Oklahoma Cannabis Business License Renewals, Late Fees and Transfers Part 2

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As noted in part 1 of this Blast, Senate Bill 1939 has brought about changes and provided clarification regarding the process of transferring a business license in Oklahoma.

Transfer of a Business License

Beginning November 1, 2024, a medical marijuana business license shall not be transferred without written approval of an application with OMMA.

1. A licensee intending to transfer ownership of a medical marijuana business shall submit an application to the Authority.
2. Upon approval by OMMA, the applicant shall submit all necessary documentation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (OBNDD).
3. Once OBNDD approves the new registration, the prior owner and new owner shall effectuate the transfer of medical marijuana products utilizing the state authorized seed-to sale tracking system within 15 business days.
4. Upon approval of the new ownership by both OMMA and OBNDD, the new medical marijuana business owner must provide the Authority with a **detailed inventory** of any and all items enumerated in the Oklahoma Medical Marijuana and Patient Protection Act including, but not limited to, all seeds, plant tissue, clones, plants, usable medical marijuana or trim, leaves, and other plant matter, batches of extract, medical marijuana, medical marijuana concentrate, and medical marijuana products upon taking control of the business.
5. The OMMA license and the OBNDD registration of the original owner will terminate 15 business days after issuance of the new OBNDD registration.

6. **It is vital that the existing licensee and registrant submit timely and sufficient renewal applications to OMMA and OBNDD (listing only owners previously approved by both OMMA and OBNDD), in order for the business to continue to operate during the pendency of the business transfer process.**

Additional Items to Note:

- The **fee** for the transfer application is the same as the annual license or application fee established for medical marijuana business license types.
- OMMA and/or OBNDD may **deny** the request for change in ownership pursuant to the laws and rules of this state.
- Application or registration **denial** will not affect the existing licensee and registrant.
- A prospective new owner cannot take **possession** of medical marijuana, medical marijuana concentrate, or medical marijuana product or exercise control over any activities involving the medical marijuana business unless and until the new ownership applications have been approved by OMMA and OBNDD.
- A prospective new owner can be **employed** by the current owner during the transfer process, as long as the prospective new owner has the required employee credentials.
- Any **attempt to transfer** a medical marijuana business, medical marijuana, medical marijuana concentrate, or medical marijuana products of a medical marijuana business without approval from the Authority shall be grounds for revocation or nonrenewal of the license and denial, revocation, or nonrenewal of current or future licenses or license applications with ownership held by any such person involved in the unlawful transfer.
- A business with a **pending transfer application as of November 1, 2024**, is required to submit a new application in compliance with the new regulations by no later than December 1, 2024. OMMA will refund the application fee of any applicant with a pending application upon receipt of the new application.

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

Attorneys

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Practices

- Cannabis Law