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News & Insights

COOs and Possible Revocation of License

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By: John M. Hickey

Senate Bill 1635 sets forth requirements relating to Certificates of Occupancy "COO" (not to be confused with a Certificates of Compliance "COC").

If your business failed to submit a full and complete COO application to the appropriate agency prior to February 1, 2024, OMMA may move to revoke your license until a valid COO is obtained for all applicable structures.

The full and complete application must have been submitted to either the OK State Fire Marshal, or the appropriate political subdivision with authority from the OK State Fire Marshall to issue COOs in your jurisdiction. Also, a business license holder will *not* be subject to revocation *while the COO application remains under review* by the OK State Fire Marshal or political subdivision.

If your business applied for a COO before February 1, 2024, but has not yet received the COO, you should complete an Attestation of Application for a COO. This Attestation will address the issue of a missing COO in your submission.

You should not wait for your application to be rejected to upload the Attestation. The executed Attestation should be uploaded to OMMA's Contact Form at: https://oklahoma.gov/omma/contact-us.html

Unless a change in use occurs, once a COO is submitted to OMMA, applicants are only required to submit an affidavit ensuring continuous compliance with the existing COO.

Lastly, the Bill clarifies that medical marijuana business licensees and registrants are responsible for compliance with applicable state fire, building, and electrical codes and may be liable for all damage that results from noncompliance with state fire, building, and electrical codes to the extent authorized by law.

If you have any questions or concerns, please feel free to contact a member of our team.

Attorneys

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