

Cannabis Producer Applicant Licensing Checklist

If you're applying for any kind of a cannabis producer license these are the documents you'll need to have ready to upload into the online license application system.

For the business that you're seeking a license, you'll need to upload:

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.

For each premise that you're seeking a license, you'll need to upload:

Current business license

Please provide a copy of the current and valid business license.

Fire inspection report

Please provide a copy of the current and valid fire inspection report.

Zoning approval

Please provide a copy of the current and valid zoning approval.

Premises ownership statement

Please provide fully executed and dated documentation of the applicant's ownership or legal authority to use the property, buildings, or other facilities, establishing the applicant is, or will be, entitled to possession of the premises for which the application is made.

Demonstration of a water right

Please provide demonstration of a legal right to use the quantity of water that the division determines 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 from 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) a 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.

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 applicants cultivation plan.

A diagram of the premise

The diagram must show (as applicable):

- the boundaries of the property and the proposed premises to be licensed;

- the dimensions of each area that cannabis plants will be cultivated;
- the location(s) and the dimensions of other areas where other horticulture will be cultivated; and,
- where all cameras are located and assign a number to each camera for identification purposes.

The diagram must include (as applicable):

- any equipment to be used;
- entrances and exits;
- interior partitions;
- location of lights in the cannabis plant cultivation area(s) and the maximum wattage or wattage equivalent;
- walls;
- rooms;
- windows;
- doorways; and,
- a brief statement or description of the principal activity to be conducted in each area on the premises.

The diagram must be to scale and in black-and-white print, and it should not contain any highlighting.

If the proposed premises consists of only a portion of a property, the diagram must be labeled indicating which part of the property is the proposed premises and what the remaining property is used for.

If the proposed premises consists of only a portion of a property that will contain two or more licensed premises, then the diagram must be supplemented with a description of how two or more licensed premises will be managed on the property.

If the proposed premises is located on only a portion of a property that also includes a residence, the diagram shall clearly show the designated buildings for the premises and the residence.

You'll be required to certify that you will:

- 1) consent to undergo a national criminal history background check and department of public safety (DPS) statewide criminal history screening background check 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;
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- 2) adhere to production requirements pursuant to the Cannabis Regulation Act (CRA), the Lynn and Erin Compassionate Use Act (LECUA), and division rules, including creating and maintaining a cultivation plan, and cannabis waste procedures for cannabis or cannabis products;
 - 3) adhere to cannabis transport requirements pursuant to the CRA, the LECUA, and division rules, including the transport of unprocessed cannabis or cannabis products to other cannabis establishments;
 - 4) adhere to New Mexico department of agriculture (NMDA) pesticide registration, licensing, and use requirements to ensure a safe product and environment;
 - 5) adhere to security requirements pursuant to the CRA, the LECUA, 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) adhere to quality assurance requirements pursuant to the CRA, the LECUA, or 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; and,
 - 7) 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.

You'll also be required to certify that:

- 1) you 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; and,

- 2) your business is in good standing with the New Mexico Secretary of State, including all documents filed with the New Mexico Secretary of State.

Finally, when you're ready to submit your completed application you'll have to pay all licensing fees and premise fees. The licensing and premise fees are non-refundable. Once your application and your requested plant count has been approved, you will be billed for your total per plant fee.