



## **Cannabis Producer/ Microbusiness Producer Applicant Licensing Checklist**

**FOR A VERTICALLY INTEGRATED LICENSE**, you *only* have to upload the social and economic equity plan, proof of age for every controlling person, and water and energy use plan one time.

**FOR A STANDALONE CANNABIS PRODUCER or CANNABIS MICROBUSINESS PRODUCER LICENSE**, prepare the following documents to upload to the CCD Online License Application System:

**A SOCIAL AND ECONOMIC EQUITY PLAN**

The social and economic equity plan should describe the applicant's plan to encourage economic and social diversity in employment.

The applicant's plan should include race, ethnicity, gender, age, and residential status of licensee, controlling persons and employees of applicant and whether the applicant, controlling persons, employees or the locations where the cannabis products are produced are located in an underserved rural community, including tribal, acequia, land grant-merced, federally designated opportunity zone, or other rural historic communities.

**PROOF OF AGE FOR EVERY CONTROLLING PERSON**

Proof of age includes identification issued by a federal or state government that includes the name, date of birth, and picture of the applicant or the controlling person.

**AUTHORIZATION FOR RELEASE OF INFORMATION FORM**

Each controlling person listed in the application must complete an Authorization for Release of Information form. The form can be found on the division website. The Authorization for Release of Information form must be uploaded to the appropriate related person section of your application and emailed to [CCD.Licensing@state.nm.us](mailto:CCD.Licensing@state.nm.us).

**FOR EACH PREMISE REQUIRING A LICENSE, YOU MUST UPLOAD THE FOLLOWING:**

**DEMONSTRATION OF A WATER RIGHT**

Please provide demonstration of a legal right to use the quantity of water that is needed for cannabis production, as evidenced by either:

- a) Documentation from a water provider that the applicant has the right to use water from the provider and that the use of water for cannabis production is compliant with provider's rules, or
- b) Documentation from the Office of the State Engineer showing that the applicant has a valid and existing water right, or a permit to develop a water right, for



irrigation purposes for outdoor cultivation, or a commercial purpose for indoor cultivation at the proposed place of use of the cannabis establishment. The documentation may include any of the following:

1. an Office of the State Engineer permit or license in good standing, but not including a permit issued pursuant to Sections 72-12-1, -1.1, -1.2, or -1.3, NMSA 1978;
2. a subfile order or decree issued by a water rights adjudication court;
3. the findings of an Office of the State Engineer hydrographic survey; or
4. other documentation the Office of the State Engineer has deemed in writing as acceptable to the office of the state engineer under this rule.

**OSE ACCESSION FORM**

Please complete the OSE Accession Form that can be found on the division website. This form is required as part of the water rights review process and must be uploaded to your application in Salesforce, sent to the CCD staff member assigned to your case, or emailed to [CCD.Licensing@state.nm.us](mailto:CCD.Licensing@state.nm.us)

**WATER AND ENERGY USE PLAN**

Please provide a plan to use, or certification that the applicant cannot feasibly use, energy and water reduction opportunities, including:

- a) drip irrigation and water collection;
- b) natural lighting and energy efficiency measures;
- c) renewable energy generation; and
- d) estimated water and energy use related to the applicant's cultivation plan.

**APPLICANT REQUIRED TO CERTIFY AND ATTEST TO:**

Submission of an application to the CCD certifies that you are compliant with the following required attestations necessary for licensure:

1. I consent to undergo a national criminal history background check and department of public safety (DPS) statewide criminal history screening background check. I understand for purposes of this rule, background checks shall be required for: (1) each partner of a limited partnership; (2) each member of a limited liability company; (3) each director, officer, or trustee of a corporation or trust; and (4) any controlling person of the applicant.

2. I certify I will adhere to production requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules, including creating and maintaining a cultivation plan, and cannabis waste procedures for cannabis or cannabis products.

3. I certify I will adhere to cannabis transport requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules, including the transport of unprocessed cannabis or cannabis products to other cannabis establishments.

4. I certify I will adhere to New Mexico Department of Agriculture (NMDA) pesticide registration, licensing, and use requirements to ensure a safe product and environment.

5. I certify I will adhere to security requirements pursuant to the Cannabis Regulation Act, the



Lynn and Erin Compassionate Use Act, and division rules, including requirements relating to safety and security procedures, security devices to be used, placement of security devices, personal safety, and crime prevention techniques.

**6.** I certify I will adhere to quality assurance requirements pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, and division rules, including requirements relating to routine testing by a licensed testing laboratory, division inspection of licensed premises during normal business hours, and testing of cannabis.

**7.** I certify I will adhere to applicable federal, state and local laws governing the protection of public health and the environment, including occupational health and safety, food safety, environmental impacts, natural resource protections, air quality, solid and hazardous waste management, and wastewater discharge.

**8.** I certify I have never been denied a license or had a license suspended or revoked by the division or any other state cannabis licensing authority or a detailed description of any administrative orders, civil judgements, denial or suspension of a cannabis license, revocation of a cannabis license, or sanctions for unlicensed medical or commercial cannabis activity by any state licensing authority, against the applicant, controlling person, or a business entity in which the applicant or controlling person was a controlling person within the three years immediately preceding the date of the application.

**9.** I certify that the premise diagram shall be kept at each licensed premises at all times and made available for in-person inspection by the Cannabis Control Division or its agents upon request. The premises diagram will conform to the requirements set forth in 16.8.2 NMAC: Licensing and Operational Requirements for Cannabis Establishments.

**10.** I certify that that my business is in good standing with the New Mexico Secretary of State, including all documents filed with the New Mexico Secretary of State.

If at any time the CCD finds that the required attestations are not met, the application or license can be deemed noncompliant, which could result in cancellation of the application, suspension or revocation of a license, or denial of license renewal. All application fees are nonrefundable.

