



Pursuant to Nevada Cannabis Compliance Regulation (NCCR) 5.040, questions on the application and/or application submittal process must only be submitted in writing to an email designated explicitly for that purpose in the written application instructions. All such emails will be posted publicly on the Board’s website. Regarding such emails, the Board cannot guarantee a response within any particular time frame and/or prior to the application submittal deadline.

Questions below have been submitted to [CCBConsumptionLounge@ccb.nv.gov](mailto:CCBConsumptionLounge@ccb.nv.gov).

General / Miscellaneous		
Email Date	Email Question	CCB Response
8/24/2022	“Can you please clarify how many retail consumption lounge licenses will be issued?”	An operational adult-use cannabis retail store may apply to open <u>one</u> retail cannabis consumption lounge. However, this does not mean that every operational adult-use cannabis retail store will obtain a retail consumption lounge license because the Board is prohibited from issuing more than one retail consumption lounge license to any one person under NRS 678B.328(1)(b). Under NCCR 5.040(1)(i)(1), if any cannabis consumption lounge application has an owner who owns 5% or greater interest in any entity within the ownership organization chart and said owner is also on any other cannabis consumption lounge application wherein, they are listed as an owner who owns 5% or greater interest in any entity within the ownership structure, all such applications will be removed from consideration. Any application removed for any reason will not have its administrative processing fee returned; it is a non-refundable fee. Based on interest we have received from the industry to date, we estimate at this time that there may be <u>approximately forty to forty-five</u> (40-45) such licensees interested in and able to open a retail cannabis consumption lounge.  We do not have an estimate of potential applicants for independent cannabis consumption lounges including social equity applicants.
09/01/2022	“How many applicants are you expecting?”	
09/01/2022	“What is the limit of license being granted?”	
09/01/2022	“How many independent applications are you expecting?”	While we cannot predict how many applications will be submitted, the Board is permitted to issue twenty (20) independent cannabis consumption licenses, half (meaning ten (10)) of which are allocated for social equity applicants. Please see the Q&A above regarding the anticipated amount of retail cannabis consumption lounges.
09/01/2022	“In regard to the number of licenses... how many regular & how many social equity?”	



General / Miscellaneous

Email Date	Email Question	CCB Response
08/25/2022	“Can one person apply for both [an independent lounge license and a retail lounge license] and wait to see which license type is granted?”	No, an applicant can <b>only apply for one (1)</b> type of consumption lounge, either a retail or independent consumption lounge but not both under NRS 678B.328(1)(a)-(c). Moreover, under NCCR 5.040(1)(i)(1), if any cannabis consumption lounge application has an owner who owns 5% or greater interest in any entity within the ownership organization chart and said owner is also on any other cannabis consumption lounge application wherein, they are listed as an owner who owns 5% or greater interest in any entity within the ownership structure, all such applications will be removed from consideration. Any application removed for any reason will not have its administrative processing fee returned; it is a non-refundable fee.
08/25/2022	“Will there be another opportunity in the future for lounge applications? It's my understanding there may not be a second wave of applications.”	At this time, there has not been a determination on whether there will be any additional consumption lounge open application periods beyond this initial round. Whether it be for a retail or independent consumption lounge, to be considered for licensure of a consumption lounge, your completed application and payment must be submitted during the open application period.
08/31/2022	“Is there a specific time for which to apply or is it something a dispensary owner can apply for at a later date?”	
09/01/2022	“As an owner of a dispensary, do we need to file an application during this period, or will we be able a file at a later time?”	
09/15/2022	“Does a current dispensary licensee have to submit an application in this round of applications to retain the right to apply?”	
09/01/2022	“When will the application process start?”	On September 14, 2022, the CCB posted its notice of intent to accept applications for cannabis consumption lounges <b><u>beginning at 8:00 a.m. (PT) on October 14, 2022 and ending at 5:00 p.m. (PT) on October 27, 2022.</u></b> Review the full notice, here: <a href="https://ccb.nv.gov/notice-of-intent-to-accept-applications-for-cannabis-consumption-lounges/">https://ccb.nv.gov/notice-of-intent-to-accept-applications-for-cannabis-consumption-lounges/</a> .
09/01/2022	“Is there an announced date for when consumption lounge applications will be open? Or a date for when that date will become available?”	



General / Miscellaneous

Email Date	Email Question	CCB Response
09/01/2022	“When is the application widow begin?”	
09/01/2022	“Will the application process for the lounge be expected to be open by the end of this year?”	
08/25/2022	“I was wondering if I could get more clarification on the difference between the retail and independent consumption lounge licenses.”	<p>NRS 678A defines the <b>two (2) license types</b> for cannabis consumption lounges:</p> <ol style="list-style-type: none"> <li><b>Retail Cannabis Consumption Lounge:</b> Must be “attached or immediately adjacent to an adult-use cannabis-retail store.” NRS 678A.237. The adult-use cannabis retail store owns the retail cannabis consumption lounge. The processing fee for this license is \$100,000. No social equity applicant option is available for retail cannabis consumption lounge licenses.</li> <li><b>Independent Cannabis Consumption Lounge:</b> Not attached or immediately adjacent to an adult-use cannabis retail store. NRS 678A.157. The independent cannabis consumption lounge applicant can be a social equity applicant or not. The processing fee for this license is \$10,000; the processing fee is \$2,500 for social equity applicants.</li> </ol>
08/25/2022	“We want to do our due diligence and adhere to the new guidelines regarding the launch of consumption lounges. In reviewing the regulations. I did not see anything specific on delivery. As a third-party delivery service, do you have any information you can share with me regarding delivery to these establishments?”	<p>NCCR 13.010 describes requirements for wholesale transportation of cannabis and cannabis products.</p> <ol style="list-style-type: none"> <li>A cannabis distributor may transport cannabis and cannabis products between a cannabis establishment and another cannabis establishment or between the buildings of a cannabis establishment.</li> <li>A cannabis establishment shall not transport cannabis or cannabis products to a cannabis sales facility or between a cannabis sales facility and an independent cannabis consumption lounge unless the cannabis establishment holds a license for a cannabis distributor.</li> </ol>
09/09/2022	“The “Preparing to Apply” checklist outlines items to be included with the application package. Are any of the items in the "Prospective License Holder	<p>Except for fingerprints for agent cards and the diversity plan, the applicant for a retail or independent cannabis consumption lounge license will not need to furnish the items in the “Prospective License Holder Requirements Checklist” when submitting their application during the open application period. An</p>



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	Requirements Checklist" required to be submitted with the application package for Retail Attached Lounge applicants? Or will they get a notification and a 120-day window to submit those items after they have been informed of their selection?"	<p>applicant who receives a letter informing them that they have been selected for a prospective license must then upload the documents in said checklist within one hundred and twenty (120) days of receipt of such letter to proceed to the suitability investigation by Board Agents. The Board will not extend the 120-day deadline, except for the funding requirement.</p> <p>Additional requirements for Social Equity applicants can be found on the Social Equity Eligibility worksheet and in the Social Equity Eligibility Educational Webinar. It can be accessed on our website at <a href="https://ccb.nv.gov/nevada-cannabis-program/#item-2">https://ccb.nv.gov/nevada-cannabis-program/#item-2</a>.</p>
08/31/2022	"Will the CCB take into account any born and raised Las Vegas applicants? Is there any consideration given for born and raised locals who have always contributed to the Valley?"	The current cannabis consumption lounge licensure process has no special considerations for the circumstances described.
09/01/2022	"What is the definition of 'any one person' in NRS 678B.325 and NRS 678B.328, since most licenses for adult-use cannabis retail store establishments are owned by LLCs, which then have individual members with varying percentage ownerships."	"Person" means natural persons, limited partnerships, limited-liability companies, corporations, publicly traded corporations, private investment companies, trusts, holding companies, or other form of business organization such as defined by the Board. Applicants must review their organizational charts for individual owners. Under NCCR 5.040(1)(i)(1), if any application has an owner who owns 5% or greater interest in any entity within the ownership organization chart and said owner is also on any other application wherein they are listed as an owner who owns 5% or greater interest in any entity within the ownership structure, all such applications will be removed from consideration. Any application removed for any reason will not have its administrative processing fee returned; it is a non-refundable fee.
09/01/2022	"Do you need to own a dispensary in order to open a lounge?"	You <b><u>only need to own an adult-use cannabis retail store to apply for a retail cannabis consumption lounge</u></b> , you do not need to own one to apply for an independent cannabis consumption lounge.



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09/01/2022	“Will these [Webinar] slides be available to us?”	Yes, at our website ( <a href="http://ccb.nv.gov">ccb.nv.gov</a> ), please click on the Consumption Lounges link under the Nevada Cannabis Program tab. The videos listed under Educational Materials contain the slides and there also are links to helpful worksheets. Additionally, you may review the webinar at any time by clicking the link to our YouTube channel at <a href="https://www.youtube.com/c/CCBStateOfNevada">https://www.youtube.com/c/CCBStateOfNevada</a>
09/01/2022	“Is there a square footage restriction for build out.”	At this time, there are no state restrictions on square footage for the build out. However, local jurisdictions could create restrictions. Please be sure to check with the local jurisdiction for any possible restrictions. Applicants are cautioned that they should not conduct any build outs until they have received a conditional license and local jurisdiction approval.
09/01/2022	“What is the limit of license being granted?”	There is no limit to the number of retail consumption lounges that can be approved. However, no entity or person can be approved for more than one (1) consumption lounge license, whether retail or independent. There is a maximum of twenty (20) independent licenses that can be selected in this application round, ten (10) of which are allocated for social equity applicants.
09/01/2022 09/01/2022	“Can a majority owner on one lounge application apply as a 4% or less interest holder on another lounge application?” “Can one person own a license?”	One (1) person or entity can own a license, as long as the ownership share of any one owner is not 5% or more on another consumption lounge application. If any application has an owner who owns 5% or greater interest in any entity within the ownership organization chart and said owner is also on any other application wherein, they are listed as an owner who owns 5% or greater interest in any entity within the ownership structure, <b><u>all such applications will be removed from consideration</u></b> . Any application removed for any reason will not have its administrative processing fee returned; it is a non-refundable fee.
09/01/2022	“Can you also have a beer and wine license for the cannabis lounge?”	NCCR 15.065 provides that “All alcohol, tobacco, and nicotine products are not permitted for use or sale in a cannabis consumption lounge.”



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Email Date	Email Question	CCB Response
09/01/2022	“Are there any regulations around selling food and beverage at the lounge?”	Please review <a href="#">Nevada Cannabis Compliance Regulation (NCCR) 15</a> , which outlines requirements for the operation of consumption lounges that serve food and beverage. Additionally, please check with the health department in the jurisdiction of your proposed consumption lounge for more information.
09/01/2022	“Would the lounge need to comply with the HVAC requirements if there are no smoking areas in the lounge? Example, a restaurant style lounge.”	
09/01/2022	“How are applications graded and is there a lottery system?”	Applications will be scored for timely submission and completeness of submitted information. Since there is a limit on the number of independent licenses available (a total of twenty (20), ten (10) of which are allocated for social equity applicants), a random number selector will be used to select the twenty (20) independent license applications.
09/01/2022	“Are there any restrictions around the way charge our guest for access and use of the lounge.”	No, there are no specific restrictions in regard to cover charges or membership. Lounges are not purely private, but some restrictions on entrance might be permitted. That is a business decision on the part of the consumption lounge. However, be sure to check the local jurisdictions of the consumption lounge for any restrictions they may have.
09/01/2022	“Does the consumption lounge have to be open to the public or can it be a private lounge?”	
09/01/2022	“Will the dispensaries provide single dose products for sale to patrons or will consumption lounges be allowed to repackage products for single dose sales?”	As outlined in NCCR 15.035, a cannabis consumption lounge may only sell single-use cannabis products obtained from an adult-use cannabis retail store in this State. A cannabis consumption lounge may procure multi-serving edible cannabis products from adult-use cannabis retail stores in this State and resell individual servings to consumers.
09/01/2022	“Will there be a deadline for the lounge to become operational following awarded of license?”	After applications are selected for prospective consumption lounge licenses, a 120-day suitability investigation begins, ending in the selection of conditional licenses. While holding a conditional license, the applicant will attempt to satisfy additional requirements and has twelve (12) months to become operational to be selected for a final license to operate. Any build out prior to final licensure is at the applicant’s own risk.
09/01/2022	“Once the retail consumption lounge is awarded the license is there any required timeline to build out the lounge space?”	



General / Miscellaneous

Email Date	Email Question	CCB Response
09/01/2022	“Once a [prospective] retail consumption lounge is awarded is there a required timeline that the lounge must be constructed and opened?”	
09/01/2022	“Can customers bring their own product (under 1 oz) into independent lounges?”	No, customers must purchase from the consumption lounge the cannabis or cannabis products they would like to consume. Cannabis and cannabis products obtained by the customer outside of the cannabis consumption lounge are prohibited.
09/01/2022 09/17/2022	“How long is the application period?” “...[W]hat is the duration of the application process.”	The open application period is ten (10) business days. Applications will not be accepted after the open application period ends. On September 14, 2022, the CCB posted its notice of intent to accept applications for cannabis consumption lounges <b><u>beginning at 8:00 a.m. (PT) on October 14, 2022 and ending at 5:00 p.m. (PT) on October 27, 2022.</u></b>
09/01/2022	“Do I have to hire an attorney to submit my application?”	No, an attorney is not required by the CCB for you to submit your consumption lounge application. However, you may retain an attorney to assist you if you wish to do so.
09/01/2022	“Once application period closes, how many days after will the state announce the selected applicants?” “How long does it take to find out if you will get a license after the 10-day period closes?”	This information will depend on how many applications the Board receives for processing.
09/01/2022	“If I get a license, how soon am I allowed to sell it?”	An independent cannabis consumption lounge licensee may not transfer the license until two (2) years from the date on which the independent cannabis consumption lounge license became operational. To review the regulations and exceptions, please refer to NCCR 5.110. CCB statutes and regulations also have specific requirements for any sales or transfers of interest of a license and you



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Email Date	Email Question	CCB Response
		or your counsel should review these thoroughly before any sale or transfer of interest.
09/01/2022	“After random number is assigned by a computer, is the CCB team selecting the winners or a computer?”	For the independent lounge applications, including those with social equity eligibility, the random number selector (a computer) does the actual selection of the applications that will move forward with a prospective license and proceed to the suitability investigation.
09/01/2022	“If you are independent, can you sell product that you purchased at a dispensary.”	An independent consumption lounge must contract with a retail dispensary to supply product for the lounge to sell to lounge customers.
09/01/2022	“Can you provide products straight from a private Nevada cultivator or do we have to buy from a dispensary?”	
09/01/2022	“Will dispensaries sell the product at a discount to consumption lounges or will lounges have to charge more than the what the dispensaries would?”	That is a business decision on the part of the consumption lounge and the retail dispensary.
09/01/2022	“My question is what is the proper NAICS code when applying for you Nevada State Business License?”	Your NAICS code should be associated with the primary function of the business (e.g. food service, retail sales for adult-use, massage therapy, etc.). Visit SilverFlume for further assistance: <a href="https://www.nvsilverflume.gov/questions?q=63">https://www.nvsilverflume.gov/questions?q=63</a>
09/01/2022	“Those of us in this business have been neglected in the previous dispensary round process, please explain why dispensaries are again given preferential treatment in terms of lounge licenses?”	As approved by the state legislature, Assembly Bill 341 (2021) established the framework for the consumption lounge program, including parameters for licensure and the establishment of two consumption lounge license types: retail and independent.





General / Miscellaneous

Email Date	Email Question	CCB Response
09/15/2022	“What would I need to start a lounge for smoking?”	You will be required to submit an application and payment within the open application period for consumption lounge licenses. The regulations governing the consumption lounge application process and those concerning the operation of a consumption lounge can be viewed here on our website: <a href="https://ccb.nv.gov/laws-regulations/">https://ccb.nv.gov/laws-regulations/</a> . On that page, you will see “Regulation 5” with the pdf document describing the regulations that detail the cannabis consumption lounge application process. The “Regulation 15” document provides details on regulations governing the operation of cannabis consumption lounges. You will want to review this document for requirements for operating a consumption lounge that includes cannabis smoking you inquired about.
09/16/2022	“Can the attorney for the applicant submit the application on behalf of the applicant?”	An attorney could assist an applicant in filling out the application. However, the attorney would have to ensure the applicant has in fact, attested to the required attestations and confirms the attestations are true. If any attestation later proves false, the applicant would be fully liable for providing a false attestation, would be subject to discipline by the Board, and the Board may deny the application. The applicant cannot submit as a defense the fact that their attorney assisted them or claim that their attorney mistakenly or incorrectly submitted information.



Payment of Fees

Email Date	Email Question	CCB Response
8/23/2022	<p>“I understand the non-refundable processing fee for an independent cannabis consumption lounge license is \$10,000. Since the CCB is limited on the number of independent cannabis consumption lounges licenses it may issue, what happens to my \$10,000 processing fee if I am not issued an independent cannabis consumption lounge license.”</p>	<p>In the event that your consumption lounge application is not selected for licensure, the processing fee is non-refundable. It cannot be applied toward another licensing round in the future. The non-refundable processing fee, as directed by NRS 678B.390(4), is retained to cover expenses to carry out the Board’s duties, and then any excess is transferred to the State Education Fund.</p>
09/01/2022	<p>“If I do not get selected in this application round, can the processing fee be applied towards a future application round?”</p>	
09/01/2022	<p>“Fair odds of being accepted without losing the processing fee.”</p>	<p>Since retail consumption lounge licenses are not limited in number, you are less likely to lose your processing fee if you are eligible to apply for a retail consumption lounge license and can comply and fulfill all requirements for the application and operation and are found suitable by the Board and Board agents after suitability investigation. Obtaining an independent consumption lounge license may be more challenging since the number of independent consumption lounge licenses is limited to twenty (20), and the provisional licensees are selected by a random number selector. The CCB cannot provide or estimate the odds of being accepted or not accepted.</p>
09/01/2022	<p>“Will the draw for licenses be live and can I come watch in person?”</p>	<p>Yes, the drawing will be live, and a livestream option will be available. Details will be provided at a later date. Please continue to check our website <a href="https://ccb.nv.gov">ccb.nv.gov</a> for updates and subscribe to receive notices, guidance, and other timely information from the CCB. You may subscribe, here: <a href="https://ccb.nv.gov/subscribe/">https://ccb.nv.gov/subscribe/</a>.</p>
09/01/2022	<p>“I don't have a bank account. Will you take cash?”</p>	<p>Cash will not be accepted. ACH, cashier’s check, or money orders are the only acceptable methods of payment. Payment must be <b>received</b> by the close of the open application acceptance period ending 5:00 p.m. (PT) on October 27, 2022.</p>
09/17/2022	<p>“Do you still require money up front?”</p>	



Payment of Fees		
Email Date	Email Question	CCB Response
09/17/2022	I would like to inquire how much the CCB will be charging for the application fee for consumption lounges?	A one-time, non-refundable processing fee of \$100,000 is required for an application for a retail cannabis consumption lounge. A one-time, non-refundable processing fee of \$10,000 is required for an application for an independent cannabis consumption lounge. For a qualifying social equity applicant, a one-time, non-refundable processing fee of \$2,500 is required for an independent cannabis consumption lounge application.

Agent Cards		
Email Date	Email Question	CCB Response
09/01/2022	“Do we need our business license before getting the agent card?”	No, applications for agent cards for the purpose of a consumption lounge license can be submitted before or after getting the business license but not more than 30 days prior to the open application period for consumption lounges licenses.
09/01/2022	“If am a franchisee and my franchisor has no ownership or board positions, do they need agent cards?”	Different structured scenarios will be evaluated on a case-by-case basis. Applicants must review their organizational charts for individual owners. In general, each owner, officer and board member listed in the application must apply for an agent card and submit their fingerprints for the required background check.
09/01/2022	“When applying for agent cards, would we apply as owners, or would we be prospective owners?”	For the purpose of consumption lounge licensure, you will need to apply under the “Prospective” applicant role that will be presented in the drop-down menu of the agent card application. Prospective roles to select from include “Prospective Board Member,” “Prospective Cannabis Executive,” “Prospective Officer,” or “Prospective Owner.” If you own 5% or more of an establishment, then select “Prospective Cannabis Executive” under the applicant role. Selecting roles other than “Prospective” ones in the agent card application may produce errors.



Agent Cards

Email Date	Email Question	CCB Response
		On our website, we have provided a presentation called “How to Apply for a Cannabis Consumption Lounge Agent Registration Card” that will assist you with your agent card application. It can be accessed on our website at <a href="https://ccb.nv.gov/nevada-cannabis-program/#item-2">https://ccb.nv.gov/nevada-cannabis-program/#item-2</a> .
09/01/2022	“At what point in the process should the company have their employees begin to apply for lounge agent cards?”	An employee will not need an agent card until that establishment has opened.
09/01/2022	“How long will the agent card last, and how often do they have to renew it? If we obtain the card but do not get the license, is the card revoked?”	Agent cards are valid for two (2) years from the issuance date of the temporary agent card. Every two years before their agent card expires, the agent card holder will need to submit a new agent card application which includes obtaining fingerprints and paying the agent card fee of \$150.00. Please remember that for the purposes of a consumption lounge license, the individual is required to apply for an agent card and submit fingerprints, but payment for the agent card fee will not be required unless the consumption lounge application is selected for a prospective license. Temporary agent cards and permanent cards for consumption lounge applicants will not be issued unless selected. Therefore, at such time that a person is not selected for a consumption lounge license, the applicant’s agent card application will be cancelled.
09/16/2022	“Are all owners required to obtain an consumption lounge agent card or just owners over 5%?”	NCCR 5.130 indicates that each person who holds 5 percent or more of the ownership interest in a cannabis establishment, <u>OR</u> is an officer, managing member or board member, shall obtain a cannabis establishment agent registration card for a cannabis executive. However, any person working at a cannabis establishment, including a consumption lounge, must have an agent card.



Social Equity

Email Date	Email Question	CCB Response
08/25/2022	“I want to obtain a license to operate an independent consumption lounge. My family has been impacted by cannabis previous laws. I want to apply as a social equity candidate.”	Of the twenty (20) independent licenses available, ten (10) of them are allocated for social equity applicants. “Social equity applicant” means an applicant for the issuance or renewal of an adult-use cannabis establishment license for an independent cannabis consumption lounge who has been adversely affected by provisions of previous laws which criminalized activity relating to cannabis, as determined by the Board in accordance with the regulations adopted pursuant to NRS 678B.323. For the independent consumption lounge license, social equity applicants will have their processing fee reduced by 75% to \$2,500.00. NCCR 5.055 details the selection of social equity applicants.
09/01/2022	“What is the social equity license? Please explain, thank you.”	As outlined in NCCR 5.055, social equity applicants must meet <b>ALL</b> the following criteria: <b>1.</b> Have at least 51% ownership in the business; <b>2.</b> Have resided in one of the following census tracts nationwide for no less than the previous five (5) years meeting the following two criteria: a. A census tract with an Area Deprivation Index score of seven (7) state-only decile or higher; <b>and</b> b. A census tract that has a minimum incarceration rate in the 90th percentile, or roughly 3.3% or higher, of everyone who grew up in the census tract was in jail or incarcerated at the time of the 2010 Decennial Census.
09/01/2022	“Is this real social justice? The requirements for those who may have been affected by the War on Drugs at a Federal level how does that affect someone applying?”	<b>3.</b> Convicted of a non-violent felony and/or misdemeanor cannabis offense; or their immediate family member (parent, sibling, or child) was convicted of a felony cannabis offense and who lived in or currently lives in a census tract, designated by the Board, as described below: a. A census tract with an Area Deprivation Index score of seven (7) state-only decile or higher; and b. A census tract that has a minimum incarceration rate in the 90th percentile, or roughly 3.3% or higher, of everyone who grew up in the census tract was in jail or incarcerated at the time of the 2010 Decennial Census.
09/01/2022	“Do all applicant groups, have to meet all 3 criteria...51% ownership, residence in DIA and cannabis related offense?”	
09/01/2022	“Do all members have to meet all 3 components of the equity requirements?”	Please note that those convicted of an excluded felony offense as defined in NRS 678B.050 would not be eligible for a license.



Social Equity

Email Date	Email Question	CCB Response
		An informative worksheet and presentation to help you understand the requirements for proving social equity eligibility, including determining DIA residency, can be found on our website at <a href="https://ccb.nv.gov/nevada-cannabis-program/#item-2">https://ccb.nv.gov/nevada-cannabis-program/#item-2</a> listed under “Social Equity Eligibility.”
08/31/2022	“Could we please discuss the details for DIA requirements for equity applicants? It is unclear [whe]ther all three of the criteria must be met or just two of the requirements.”	A person is not considered DIA. DIA is a place. DIA stands for " <b>D</b> isproportionately <b>I</b> mpacted <b>A</b> rea.” It is the residency criterion for social equity eligibility. To satisfy this requirement, the person claiming social equity eligibility must have resided in one of the following census tracts nationwide for no less than the previous five (5) years meeting the following two criteria: a. A census tract with an Area Deprivation Index score of seven (7) state-only decile or higher; and b. A census tract that has a minimum incarceration rate in the 90th percentile, or roughly 3.3% or higher, of everyone who grew up in the census tract was in jail or incarcerated at the time of the 2010 Decennial Census.
09/01/2022	“Can you explain more about the DIA please?”	Along with (1) 51% ownership requirements and (2) DIA residency proof, (3) a cannabis related conviction is also a requirement. <b>All 3 requirements must be satisfied by the person claiming social equity eligibility.</b> If the social equity applicant does not have a non-violent felony and/or misdemeanor cannabis offense on record, this criterion can be satisfied if their immediate family member (parent, sibling, or child) was convicted of a felony cannabis offense AND that person lived in or currently lives in a DIA.
09/01/2022	“Is there a rating system based off the DIA?”	
09/01/2022	“Do you have to have a conviction to be consider DIA?”	
09/09/2022	“Based on the criteria we must meet, there is not a DIA record for where I have been for the last five years, and prior to that I was in school. With these things in mind, should our business....make it past the application selection rounds, would we be able to use records from before five years ago to prove that we lived in DIAs for five years (at a different point in time)? These records may just be school records or	An informative worksheet and presentation to help you understand the requirements for proving social equity eligibility, including determining DIA residency, can be found on our website at <a href="https://ccb.nv.gov/nevada-cannabis-program/#item-2">https://ccb.nv.gov/nevada-cannabis-program/#item-2</a> listed under “Social Equity Eligibility.”



Social Equity

Email Date	Email Question	CCB Response
	possibly a rental agreement or doctor’s note as I did not yet have bills in my name. We plan to apply as social equity applicants, so we want to ensure that we have all the details flushed out as early as possible.”	
09/01/2022	“How many social equity license will be approved?”	Of the twenty (20) independent licenses available, ten (10) of them are allocated for social equity applicants.
09/01/2022	“This question is on the diversity, equity, and inclusion plan. When it comes to the hiring portion, in terms of what the board would like to see, is that like working with certain groups?”	For guidance on creating your diversity plan, please look into our informative worksheet and presentation that we provide on our website at <a href="https://ccb.nv.gov/nevada-cannabis-program/#item-2">https://ccb.nv.gov/nevada-cannabis-program/#item-2</a> listed under “Diversity Plan Requirements.”
09/01/2022	“Can the same company apply for both social equity and independent if they meet all the requirements for social equity?”	No, <b><u>the same company cannot apply for more than one (1) license</u></b> . An independent consumption lounge applicant is either a social equity applicant or not. A social equity option is not available for retail consumption lounge applicants. Under NCCR 5.040(1)(i)(1), if any application has an owner who owns 5% or greater interest in any entity within the ownership organization chart and said owner is also on any other application wherein, they are listed as an owner who owns 5% or greater interest in any entity within the ownership structure, all such applications will be removed from consideration. Any application removed for any reason will not have its administrative processing fee returned; it is a non-refundable fee.
09/01/2022	“I need to clarify: I can apply for social equity or an independent?”	Social equity is not a license type. You can apply for an independent consumption lounge license as a social equity applicant (if you meet the social equity applicant criteria) for an independent consumption lounge license or a non-social equity applicant for an independent consumption lounge license. If you are not a social equity applicant for an independent consumption lounge, your processing fee is \$10,000; if you apply as a social equity applicant because you meet the social equity criteria, then your processing fee is \$2,500.



Social Equity		
Email Date	Email Question	CCB Response
09/01/2022	“After the 2 years is a social equity license holder able to sell to anyone or someone who is eligible for social equity?”	Per NCCR, 5.110, “an independent cannabis consumption lounge may not transfer the license until 2 years from the date on which the independent cannabis consumption lounge license became operational.”
09/14/2022	“My question pertains to the social equity disproportionate impacted area. If a social equity applicant lived in a DIA for 2 years was incarcerated for 2 and went back to the same area for 2 years would they meet the requirements?”	A social equity applicant must meet <b>all</b> requirements of NCCR 5.055(1). With respect to NCCR 5.055(1)(b), a social equity applicant must have resided in the described census tracts continuously, with no gaps in time, for the 5 years prior to the date of their application. Moreover, to qualify as a social equity applicant, the applicant must prove these residency requirements by providing (within the required deadline) the documents listed in NCCR 5.045(2)(b)(1). The CCB cannot respond to questions about or provide legal analysis or opinions on fact specific situations without additional information. However, as a general matter with respect to this question, the applicant would have to provide the required documentation that they were living in a census tract described in NCCR 5.055(1)(b) during the incarceration, in addition to all other requirements, to qualify as a social equity applicant.

Background Checks		
Email Date	Email Question	CCB Response
09/01/2022	“If you currently hold agents cards will the applicant be required to do another fingerprint and background check?”	Yes, you will again need to apply for an agent card, but this time for the consumption lounge license process. This process will require you to submit fingerprints and will prompt a background investigation. Please remember that for the purposes of a consumption lounge license, the individual is required to apply for an agent card and submit fingerprints, but payment for the agent card fee will not be required unless the consumption lounge application is selected for a prospective license.





09/01/2022	“Does having a misdemeanor over 10 years ago disqualify you from applying?”	No, not necessarily. Simply having a misdemeanor over ten (10) years ago will not automatically disqualify you from applying for an agent card. It could, however, be a factor in a suitability determination.
09/16/2022	“Can you please give me some help on how to determine this qualification [incarceration rate]?”	The Social Equity Eligibility Methodology document on our website can assist you in finding the incarceration rate. The direct link to the document is here: <a href="https://ccb.nv.gov/wp-content/uploads/2022/07/Updated-Social-Equity-Methodology-.pdf">https://ccb.nv.gov/wp-content/uploads/2022/07/Updated-Social-Equity-Methodology-.pdf</a> .  For future reference, you can access the document by going to our website <a href="https://ccb.nv.gov">ccb.nv.gov</a> , clicking on the Nevada Cannabis Program tab at the top and selecting the Consumption Lounge link. Scroll down past the “Additional Materials” and click on the “Social Equity” topic. On the refreshed page, click the link in the sentence, “Learn how to find these scores by clicking here.” The resulting document will have a link and instructions on using Opportunity Atlas to determine the incarceration rate.

Physical Address/Location		
Email Date	Email Question	Response
08/28/2022	“[I] would like to open a CCL in Pahrump next to a casino. Is this an appropriate location?”	If the proposed cannabis establishment will be located in a county whose population is 100,000 or more, it must not be within 1,500 feet of an establishment that holds a nonrestricted gaming license described in subsection 1 or 2 of NRS 463.0177. Please review <a href="#">NRS 678B.250</a> for all distancing requirements.
09/01/2022	“Does the lounge need to be backed by a dispensary licensed sop and can the lounge be located on the strip within 2+ miles of the sponsoring dispensary?”	Retail attached consumption lounges will be backed by and attached to (or be immediately adjacent to) the retail dispensary that owns it. However, an independent consumption lounge must contract with a dispensary to obtain its products. There are no specific distance requirements between the independent consumption lounge and the retail dispensary with which it is contracted. Please review <a href="#">NRS 678B.250</a> for all distancing requirements.
09/01/2022	How is “adjacent” being defined for a retail location? Does the lounge need to be connected or is being in the same complex or shopping center considered adjacent?	As described by NCCR 15.100, the physical premises of the retail cannabis consumption lounge must be attached or immediately adjacent to the cannabis sales facility.



Physical Address/Location

Email Date	Email Question	Response
		<p>“Attached” means that the physical premises of the retail cannabis consumption lounge cannot be removed from the cannabis sales facility without substantial damage to either premise.</p> <p>“Immediately adjacent” means having a common border with another property, including the intersection of property lines at property corners, with no street, building, or other property between and approved by the local jurisdiction.</p> <p>The Board retains the authority to require a distributor license to transfer cannabis from the cannabis sales facility to the retail consumption lounge if the Board deems it necessary. Please also see NCCR 15.100.</p>
09/01/2022	“What zones will be designated for independent lounges?”	You must reach out to the jurisdiction in which you plan to establish your consumption lounge for this information. Outside of the minimum distance requirements under NCCR 5.040, the CCB does not provide any particular zoning information for any jurisdiction. CCB regulations require that the applicant comply will all zoning restrictions and requirements by the jurisdiction.
09/01/2022	“How many licenses will be allotted for Nye County?”	
09/01/2022	“Can a lounge license be moved new location, provided that the new location has compliant zoning and setbacks?”	The jurisdiction selected for the consumption lounge cannot be changed. However, a consumption lounge can move to a new location that is within the same jurisdiction; it must comply with the new location’s zoning requirements and all CCB regulations and minimum distance requirements described under NCCR 5.040.
09/01/2022	“Can a cultivation/production license owner, if selected will said licensee be able to put a lounge on the property the facility is located?”	Yes, as long as placement of the consumption lounge meets the distance requirements under NCCR 5.040 and is an independent consumption lounge. The consumption lounge will still need to contract with a retail dispensary to obtain product.
09/01/2022	“If the independent lounges are selected by random generator, how are the locations of the lounges going to be assigned?”	The applicant must indicate in the application the specific jurisdiction for their consumption lounge, which they are not permitted to change. If their application is selected by the random number selector, they will be required to commit to establishing their consumption lounge in the jurisdiction they indicated in their application.



Physical Address/Location		
Email Date	Email Question	Response
09/01/2022	“Do you have to have a location before applying for a [consumption lounge] license?”	No, you do not need to have a specific address to apply, but you will need to have a local jurisdiction selected. The application will have a drop-down menu listing the jurisdictions you can select, but keep in mind that you will need to have checked with the jurisdiction you select to confirm that they are allowing the opening of consumption lounges within their jurisdiction. There are jurisdictions that are not going to allow the opening of consumption lounges within their jurisdiction. It is possible that there may be more than one applicant that has specified a given jurisdiction to lay foundation.
09/01/2022	“Will there be an overlay on locations? Do we have to have a location before we apply for a license?”	
09/01/2022	“If a retail consumption lounge [license] is awarded to a location that is co-located with a retail store, will we have to submit a modification of premises to build out the consumption lounge since the entire premises is part of the retail license entity?”	Yes. You must submit a facility modification request for our inspection and audit team to review.
09/01/2022	“How would you go about checking if a jurisdiction would allow a lounge?”	Since local laws are specific to individual counties, towns, municipalities, cities, townships, and villages, you may wish to reach out to the public administrator(s) of the jurisdiction in which you want to establish your consumption lounge to inquire about any specific limits or restrictions of that jurisdiction.
09/16/2022	“I have 2 connected parcels and for purposes of application I am wondering if we can have the license on the parcel that my dispensary is located on and the after building a separate building on the adjacent parcel transfer it to the new parcel, or if I would need to do a lot line adjustment and change the 2 parcels into a single parcel.”	As described by NCCR 15.100, the physical premises of the retail cannabis consumption lounge must be attached or immediately adjacent to the cannabis sales facility. “Attached” means that the physical premises of the retail cannabis consumption lounge cannot be removed from the cannabis sales facility without substantial damage to either premise. “Immediately adjacent” means having a common border with another property, including the intersection of property lines at property corners, with no street, building, or other property between and approved by the local jurisdiction. The Board retains the authority to require a distributor license to transfer cannabis from the cannabis sales facility to the retail consumption lounge if the Board deems it necessary.



Physical Address/Location

Email Date	Email Question	Response
		<p>NCCR 5.040 states that while the physical address may change prior to opening the cannabis establishment, this address will be used to identify the local jurisdiction where the cannabis establishment must be located and remain pursuant to NRS 678B.500.</p> <p>NRS 678B.500 indicates that a cannabis establishment may move to a new location under the jurisdiction of the same local government as its original location and regardless of the distance from its original location if the operation of the cannabis establishment at the new location has been approved by the local government. A local government may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing.</p>
09/16/2022	<p>“Can a consumption lounge have an entrance inside of a building that has other tenants?”</p>	<p>The CCB cannot respond to questions about or provide legal analysis or opinions on fact specific situations without additional information. However, as a general matter, NCCR 6.085(1)(a) requires a cannabis establishment to have “one single secure entrance of the physical building.” Therefore, if there are other tenants in a building, the consumption lounge must still have one single secure entrance into the lounge. Whether the single entrance is adequately secure would have to be determined on a case-by-case basis. In addition, all consumption lounges must meet the distancing requirements of NRS 678B.250(3)(a)(2)(II) and any applicable local jurisdiction requirements. See also, NRS 678B.322(2)(a) and NCCR 5.040(3)(e)(1).</p>
09/16/2022	<p>“The presence of minors on the premises is prohibited; however, the definition of premises is very broad. How will this work in areas where there are restaurants in the same shopping center as a consumption lounge? This same issue is presented with bars. Will consumption lounges be allowed next to bars?”</p>	<p>The CCB cannot respond to questions about or provide legal analysis or opinions on fact specific situations without additional information. However, as a general matter, NCCR 6.085(1)(a) requires a cannabis establishment to have “one single secure entrance of the physical building.” Therefore, if there are other tenants in a building, the consumption lounge must still have one single secure entrance into the lounge. Whether the single entrance is adequately secure would have to be determined on a case-by-case basis. The areas of a building that contains a consumption lounge that are outside of the consumption lounge itself may not be considered part of the “premises” depending on the exact situation.</p>



Physical Address/Location		
Email Date	Email Question	Response
		Regarding a Consumption Lounge's proximity to bars and restaurants, neither Title 56 nor the NCCR provide any distancing requirements for bars or restaurants, but the local jurisdiction may. In addition, all consumption lounges must meet the distancing requirements of NRS 678B.250(3)(a)(2)(II) and any applicable local jurisdiction requirements. See also, NRS 678B.322(2)(a) and NCCR 5.040(3)(e)(1).