **Sections 32, 34 and 35** of this bill revise these provisions for the purposes of
108 authorizing a person to consume cannabis or cannabis products in an area
109 designated for that activity at a temporary cannabis event.



Existing law prohibits a person from opening or maintaining a place for the purpose of unlawfully selling, giving away or using any controlled substance. (NRS 453.316) **Section 41** of this bill exempts from the application of this provision: (1) a person who has been issued a permit by the board of county commissioners of a county or the governing body of an incorporated city to hold a temporary cannabis event and whose activities are confined to those authorized under the provisions of the ordinance adopted by the board of county commissioners or governing body, as applicable; and (2) a cannabis concierge who sells cannabis and cannabis products at a temporary cannabis event and whose activities are confined to those authorized by the provisions of this bill.

Section 41.3 of this bill makes an appropriation to the Department of Taxation for payments under the cost allocation plan for services of the Attorney General and for personnel, travel, operating, equipment and information services expenses associated with implementing the provisions of this bill.

Sections 4-7 of this bill define words and terms applicable to the provisions of this bill. **Sections 8 and 37** of this bill make conforming changes to indicate the proper placement of new provisions in the Nevada Revised Statutes. **Section 40** of this bill makes a conforming change to reflect the addition of the provisions of **section 29**.

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

Section 1. Chapter 678A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. *“Cannabis concierge” means a business that:*

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

2. Purchases cannabis or cannabis products from an adult-use cannabis retail store and sells such cannabis or cannabis products at a temporary cannabis event for which a permit has been issued by the board of county commissioners of a county pursuant to section 35.3 of this act or the governing body of an incorporated city pursuant to section 35.6 of this act, as applicable.

Sec. 5. *“Cannabis concierge license” means a license that is issued by the Board pursuant to section 18 of this act to authorize the operation of a cannabis concierge.*

Sec. 5.5. *“Cannabis concierge sales permit” means a license that is issued by the Board pursuant to section 14 of this act to authorize a cannabis concierge to sell cannabis and cannabis products at a temporary cannabis event.*

Sec. 6. *“Temporary cannabis event” means an event at which:*



1 *1. A cannabis concierge sells cannabis or cannabis products*
2 *to persons 21 years of age or older; and*

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

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

6 **Sec. 8.** NRS 678A.010 is hereby amended to read as follows:

7 678A.010 As used in this title, unless the context otherwise
8 requires, the words and terms defined in NRS 678A.020 to
9 678A.240, inclusive, *and sections 2 to 6, inclusive, of this act* have
10 the meanings ascribed to them in those sections.

11 **Sec. 9.** NRS 678A.095 is hereby amended to read as follows:

12 678A.095 “Cannabis establishment” means:

- 13 1. An adult-use cannabis establishment; ~~{or}~~
- 14 2. A medical cannabis establishment ~~{;}~~ *or*

15 *3. A cannabis concierge.*

16 **Sec. 10.** NRS 678A.160 is hereby amended to read as follows:

17 678A.160 “License” means:

- 18 1. An adult-use cannabis establishment license; ~~{or}~~
- 19 2. A medical cannabis establishment license ~~{;}~~ *or*

20 *3. A cannabis concierge sales permit; or*

21 *4. A cannabis concierge license.*

22 **Sec. 11.** NRS 678A.450 is hereby amended to read as follows:

23 678A.450 1. The Board may adopt regulations necessary or
24 convenient to carry out the provisions of this title. Such regulations
25 may include, without limitation:

26 (a) Financial requirements for licensees.

27 (b) Establishing such investigative and enforcement mechanisms
28 as the Board deems necessary to ensure the compliance of a licensee
29 or registrant with the provisions of this title.

30 (c) Requirements for licensees or registrants relating to the
31 cultivation, processing, manufacture, transport, distribution, testing,
32 study, advertising and sale of cannabis and cannabis products.

33 (d) Policies and procedures to ensure that the cannabis industry
34 in this State is economically competitive, inclusive of racial
35 minorities, women and persons and communities that have been
36 adversely affected by cannabis prohibition and accessible to persons
37 of low-income seeking to start a business.

38 (e) Policies and procedures governing the circumstances under
39 which the Board may waive the requirement to obtain a registration
40 card pursuant to this title for any person who holds an ownership
41 interest of less than 5 percent in any one cannabis establishment or
42 an ownership interest in more than one cannabis establishment of
43 the same type that, when added together, is less than 5 percent.

44 (f) Reasonable restrictions on the signage, marketing, display
45 and advertising of cannabis establishments. Such a restriction must



1 not require a cannabis establishment to obtain the approval of the
2 Board before using a logo, sign or advertisement.

3 (g) Provisions governing the sales of products and commodities
4 made from hemp, as defined in NRS 557.160, or containing
5 cannabidiol by cannabis establishments.

6 (h) *Policies and procedures governing the circumstances*
7 *under which the Board may waive any requirement applicable to a*
8 *cannabis establishment that the Board determines is not*
9 *appropriate for a cannabis concierge.*

10 (i) Requirements relating to the packaging and labeling of
11 cannabis and cannabis products.

12 2. The Board shall adopt regulations providing for the
13 gathering and maintenance of comprehensive demographic
14 information, including, without limitation, information regarding
15 race, ethnicity, age and gender, concerning each:

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

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

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

22 4. The Board shall, by regulation, establish a pilot program for
23 identifying opportunities for an emerging small cannabis business to
24 participate in the cannabis industry. As used in this subsection,
25 “emerging small cannabis business” means a cannabis-related
26 business that:

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

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

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

31 **Sec. 12.** Chapter 678B of NRS is hereby amended by adding
32 thereto the provisions set forth as sections 13 to 22, inclusive, of this
33 act.

34 **Sec. 13.** (Deleted by amendment.)

35 **Sec. 14. 1.** *A person shall not sell cannabis or cannabis*
36 *products at a temporary cannabis event unless the person:*

37 (a) *Is a cannabis concierge; and*

38 (b) *Has been issued a cannabis concierge sales permit for the*
39 *temporary cannabis event by the Board pursuant to this section.*

40 2. *A cannabis concierge who wishes to obtain a cannabis*
41 *concierge sales permit must submit to the Board the application*
42 *fee, as set forth in NRS 678B.390, and an application on a form*
43 *prescribed by the Board. The application must include:*

44 (a) *The name, address, telephone number and electronic mail*
45 *address of the applicant;*



1 (b) *The physical address of the location at which the*
2 *temporary cannabis event will be held;*

3 (c) *The date or dates of the temporary cannabis event;*

4 (d) *Evidence that the temporary cannabis event has been*
5 *issued a permit by the board of county commissioners of the*
6 *county pursuant to section 35.3 of this act or the governing body*
7 *of the incorporated city pursuant to section 35.6 of this act, as*
8 *applicable, where the temporary cannabis event will be located;*

9 (e) *Operating procedures consistent with the regulations of the*
10 *Board for the safe and healthful conduct of sales of cannabis and*
11 *cannabis products at temporary cannabis events, including,*
12 *without limitation:*

13 (1) *Procedures to ensure the use of adequate security*
14 *measures;*

15 (2) *The use of an inventory control system; and*

16 (3) *Procedures to ensure adequate controls for the sale of*
17 *cannabis and cannabis products;*

18 (f) *A plan to ensure adequate security of the operations of the*
19 *cannabis concierge at the temporary cannabis event, including,*
20 *without limitation, the security of the cannabis and cannabis*
21 *products offered for sale and the money collected by the cannabis*
22 *concierge at the temporary cannabis event;*

23 (g) *A plan for the disposition of any unsold cannabis at the*
24 *temporary cannabis event, which must include:*

25 (1) *Entering into an agreement with the adult-use cannabis*
26 *retail store from which the cannabis and cannabis products were*
27 *purchased to provide for the return of unsold cannabis to the*
28 *retail store;*

29 (2) *Entering into agreements with the adult-use cannabis*
30 *retail store from which the cannabis and cannabis products were*
31 *purchased and an adult-use cannabis distributor to provide for the*
32 *delivery of cannabis and cannabis products to the cannabis*
33 *concierge at the temporary cannabis event in stages, so as to*
34 *minimize the amount of cannabis and cannabis products in the*
35 *possession of the cannabis concierge at any given time;*

36 (3) *Entering into an agreement with a person engaged in*
37 *the disposal of cannabis and cannabis products who has been*
38 *approved by the Board to provide for the destruction of unsold*
39 *cannabis or cannabis products; or*

40 (4) *Any combination of subparagraphs (1), (2) and (3); and*

41 (h) *Such other information as the Board may require by*
42 *regulation.*

43 3. *The Board shall issue a cannabis concierge sales permit to*
44 *an applicant if:*

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



1 (b) *The applicant is a cannabis concierge who is qualified in*
2 *the determination of the Board pursuant to NRS 678B.200; and*

3 (c) *The cannabis concierge is not disqualified from being*
4 *issued a cannabis concierge sales permit for the temporary*
5 *cannabis event pursuant to any other applicable law.*

6 4. *Each cannabis concierge sales permit issued pursuant to*
7 *this section must set forth the location and date or dates of the*
8 *temporary cannabis event for which the cannabis concierge sales*
9 *permit is issued.*

10 5. *The Board shall not issue a cannabis concierge sales*
11 *permit to a cannabis concierge that has been issued a cannabis*
12 *concierge sales permit for a temporary cannabis event that was*
13 *held within the immediately preceding 30 days.*

14 **Sec. 14.5.** (Deleted by amendment.)

15 **Sec. 15.** *Except as otherwise provided by regulations adopted*
16 *by the Board, all provisions of this title and the regulations*
17 *adopted pursuant thereto relating to the testing and labeling of*
18 *cannabis and cannabis products and the sale of cannabis and*
19 *cannabis products on the premises of an adult-use cannabis retail*
20 *store or a retail cannabis consumption lounge also apply to*
21 *cannabis and cannabis products sold by a cannabis concierge at a*
22 *temporary cannabis event.*

23 **Sec. 16.** *A cannabis concierge that sells cannabis or*
24 *cannabis products at a temporary cannabis event shall:*

25 1. *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 and for the management of other cannabis waste;*

29 2. *Ensure that the cannabis concierge engages in sales of*
30 *cannabis or cannabis products at the temporary cannabis event*
31 *only within the areas of the event designated for such sales;*

32 3. *Ensure that no sales of cannabis or cannabis products are*
33 *conducted within 1 hour before the close of the temporary*
34 *cannabis event on each day of the temporary cannabis event; and*

35 4. *Comply with any other requirements prescribed by*
36 *regulation of the Board.*

37 **Sec. 17.** (Deleted by amendment.)

38 **Sec. 18.** 1. *A person shall not engage in the business of a*
39 *cannabis concierge unless the person holds a cannabis concierge*
40 *license issued pursuant to this section.*

41 2. *A person who wishes to engage in the business of a*
42 *cannabis concierge must submit to the Board an application on a*
43 *form prescribed by the Board.*

44 3. *The Board shall issue a cannabis concierge license to an*
45 *applicant if:*



1 (a) *The person who wishes to engage in the business of a*
2 *cannabis concierge has submitted to the Board all of the*
3 *following:*

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

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

6 (I) *The legal name of the proposed cannabis concierge;*

7 (II) *The physical address where the proposed cannabis*
8 *concierge will be located;*

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

16 (IV) *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 cannabis concierge;*

19 (3) *Operating procedures consistent with the rules of the*
20 *Board for oversight of the proposed cannabis concierge; and*

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

23 (b) *None of the persons who are proposed to be owners,*
24 *officers or board members of the proposed cannabis concierge*
25 *have:*

26 (1) *Served as an owner, officer or board member for a*
27 *cannabis establishment that has had its cannabis concierge license*
28 *or cannabis concierge sales permit revoked;*

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

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

33 (4) *Previously had a cannabis establishment agent*
34 *registration card for a cannabis receiver revoked; and*

35 (c) *None of the persons who are proposed to be owners,*
36 *officers or board members of the proposed cannabis concierge are*
37 *under 21 years of age.*

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



1 5. *Except as otherwise provided in sections 21 and 22 of this*
2 *act, if an applicant for licensure to engage in the business of a*
3 *cannabis concierge satisfies the requirements of this section, is*
4 *qualified in the determination of the Board pursuant to NRS*
5 *678B.200 and is not disqualified from being licensed pursuant to*
6 *this section or other applicable law, the Board shall issue to the*
7 *applicant a cannabis concierge license. A cannabis concierge*
8 *license expires 1 year after the date of issuance and may be*
9 *renewed upon:*

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

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

13 **Sec. 19.** *A cannabis concierge that sells cannabis and*
14 *cannabis products at a temporary cannabis event shall purchase*
15 *all cannabis or cannabis products for resale at the temporary*
16 *cannabis event from an adult-use cannabis retail store.*

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

18 **Sec. 21.** 1. *Except as otherwise provided in section 22 of*
19 *this act, the Board shall issue the first five cannabis concierge*
20 *licenses to social equity applicants. For 18 months after the date*
21 *on which the Board issues the fifth cannabis concierge license*
22 *pursuant to this subsection, the Board shall not issue any*
23 *additional cannabis concierge licenses.*

24 2. *The Board may, beginning 18 months after the date on*
25 *which the Board issues the fifth cannabis concierge license*
26 *pursuant to subsection 1, issue an additional 16 cannabis*
27 *concierge licenses. The Board shall issue the first of those licenses*
28 *to an applicant who is not a social equity applicant and the second*
29 *of those licenses to a social equity applicant. In issuing the*
30 *remaining 14 licenses, the Board:*

31 (a) *Shall issue cannabis concierge licenses by alternately*
32 *issuing such a license to an applicant who is not a social equity*
33 *applicant and an applicant who is a social equity applicant; and*

34 (b) *Shall not issue a license to a social equity applicant unless*
35 *the previous license issued by the Board was issued to an applicant*
36 *who is not a social equity applicant and vice versa.*

37 3. *For 5 years after the date on which the Board issues the*
38 *16th cannabis concierge license pursuant to subsection 2, the*
39 *Board shall not issue any additional cannabis concierge licenses.*

40 4. *The Board may, beginning 5 years after the date on which*
41 *the Board issues the 16th cannabis concierge license pursuant to*
42 *subsection 2, issue additional licenses in the manner prescribed by*
43 *this subsection. The Board shall issue the first cannabis concierge*
44 *license pursuant to this subsection to an applicant who is not a*
45 *social equity applicant and the second cannabis concierge license*



1 *to an applicant who is a social equity applicant. After the issuance*
2 *of those two cannabis concierge licenses, the Board:*

3 *(a) Shall issue cannabis concierge licenses by alternately*
4 *issuing a license to an applicant who is not a social equity*
5 *applicant and an applicant who is a social equity applicant; and*

6 *(b) Shall not issue a cannabis concierge license to a social*
7 *equity applicant unless the previous license issued by the Board*
8 *was issued to an applicant who is not a social equity applicant and*
9 *vice versa.*

10 **Sec. 22.** *1. Subject to the requirements of section 21 of this*
11 *act, if there is more than one qualified applicant for a single*
12 *cannabis concierge license, the Board shall select the qualified*
13 *applicant to be issued the license on the basis of a lottery system.*

14 *2. The Board shall revoke the license of a cannabis concierge*
15 *who has held a cannabis concierge license for at least 18 months*
16 *and has not been issued a cannabis concierge sales permit in the*
17 *immediately preceding 18 months. If the cannabis concierge*
18 *whose license is revoked pursuant to this section is:*

19 *(a) A social equity applicant, the Board shall reissue the*
20 *license to another qualified social equity applicant; and*

21 *(b) Not a social equity applicant, the Board shall reissue the*
22 *license to another qualified applicant who is not a social equity*
23 *applicant.*

24 **Sec. 23.** NRS 678B.010 is hereby amended to read as follows:

25 678B.010 The Legislature hereby finds and declares that:

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

29 2. Any:

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

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

34 (c) *Cannabis concierge sales permit issued pursuant to section*
35 *14 of this act;*

36 (d) *Cannabis concierge license issued pursuant to section 18*
37 *of this act;*

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

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

42 ~~(e)~~ (g) Cannabis establishment agent registration card for a
43 cannabis receiver issued pursuant to NRS 678B.355,

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



1 **Sec. 24.** NRS 678B.065 is hereby amended to read as follows:
2 678B.065 “Social equity applicant” means an applicant for the
3 issuance or renewal of an adult-use cannabis establishment license
4 for an independent cannabis consumption lounge *or cannabis*
5 *conciierge license* who has been adversely affected by provisions of
6 previous laws which criminalized activity relating to cannabis, as
7 determined by the Board in accordance with the regulations adopted
8 pursuant to NRS 678B.323. Such adverse effects may include,
9 without limitation, adverse effects on an owner or officer of the
10 applicant.

11 **Sec. 25.** NRS 678B.210 is hereby amended to read as follows:
12 678B.210 1. A person shall not engage in the business of a
13 medical cannabis establishment unless the person holds a medical
14 cannabis establishment license issued by the Board pursuant to this
15 section.

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

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

25 (a) The person who wishes to operate the proposed medical
26 cannabis establishment has submitted to the Board all of the
27 following:

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

29 (2) An application, which must include:

30 (I) The legal name of the proposed medical cannabis
31 establishment;

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



1 subsection 1 or 2 of NRS 463.0177 and that existed on the date on
2 which the application for the proposed medical cannabis
3 establishment was submitted to the Board;

4 (III) Evidence that the applicant controls not less than
5 \$250,000 in liquid assets to cover the initial expenses of opening the
6 proposed medical cannabis establishment and complying with the
7 provisions of this title;

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

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

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

22 (3) Operating procedures consistent with rules of the Board
23 for oversight of the proposed medical cannabis establishment,
24 including, without limitation:

25 (I) Procedures to ensure the use of adequate security
26 measures; and

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

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

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

38 (6) Such other information as the Board may require by
39 regulation;

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

43 (c) None of the persons who are proposed to be owners, officers
44 or board members of the proposed medical cannabis establishment
45 have:



1 (1) Served as an owner, officer or board member for a
2 cannabis establishment that has had its medical cannabis
3 establishment license, ~~for~~ adult-use cannabis establishment license
4 , *cannabis concierge sales permit or cannabis concierge license*
5 revoked;

6 (2) Previously had a cannabis establishment agent
7 registration card revoked;

8 (3) Previously had a cannabis establishment agent
9 registration card for a cannabis executive revoked; or

10 (4) Previously had a cannabis establishment agent
11 registration card for a cannabis receiver revoked; and

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

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

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

31 (a) Submission of the information required by the Board by
32 regulation; and

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

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

37 7. For the purposes of sub-subparagraph (II) of subparagraph
38 (2) of paragraph (a) of subsection 3, the distance must be measured
39 from the front door of the proposed medical cannabis establishment
40 to the closest point of the property line of a school, community
41 facility or gaming establishment.

42 8. As used in this section, “community facility” means:

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

44 (b) A public park.

45 (c) A playground.



1 (d) A public swimming pool.

2 (e) A center or facility, the primary purpose of which is to
3 provide recreational opportunities or services to children or
4 adolescents.

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

7 **Sec. 26.** NRS 678B.250 is hereby amended to read as follows:

8 678B.250 1. A person shall not engage in the business of an
9 adult-use cannabis establishment unless the person holds an adult-
10 use cannabis establishment license issued pursuant to this section.

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

14 3. Except as otherwise provided in NRS 678B.260, 678B.270,
15 678B.280, 678B.322 and 678B.324 to 678B.328, inclusive, the
16 Board shall issue an adult-use cannabis establishment license to an
17 applicant if:

18 (a) The person who wishes to operate the proposed adult-use
19 cannabis establishment has submitted to the Board all of the
20 following:

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

22 (2) An application, which must include:

23 (I) The legal name of the proposed adult-use cannabis
24 establishment;

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

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



1 (IV) Evidence that the applicant owns the property on
2 which the proposed adult-use cannabis establishment will be located
3 or has the written permission of the property owner to operate the
4 proposed adult-use cannabis establishment on that property;

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

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

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

18 (I) Procedures to ensure the use of adequate security
19 measures; and

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

21 (4) If the proposed adult-use cannabis establishment will sell
22 or deliver adult-use cannabis products, proposed operating
23 procedures for handling such products which must be preapproved
24 by the Board; and

25 (5) Such other information as the Board may require by
26 regulation;

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

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

33 (1) Served as an owner, officer or board member for a
34 cannabis establishment that has had its adult-use cannabis
35 establishment license, ~~or~~ medical cannabis establishment license,
36 *cannabis concierge sales permit or cannabis concierge license*
37 revoked;

38 (2) Previously had a cannabis establishment agent
39 registration card revoked;

40 (3) Previously had a cannabis establishment agent
41 registration card for a cannabis executive revoked; or

42 (4) Previously had a cannabis establishment agent
43 registration card for a cannabis receiver revoked; and



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

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

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

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

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

22 6. In determining whether to issue an adult-use cannabis
23 license pursuant to this section, the Board shall consider the criteria
24 of merit and scoring guidelines set forth in NRS 678B.280 or
25 678B.324, as applicable.

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

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

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

33 (b) A public park.

34 (c) A playground.

35 (d) A public swimming pool.

36 (e) A center or facility, the primary purpose of which is to
37 provide recreational opportunities or services to children or
38 adolescents.

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

41 **Sec. 27.** NRS 678B.323 is hereby amended to read as follows:

42 678B.323 1. The Board shall adopt regulations establishing
43 criteria to be used by the Board for determining whether an
44 applicant for the issuance or renewal of an adult-use cannabis
45 establishment license for an independent cannabis consumption



1 lounge ~~[, cannabis event organizer license]~~ *or cannabis concierge*
2 *license* qualifies as a social equity applicant for the purposes of this
3 chapter.

4 2. The regulations adopted pursuant to subsection 1 must
5 establish the minimum percentage of ownership in a proposed
6 independent cannabis consumption lounge *or cannabis concierge*
7 which will be held by a person or group of persons who have been
8 adversely affected by provisions of previous laws which
9 criminalized activity relating to cannabis for the applicant to qualify
10 as a social equity applicant.

11 **Sec. 28.** NRS 678B.380 is hereby amended to read as follows:

12 678B.380 1. Except as otherwise provided by regulations
13 adopted by the Board pursuant to subsection 2, the following are
14 nontransferable:

15 (a) A cannabis establishment agent registration card.

16 (b) A cannabis establishment agent registration card for a
17 cannabis executive.

18 (c) A cannabis establishment agent registration card for a
19 cannabis receiver.

20 (d) A medical cannabis establishment license.

21 (e) An adult-use cannabis establishment license.

22 *(f) A cannabis concierge sales permit.*

23 *(g) A cannabis concierge license.*

24 2. The Board shall adopt regulations which prescribe
25 procedures and requirements by which a holder of a license may
26 transfer the license to another party who is qualified to hold such a
27 license pursuant to the provisions of this chapter. Such regulations
28 may give priority in the processing of transfers of licenses to a
29 transfer in which the transferor is:

30 (a) Subject to a receivership;

31 (b) Involved in a recapitalization; or

32 (c) A party to a court proceeding involving financial distress.

33 3. The regulations adopted pursuant to subsection 2 must:

34 (a) Prohibit the holder of an adult-use cannabis establishment
35 license for an independent cannabis consumption lounge from
36 transferring the license until at least 2 years from the date on which
37 the independent cannabis consumption lounge for which the license
38 was issued became operational;

39 (b) Require the holder of an adult-use cannabis establishment
40 license for an independent cannabis consumption lounge who
41 wishes to cease operations before the independent cannabis
42 consumption lounge for which the license was issued has been
43 operational for at least 2 years to surrender the license to the Board;

44 ~~[and]~~



(c) Require the Board to hold a license surrendered pursuant to paragraph (b) in reserve for issuance to an applicant for such a license in the future ~~to~~;

(d) Prohibit the holder of a cannabis concierge license from transferring the license until at least 5 years from the date on which the license was issued;

(e) Require the holder of a cannabis concierge license who wishes to cease operations before the cannabis concierge has held the license for at least 5 years to surrender the license to the Board;

(f) Require the Board to hold a cannabis concierge license surrendered pursuant to paragraph (e) in reserve for issuance to a future applicant for such a license who is:

(1) A social equity applicant if the person who surrendered the license was a social equity applicant; and

(2) Not a social equity applicant if the person who surrendered the license was not a social equity applicant; and

(g) Authorize the transfer of a cannabis concierge license after the license has been held for 5 years only to a transferee who is:

(1) A social equity applicant if the transferor was a social equity applicant; and

(2) Not a social equity applicant if the transferor was not a social equity applicant.

Sec. 29. NRS 678B.390 is hereby amended to read as follows:
678B.390 1. Except as otherwise provided in subsection 3, the Board shall collect not more than the following maximum fees:

For the initial issuance of a medical cannabis establishment license for a medical cannabis dispensary.....	\$30,000
For the renewal of a medical cannabis establishment license for a medical cannabis dispensary.....	5,000
For the initial issuance of a medical cannabis establishment license for a medical cannabis cultivation facility	3,000
For the renewal of a medical cannabis establishment license for a medical cannabis cultivation facility	1,000
For the initial issuance of a medical cannabis establishment license for a medical cannabis production facility	3,000
For the renewal of a medical cannabis establishment license for a medical cannabis production facility	1,000



1	For the initial issuance of a medical cannabis	
2	establishment license for a medical cannabis	
3	independent testing laboratory	\$5,000
4	For the renewal of a medical cannabis	
5	establishment license for a medical cannabis	
6	independent testing laboratory	3,000
7	For the initial issuance of an adult-use cannabis	
8	establishment license for an adult-use	
9	cannabis retail store	20,000
10	For the renewal of an adult-use cannabis	
11	establishment license for an adult-use	
12	cannabis retail store	6,600
13	For the initial issuance of an adult-use cannabis	
14	establishment license for an adult-use	
15	cannabis cultivation facility	30,000
16	For the renewal of an adult-use cannabis	
17	establishment license for an adult-use	
18	cannabis cultivation facility	10,000
19	For the initial issuance of an adult-use cannabis	
20	establishment license for an adult-use	
21	cannabis production facility	10,000
22	For the renewal of an adult-use cannabis	
23	establishment license for an adult-use	
24	cannabis production facility	3,300
25	For the initial issuance of an adult-use cannabis	
26	establishment license for an adult-use	
27	cannabis independent testing laboratory	15,000
28	For the renewal of an adult-use cannabis	
29	establishment license for an adult-use	
30	cannabis independent testing laboratory	5,000
31	For the initial issuance of an adult-use cannabis	
32	establishment license for a retail cannabis	
33	consumption lounge	10,000
34	For the renewal of an adult-use cannabis	
35	establishment license for a retail cannabis	
36	consumption lounge	10,000
37	For the initial issuance of an adult-use cannabis	
38	establishment license for an independent	
39	cannabis consumption lounge	10,000
40	For the renewal of an adult-use cannabis	
41	establishment license for an independent	
42	cannabis consumption lounge	10,000
43	For the initial issuance of an adult-use cannabis	
44	establishment license for an adult-use	
45	cannabis distributor	15,000



1 For the renewal of an adult-use cannabis
2 establishment license for an adult-use
3 cannabis distributor \$5,000
4 *For the initial issuance of a cannabis concierge*
5 *license to a person who is not a social equity*
6 *applicant..... 5,000*
7 *For the renewal of a cannabis concierge*
8 *license for a person who is not a social*
9 *equity applicant..... 3,000*
10 *For the initial issuance of a cannabis concierge*
11 *license to a person who a social equity*
12 *applicant..... 2,500*
13 *For the renewal of a cannabis concierge*
14 *license for a person who is a social equity*
15 *applicant..... 1,500*
16 *For the issuance of a cannabis concierge sales*
17 *permit 250*
18 For each person identified in an application for
19 the initial issuance of a cannabis
20 establishment agent registration card 150
21 For each person identified in an application for
22 the renewal of a cannabis establishment agent
23 registration card..... 150

24
25 2. The Board may by regulation establish reduced fees for:

26 (a) The initial issuance and renewal of an adult-use cannabis
27 establishment license for an independent cannabis consumption
28 lounge; and

29 (b) The application fee set forth in subsection 3,
30 ↪ for a social equity applicant. Such a reduction must not reduce
31 the fee paid by a social equity applicant by more than 75 percent of
32 the fee paid by an applicant who is not a social equity applicant.

33 3. Except as otherwise provided in subsection 2, in addition to
34 the fees described in subsection 1, each applicant for a medical
35 cannabis establishment license or adult-use cannabis establishment
36 license must pay to the Board:

37 (a) For an application for a license other than an adult-use
38 cannabis establishment license for a retail cannabis consumption
39 lounge or independent cannabis consumption lounge, a one-time,
40 nonrefundable application fee of \$5,000;

41 (b) For an application for an adult-use cannabis establishment
42 license for a retail cannabis consumption lounge, a one-time,
43 nonrefundable application fee of \$100,000;



1 (c) For an application for an adult-use cannabis establishment
2 license for an independent cannabis consumption lounge, a one-
3 time, nonrefundable application fee of \$10,000; and

4 (d) The actual costs incurred by the Board in processing the
5 application, including, without limitation, conducting background
6 checks.

7 4. Any revenue generated from the fees imposed pursuant to
8 this section:

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

11 (b) If any excess revenue remains after paying the costs
12 described in paragraph (a), such excess revenue must be paid over to
13 the State Treasurer to be deposited to the credit of the State
14 Education Fund.

15 **Sec. 30.** NRS 678B.530 is hereby amended to read as follows:
16 678B.530 1. A person shall not:

17 (a) Advertise the sale of cannabis or cannabis products by the
18 person; or

19 (b) Sell, offer to sell or appear to sell cannabis or cannabis
20 products or allow the submission of an order for cannabis or
21 cannabis products,

22 ↪ unless the person holds an adult-use cannabis establishment
23 license , ~~for~~ a medical cannabis establishment license ~~or~~ *or a*
24 *cannabis concierge license.*

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

29 **Sec. 31.** NRS 678B.650 is hereby amended to read as follows:

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

34 1. Prescribe the form and any additional required content of
35 applications for licenses or registration cards issued pursuant to this
36 chapter;

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

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

42 (a) The manner of protecting against diversion and theft without
43 imposing an undue burden on cannabis establishments or
44 compromising the confidentiality of consumers and holders of



1 registry identification cards and letters of approval, as those terms
2 are defined in NRS 678C.080 and 678C.070, respectively;

3 (b) Minimum requirements for the oversight of cannabis
4 establishments;

5 (c) Minimum requirements for the keeping of records by
6 cannabis establishments;

7 (d) Provisions for the security of cannabis establishments,
8 including without limitation, requirements for the protection by a
9 fully operational security alarm system of each cannabis
10 establishment; and

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

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

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

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

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

36 8. Determine whether any provision of this chapter or chapter
37 678C or 678D of NRS would make the operation of a cannabis
38 establishment by a dual licensee unreasonably impracticable;

39 9. Allow for any record relating to the delivery of cannabis or
40 cannabis products that is required to be kept by a cannabis
41 establishment to be created and maintained in an electronic format;

42 10. Prescribe the manner in which the Board will determine
43 whether a person who holds an adult-use cannabis establishment
44 license is ineligible to hold additional licenses pursuant to NRS
45 678B.325 and 678B.328;



1 11. Set forth rules pertaining to the safe and healthful operation
2 of cannabis consumption lounges, including, without limitation:

3 (a) Standards for the air quality in a cannabis consumption
4 lounge;

5 (b) Procedures and requirements for the collection and disposal
6 of cannabis and cannabis products which are left at a cannabis
7 consumption lounge; and

8 (c) Requirements for the training of employees of a cannabis
9 consumption lounge in the sale and safe consumption of single-use
10 cannabis products and ready-to-consume cannabis products; ~~and~~

11 12. *Set forth rules pertaining to the safe and healthful*
12 *conduct of sales of cannabis or cannabis products by a cannabis*
13 *concierge at a temporary cannabis event, including, without*
14 *limitation:*

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

17 (b) *Procedures and requirements for the collection and*
18 *disposal of cannabis and cannabis products which are left at a*
19 *temporary cannabis event and the management of cannabis waste;*
20 *and*

21 13. Address such other matters as the Board deems necessary
22 to carry out the provisions of this title.

23 **Sec. 32.** NRS 678C.300 is hereby amended to read as follows:

24 678C.300 1. A person who holds a registry identification
25 card or letter of approval issued to him or her pursuant to NRS
26 678C.230 or 678C.270 is not exempt from state prosecution for, nor
27 may the person establish an affirmative defense to charges arising
28 from, any of the following acts:

29 (a) Driving, operating or being in actual physical control of a
30 vehicle or a vessel under power or sail while under the influence of
31 cannabis.

32 (b) Engaging in any other conduct prohibited by NRS 484C.110,
33 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS
34 488.410, 488.420, 488.425 or 493.130.

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

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

39 (1) If the possession of the cannabis or paraphernalia is
40 discovered because the person engaged or assisted in the medical
41 use of cannabis in:

42 (I) Except as otherwise provided by regulations adopted
43 by the Board pursuant to NRS 678B.645, any public place or in any
44 place open to the public or exposed to public view; or



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

4 (2) If the possession of the cannabis or paraphernalia occurs
5 on school property.

6 (e) Delivering cannabis to another person who he or she knows
7 does not lawfully hold a registry identification card or letter of
8 approval issued by the Division or its designee pursuant to NRS
9 678C.230 or 678C.270.

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

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

21 3. *For the purposes of sub-subparagraph (I) of subparagraph*
22 *(I) of paragraph (d) of subsection 1, an area within a temporary*
23 *cannabis event that is designated for the consumption of cannabis*
24 *or cannabis products is not a public place or a place open to the*
25 *public or exposed to public view.*

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

29 ~~[4.]~~ 5. As used in this section, "school property" means the
30 grounds of any public school described in NRS 388.020 and any
31 private school as defined in NRS 394.103.

32 **Sec. 33.** NRS 678D.200 is hereby amended to read as follows:

33 678D.200 1. Except as otherwise provided in NRS
34 678D.300, a person who is 21 years of age or older is exempt from
35 state prosecution for:

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

37 (b) The possession or delivery of paraphernalia;

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

40 (d) Aiding and abetting another in the possession or delivery of
41 paraphernalia;

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



1 (f) Any other criminal offense in which the possession, delivery
2 or production of cannabis or the possession or delivery of
3 paraphernalia is an element.

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

9 3. The exemption from state prosecution set forth in subsection
10 1 applies only to the extent that a person:

11 (a) Is 21 years of age or older;

12 (b) Is not employed by any agency or political subdivision of
13 this State in a position which requires the person to be certified by
14 the Peace Officers' Standards and Training Commission;

15 (c) Engages in the adult use of cannabis in accordance with the
16 provisions of this title;

17 (d) Does not, at any one time, possess, deliver or produce more
18 than:

19 (1) One ounce of usable cannabis;

20 (2) One-eighth of an ounce of concentrated cannabis;

21 (3) Six cannabis plants, irrespective of whether the cannabis
22 plants are mature or immature; and

23 (4) A maximum allowable quantity of adult-use cannabis
24 products as established by regulation of the Board;

25 (e) Cultivates, grows or produces not more than six cannabis
26 plants:

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

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

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

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

40 4. If a person possesses, uses or produces cannabis in an
41 amount which exceeds the amount set forth in paragraph (d) of
42 subsection 3 or in any manner other than that set forth in subsection
43 3, the person is not exempt from state prosecution for the
44 possession, delivery or production of cannabis.



1 5. A person who holds an adult-use cannabis establishment
2 license issued to the person pursuant to NRS 678B.250, *a cannabis*
3 *concierge license issued to the person pursuant to section 18 of*
4 *this act*, a cannabis establishment agent registration card issued to
5 the person pursuant to NRS 678B.340, a cannabis establishment
6 agent registration card for a cannabis executive issued to the person
7 pursuant to NRS 678B.350 or a cannabis establishment agent
8 registration card for a cannabis receiver issued to the person
9 pursuant to NRS 678B.355, and confines his or her activities to
10 those authorized by this title, and the regulations adopted by the
11 Board pursuant thereto, is exempt from state prosecution for:

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

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

27 **Sec. 34.** NRS 678D.300 is hereby amended to read as follows:
28 678D.300 1. A person is not exempt from state prosecution
29 for any of the following acts:

- 30 (a) Driving, operating or being in actual physical control of a
31 vehicle or a vessel under power or sail while under the influence of
32 cannabis.
- 33 (b) Engaging in any other conduct prohibited by NRS 484C.110,
34 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS
35 488.410, 488.420, 488.425 or 493.130.
- 36 (c) Possessing a firearm in violation of paragraph (b) of
37 subsection 1 of NRS 202.257.
- 38 (d) Possessing cannabis in violation of NRS 453.336 or
39 possessing paraphernalia in violation of NRS 453.560 or 453.566:
 - 40 (1) If the possession of the cannabis or paraphernalia is
41 discovered because the person engaged in the adult use of cannabis
42 in:

43 (I) Except as otherwise provided by regulations adopted
44 by the Board pursuant to NRS 678B.645, any public place or in any
45 place open to the public or exposed to public view; or



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

4 (2) If the possession of the cannabis or paraphernalia occurs
5 on school property.

6 (e) Knowingly delivering cannabis to another person who is not
7 21 years of age or older unless:

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

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

16 2. *For the purposes of sub-subparagraph (1) of subparagraph*
17 *(1) of paragraph (d) of subsection 1, an area within a temporary*
18 *cannabis event that is designated for the consumption of cannabis*
19 *or cannabis products is not a public place or a place open to the*
20 *public or exposed to public view.*

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

24 **Sec. 35.** NRS 678D.310 is hereby amended to read as follows:

25 678D.310 1. Except as otherwise provided in chapter 678C
26 of NRS, a person shall not:

27 (a) Cultivate cannabis within 25 miles of an adult-use cannabis
28 retail store licensed pursuant to chapter 678B of NRS, unless the
29 person is an adult-use cannabis cultivation facility or is a cannabis
30 establishment agent volunteering at, employed by or providing labor
31 to an adult-use cannabis cultivation facility;

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

34 (c) Cultivate cannabis on property not in the cultivator's lawful
35 possession or without the consent of the person in lawful physical
36 possession of the property.

37 2. A person who violates the provisions of subsection 1 is
38 guilty of:

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

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

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

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



1 3. Except as otherwise provided in subsection 10 or by
2 regulations adopted by the Board pursuant to NRS 678B.645, a
3 person who smokes or otherwise consumes cannabis or a cannabis
4 product in a public place, in an adult-use cannabis retail store or in a
5 vehicle is guilty of a misdemeanor punished by a fine of not more
6 than \$600.

7 4. A person under 21 years of age who falsely represents
8 himself or herself to be 21 years of age or older to obtain cannabis is
9 guilty of a misdemeanor and shall be punished by:

10 (a) Performing not more than 24 hours of community service;

11 (b) Attending the live meeting described in paragraph (a) of
12 subsection 2 of NRS 484C.530 and complying with any other
13 requirements set forth in that section; or

14 (c) Being required to undergo an evaluation in accordance with
15 subsection 2 of NRS 484C.350,

16 ↪ or any combination thereof.

17 5. If a person under 21 years of age fulfills the terms and
18 conditions imposed for a violation of subsection 4, the court shall,
19 without a hearing, order sealed all documents, papers and exhibits in
20 that person's record, minute book entries and entries on dockets, and
21 other documents relating to the case in the custody of such other
22 agencies and officers as are named in the court's order. The court
23 shall cause a copy of the order to be sent to each agency or officer
24 named in the order. Each such agency or officer shall notify the
25 court in writing of its compliance with the order.

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

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

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

42 9. A person who knowingly gives cannabis to any person under
43 18 years of age or who knowingly leaves or deposits any cannabis in
44 any place with the intent that it will be procured by any person
45 under 18 years of age is guilty of a gross misdemeanor.



1 10. A person may smoke or otherwise consume cannabis or a
2 cannabis product in ~~an~~:

3 (a) A cannabis consumption lounge.

4 (b) *An area within a temporary cannabis event that is*
5 *designated for the consumption of cannabis or cannabis products.*

6 **Sec. 35.3.** Chapter 244 of NRS is hereby amended by adding
7 thereto a new section to read as follows:

8 *1. A person shall not hold a temporary cannabis event in an*
9 *unincorporated area of a county unless the board of county*
10 *commissioners of the county has adopted an ordinance pursuant*
11 *to this section providing for the permitting of such events and the*
12 *person has obtained such a permit.*

13 *2. The board of county commissioners of each county may, by*
14 *ordinance, provide for the issuance of a permit authorizing the*
15 *holder of the permit to hold a temporary cannabis event.*

16 *3. An ordinance adopted pursuant to subsection 2 must:*

17 (a) *Require each applicant for a permit to hold a temporary*
18 *cannabis event to submit an application to the board of county*
19 *commissioners on a form prescribed by the board of county*
20 *commissioners which must include:*

21 (1) *The name, address, telephone number and electronic*
22 *mail address of the applicant;*

23 (2) *The physical address of the location at which the*
24 *proposed temporary cannabis event will be held, the location of*
25 *which may not be on the property of an airport, within 1,000 feet*
26 *of a public or private school that provides formal education*
27 *traditionally associated with preschool or kindergarten through*
28 *grade 12 and that existed on the date on which the application for*
29 *the permit was submitted to the board of county commissioners,*
30 *within 300 feet of a community facility that existed on the date on*
31 *which the application for the permit was submitted to the board of*
32 *county commissioners or, if the temporary cannabis event will be*
33 *located in a county whose population is 100,000 or more, within*
34 *1,500 feet of an establishment that holds a nonrestricted gaming*
35 *license described in subsection 1 or 2 of NRS 463.0177 and that*
36 *existed on the date on which the application for the permit was*
37 *submitted to the board of county commissioners;*

38 (3) *The date or dates of the proposed temporary cannabis*
39 *event, which must not exceed 3 consecutive days;*

40 (4) *The number of persons reasonably expected to attend*
41 *the proposed temporary cannabis event, which must be not less*
42 *than 750 persons, and evidence to support this expectation;*

43 (5) *A diagram of the physical layout of the proposed*
44 *temporary cannabis event, which clearly sets forth each:*



1 (I) Entrance and exit to the proposed temporary
2 cannabis event that will be used by participants during the event;

3 (II) Area within the proposed temporary cannabis event
4 designated for the sale of cannabis or cannabis products; and

5 (III) Area within the proposed temporary cannabis event
6 designated for the consumption of cannabis or cannabis products;

7 (6) An attestation by the applicant that he or she
8 understands and agrees to comply with the requirements described
9 in paragraph (e); and

10 (7) Such other information as the board of county
11 commissioners may require.

12 (b) Require:

13 (1) The issuance of a permit to be deemed conditional until
14 the person issued the permit submits to the board of county
15 commissioners evidence that a cannabis concierge has been issued
16 a cannabis concierge sales permit by the Cannabis Compliance
17 Board pursuant to section 14 of this act to sell cannabis and
18 cannabis products at the event; and

19 (2) The surrender of a conditional permit if the person
20 issued the permit does not satisfy the requirements of
21 subparagraph (1) within a period of time determined by the board
22 of county commissioners.

23 (c) Require each permit issued by the board of county
24 commissioners to set forth the location and date or dates of the
25 temporary cannabis event for which the permit is issued.

26 (d) Require all consumption of usable cannabis by means of
27 smoking at the temporary cannabis event to be conducted in an
28 enclosed structure that meets any standards for air quality or other
29 standards established by the board of county commissioners,
30 unless the board of county commissioners determines this
31 requirement not to be appropriate for a particular temporary
32 cannabis event based on the attributes of the event.

33 (e) Establish requirements for the operation of temporary
34 cannabis events. Such requirements must require the person who
35 obtained the permit to ensure that:

36 (1) Only persons who are 21 years of age or older are
37 allowed to access areas within the temporary cannabis event
38 designated for the sale or consumption of cannabis or cannabis
39 products; and

40 (2) Firearms and other weapons are prohibited at the
41 temporary cannabis event.

42 4. If a board of county commissioners adopts an ordinance
43 pursuant to subsection 2, the board of county commissioners may:

44 (a) Establish and collect a fee for the issuance of a permit.

45 (b) Grant or deny applications for the issuance of a permit.



1 (c) *Impose conditions, limitations and restrictions upon a*
2 *permit.*

3 (d) *Establish any other requirements necessary to carry out the*
4 *ordinance, including, without limitation, the imposition of a*
5 *penalty for a violation of the ordinance.*

6 (e) *Adopt, amend and repeal regulations relating to the*
7 *ordinance.*

8 5. *For the purposes of subparagraph (2) of paragraph (a) of*
9 *subsection 3, the distance must be measured from the main*
10 *entrance of the proposed temporary cannabis event to the closest*
11 *point of the property line of a school, community facility or*
12 *gaming establishment.*

13 6. *As used in this section:*

14 (a) *“Cannabis” has the meaning ascribed to it in*
15 *NRS 678A.085.*

16 (b) *“Cannabis concierge” has the meaning ascribed to it in*
17 *section 4 of this act.*

18 (c) *“Cannabis product” has the meaning ascribed to it in*
19 *NRS 678A.120.*

20 (d) *“Community facility” has the meaning ascribed to it in*
21 *NRS 678B.210.*

22 (e) *“Smoking” means inhaling, exhaling, burning or carrying*
23 *of a lighted cigarette, cigar, pipe or any other matter or substance*
24 *that contains usable cannabis.*

25 (f) *“Temporary cannabis event” has the meaning ascribed to it*
26 *in section 6 of this act.*

27 (g) *“Usable cannabis” has the meaning ascribed to it in*
28 *NRS 678C.100.*

29 **Sec. 35.6.** Chapter 268 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 1. *A person shall not hold a temporary cannabis event in an*
32 *incorporated city in this State unless the governing body of the*
33 *incorporated city has adopted an ordinance pursuant to this*
34 *section providing for the permitting of such events and the person*
35 *has obtained such a permit.*

36 2. *The governing body of the incorporated city may, by*
37 *ordinance, provide for the issuance of a permit authorizing the*
38 *holder of the permit to hold a temporary cannabis event.*

39 3. *An ordinance adopted pursuant to subsection 2 must:*

40 (a) *Require each applicant for a permit to hold a temporary*
41 *cannabis event to submit an application to the governing body on*
42 *a form prescribed by the governing body, which must include:*

43 (1) *The name, address, telephone number and electronic*
44 *mail address of the applicant;*



1 (2) *The physical address of the location at which the*
2 *proposed temporary cannabis event will be held, the location of*
3 *which may not be on the property of an airport, within 1,000 feet*
4 *of a public or private school that provides formal education*
5 *traditionally associated with preschool or kindergarten through*
6 *grade 12 and that existed on the date on which the application for*
7 *the permit was submitted to the governing body, within 300 feet of*
8 *a community facility that existed on the date on which the*
9 *application for the permit was submitted to the governing body or,*
10 *if the temporary cannabis event will be located in a county whose*
11 *population is 100,000 or more, within 1,500 feet of an*
12 *establishment that holds a nonrestricted gaming license described*
13 *in subsection 1 or 2 of NRS 463.0177 and that existed on the date*
14 *on which the application for the permit was submitted to the*
15 *governing body;*

16 (3) *The date or dates of the proposed temporary cannabis*
17 *event, which must not exceed 3 consecutive days;*

18 (4) *The number of persons reasonably expected to attend*
19 *the proposed temporary cannabis event, which must be not less*
20 *than 750 persons, and evidence to support this expectation;*

21 (5) *A diagram of the physical layout of the proposed*
22 *temporary cannabis event, which clearly sets forth each:*

23 (I) *Entrance and exit to the proposed temporary*
24 *cannabis event that will be used by participants during the event;*

25 (II) *Area within the proposed temporary cannabis event*
26 *designated for the sale of cannabis or cannabis products; and*

27 (III) *Area within the proposed temporary cannabis event*
28 *designated for the consumption of cannabis or cannabis products;*

29 (6) *An attestation by the applicant that he or she*
30 *understands and agrees to comply with the requirements described*
31 *in paragraph (e); and*

32 (7) *Such other information as the governing body may*
33 *require.*

34 (b) *Require:*

35 (1) *The issuance of a permit to be deemed conditional until*
36 *the person issued the permit submits to the governing body*
37 *evidence that a cannabis concierge has been issued a cannabis*
38 *concierge sales permit by the Cannabis Compliance Board*
39 *pursuant to section 14 of this act to sell cannabis and cannabis*
40 *products at the event; and*

41 (2) *The surrender of a conditional permit if the person*
42 *issued the permit does not satisfy the requirements of*
43 *subparagraph (1) within a period of time determined by the*
44 *governing body.*



1 (c) Require each permit issued by the governing body to set
2 forth the location and date or dates of the temporary cannabis
3 event for which the permit is issued.

4 (d) Require all consumption of usable cannabis by means of
5 smoking at a temporary cannabis event to be conducted in an
6 enclosed structure that meets any standards for air quality or other
7 standards established by the governing body, unless the governing
8 body determines this requirement not to be appropriate for a
9 particular temporary cannabis event based on the attributes of the
10 event.

11 (e) Establish requirements for the operation of temporary
12 cannabis events. Such requirements must require the person who
13 obtained the permit to ensure that:

14 (1) Only persons who are 21 years of age or older are
15 allowed to access areas within the temporary cannabis event
16 designated for the sale or consumption of cannabis or cannabis
17 products; and

18 (2) Firearms and other weapons are prohibited at the
19 temporary cannabis event.

20 4. If a governing body of an incorporated city adopts an
21 ordinance pursuant to subsection 2, the governing body may:

22 (a) Establish and collect a fee for the issuance of a permit.

23 (b) Grant or deny applications for the issuance of a permit.

24 (c) Impose conditions, limitations and restrictions upon a
25 permit.

26 (d) Establish any other requirements necessary to carry out the
27 ordinance, including, without limitation, the imposition of a
28 penalty for a violation of the ordinance.

29 (e) Adopt, amend and repeal regulations relating to the
30 ordinance.

31 5. For the purposes of subparagraph (2) of paragraph (a) of
32 subsection 3, the distance must be measured from the main
33 entrance of the proposed temporary cannabis event to the closest
34 point of the property line of a school, community facility or
35 gaming establishment.

36 6. As used in this section:

37 (a) "Cannabis" has the meaning ascribed to it in
38 NRS 678A.085.

39 (b) "Cannabis concierge" has the meaning ascribed to it in
40 section 4 of this act.

41 (c) "Cannabis product" has the meaning ascribed to it in
42 NRS 678A.120.

43 (d) "Community facility" has the meaning ascribed to it in
44 NRS 678B.210.



1 (e) *“Smoking” means inhaling, exhaling, burning or carrying*
2 *of a lighted cigarette, cigar, pipe or any other matter or substance*
3 *that contains usable cannabis.*

4 (f) *“Temporary cannabis event” has the meaning ascribed to it*
5 *in section 6 of this act.*

6 (g) *“Usable cannabis” has the meaning ascribed to it in*
7 *NRS 678C.100.*

8 **Sec. 36.** Chapter 372A of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *“Cannabis concierge” has the meaning ascribed to it in section*
11 *4 of this act.*

12 **Sec. 37.** 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 36 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 36 of this act*, have the meanings ascribed to them in
17 those sections.

18 **Sec. 38.** NRS 372A.250 is hereby amended to read as follows:
19 372A.250 “Taxpayer” means a:
20 1. Cannabis cultivation facility;
21 2. Adult-use cannabis retail store; ~~for~~
22 3. Cannabis consumption lounge ~~for~~; *or*
23 4. *Cannabis concierge.*

24 **Sec. 39.** NRS 372A.290 is hereby amended to read as follows:
25 372A.290 1. An excise tax is hereby imposed on each
26 wholesale sale in this State of cannabis by a medical cannabis
27 cultivation facility to another cannabis establishment at the rate of
28 15 percent of the fair market value at wholesale of the cannabis. The
29 excise tax imposed pursuant to this subsection is the obligation of
30 the medical cannabis cultivation facility.

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

37 3. An excise tax is hereby imposed on each retail sale in this
38 State of cannabis or cannabis products by an adult-use cannabis
39 retail store, ~~for~~ cannabis consumption lounge *or cannabis*
40 *concierge* at the rate of 10 percent of the sales price of the cannabis
41 or cannabis products. The excise tax imposed pursuant to this
42 subsection:

43 (a) Is the obligation of the seller of the cannabis or cannabis
44 product;



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

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

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

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

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

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

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

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

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

34 8. As used in this section:

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

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

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

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

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



1 (f) "Wholesale sale" means a sale or transfer of cannabis by a
2 cannabis cultivation facility to another cannabis establishment. The
3 term does not include a transfer of cannabis by a cannabis
4 cultivation facility to another cannabis cultivation facility when both
5 cannabis cultivation facilities share identical ownership.

6 **Sec. 40.** (Deleted by amendment.)

7 **Sec. 41.** NRS 453.316 is hereby amended to read as follows:

8 453.316 1. A person who opens or maintains any place for
9 the purpose of unlawfully selling, giving away or using any
10 controlled substance is guilty of a category C felony and shall be
11 punished as provided in NRS 193.130.

12 2. If a person convicted of violating this section has previously
13 been convicted of violating this section, or if, in the case of a first
14 conviction of violating this section, the person has been convicted of
15 an offense under the laws of the United States or any state, territory
16 or district which, if committed in this State, would amount to a
17 felony under this section, the person is guilty of a category B felony
18 and shall be punished by imprisonment in the state prison for a
19 minimum term of not less than 1 year and a maximum term of not
20 more than 6 years, and may be further punished by a fine of not
21 more than \$10,000.

22 3. This section does not apply to:

23 (a) Any rehabilitation clinic established or licensed by the
24 Division of Public and Behavioral Health of the Department.

25 (b) Any cannabis consumption lounge, as defined in NRS
26 678A.087, whose activities are confined to those authorized in title
27 56 of NRS.

28 (c) *A person who holds a temporary cannabis event, as defined*
29 *in section 6 of this act, for which a permit has been issued by the*
30 *board of county commissioners of a county pursuant to section*
31 *35.3 of this act or the governing body of an incorporated city*
32 *pursuant to section 35.6 of this act, as applicable, and whose*
33 *activities are confined to those authorized by the board of county*
34 *commissioners or governing body, as applicable, by ordinance.*

35 (d) *A cannabis concierge, as defined in section 4 of this act,*
36 *that sells cannabis or cannabis products at a temporary cannabis*
37 *event, as defined in section 6 of this act, and whose activities are*
38 *confined to those authorized in title 56 of NRS.*

39 (e) Any person who opens or maintains any public place in
40 which a person is authorized to consume cannabis, as defined in
41 NRS 678A.085, or cannabis products, as defined in NRS 678A.120,
42 pursuant to regulations adopted by the Cannabis Compliance Board
43 pursuant to NRS 678B.645, and whose activities are confined to
44 those authorized by such regulations.



1 **Sec. 41.3.** 1. There is hereby appropriated from the State
2 General Fund to the Department of Taxation for payments under the
3 cost allocation plan for services of the Attorney General and for
4 personnel, travel, operating, equipment and information services
5 expenses associated with implementing the provisions of this act the
6 following sums:

7 For the Fiscal Year 2023-2024 \$106,333
8 For the Fiscal Year 2024-2025 \$118,021

9 2. Any balance of the sums appropriated by subsection 1 of this
10 act remaining at the end of the respective fiscal years must not be
11 committed for expenditure after June 30 of the respective fiscal
12 years by the entity to which the appropriation is made or any entity
13 to which money from the appropriation is granted or otherwise
14 transferred in any manner, and any portion of the appropriated
15 money remaining must not be spent for any purpose after
16 September 20, 2024, and September 19, 2025, respectively, by
17 either the entity to which the money was appropriated or the entity
18 to which the money was subsequently granted or transferred, and
19 must be reverted to the State General Fund on or before
20 September 20, 2024, and September 19, 2025, respectively.

21 **Sec. 41.5.** For the purposes of subsection 2 of section 22 of
22 this act, a person who has been issued one of the first five cannabis
23 concierge licenses pursuant to subsection 1 of section 21 of this act
24 shall be deemed to hold a cannabis concierge license 2 years after
25 the date on which the cannabis concierge license was issued to the
26 person.

27 **Sec. 42.** 1. This section becomes effective upon passage and
28 approval.

29 2. Section 41.3 of this act becomes effective on July 1, 2023.

30 3. Sections 1 to 41, inclusive, and 41.5 of this act become
31 effective upon passage and approval for the purpose of adopting any
32 regulations and performing any other preparatory administrative
33 tasks that are necessary to carry out the provisions of this act, and on
34 July 1, 2024, for all other purposes.

