

# CANNABIS COMPLIANCE BOARD STATE OF NEVADA



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## Process for Petition for Exemption from Excluded Felony Offense Restrictions

Pursuant to S.B. 277 Sec. 4.5, 2023 Leg., 82th Sess. (Nv. 2023), a person convicted of an excluded felony offense may submit to the Board a petition for exemption from restrictions imposed pursuant to NRS 678B.210(3)(b), 678B.250(3)(b), and/or 678B.340(6)(a) by submitting a petition to the Board which fulfills the requirements set forth herein.

The Board will construe any such petition pursuant to this section in a manner consistent with the declared policy of the State of Nevada.

The petition to request the adoption, amendment or repeal of a regulation shall be submitted to [excludedpetition@ccb.nv.gov](mailto:excludedpetition@ccb.nv.gov) and must contain:

- (a) The name, residence, business address, email, and telephone number of the petitioner;
- (b) An explanation as to why the petitioner believes he or she will not pose a threat to the health or safety of the public;
- (c) An explanation as to why the petitioner believes he or she will not negatively impact the cannabis industry in this State;
- (d) The position, employment, ownership interest, and/or other role petitioner plans to undertake in the cannabis industry in this State, if the petition is granted;
- (e) A list of conditions and limitations the petitioner is willing to accept on his or her involvement in the cannabis industry in this State;
- (f) The signature of the petitioner or the petitioner's legal representative;
- (g) Any other information or documents requested by the Board or Board Agents during their investigation of the petition.

The Board may summarily deny, with or without prejudice, a petition that does not meet all of the requirements set forth in this paragraph.

Once the petition is submitted, to the extent consistent with federal law, the Board will require the petitioner to submit his or her criminal history record which includes a report from the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation. This request will require the petitioner to complete the following:

- (a) Complete and submit an application for a cannabis agent registration card through the CCB's online agent card portal
- (b) Submit a complete set of the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report

After the petitioner has filed the petition, a Board Agent shall initially evaluate it and undertake any needed investigation. Within 60 days of the filing of the petition, said Board Agent will inform petitioner whether

any additional documents or information is needed. Petitioner shall provide said additional information or documents to the Board agent within 45 days of any such request. The Board agent shall then have 45 days after submittal of all the requested additional information or documents to conclude the evaluation and investigation.

Once the Board Agent has completed the investigation, the petition shall be presented to the Board for consideration at an open meeting on notification to the petitioner. In the petition, the petitioner may request a closed meeting if the petitioner does not wish to have their criminal record disclosed in a public meeting.

At the time of the Board's consideration, the Board may hear from and question the petitioner, and may go into closed session as required by law.

After hearing from the petitioner, the Board may grant the petitioner in its entirety, grant the petition with any terms or conditions as set forth in S.B. 277 Sec. 4.5(4), 2023 Leg., 82th Sess. (Nv. 2023), or deny the petition with or without prejudice. The Board shall issue a final order to petitioner of its decision within 30 days of its decision.

The petitioner may not obtain judicial review of any Board order entered pursuant to this regulation.

Upon Board approval the agent will be required to finalize the agent registration application process:

- (a) Payment of the agent registration card must be made via one of the following methods:
  - (1) electronic transfer via ACH through the Board's electronic licensing system;
  - (2) cashier's check;
  - (3) money order;
  - (4) or personal or business check.
- (b) Any other information or documentation required by the Board.