# Frequently Asked Questions FAQs

**Q.** I am a qualified medical cannabis patient or primary caregiver. Will I need a license under the new system?

**A.** No. A qualified patient who cultivates, possesses, processes, or transports medical marijuana exclusively for his or her personal medical use is not required to get a license. Primary caregivers who provide care to five or fewer medical cannabis patients are also not required to be licensed if they are compliant with the Act.

**Q.** How will medical cannabis businesses be licensed under the Act?

**A.** The Act establishes a dual licensing system between local cities and counties and the State. Businesses will be required to obtain a city, county, or city and county license, permit, or other authorization, before a business can apply for a state license.

**Q.** What license types will be available in California?

**A.** The Act requires licenses for the cultivation, manufacture, distribution, transportation, laboratory testing, and sale of medical cannabis. The Department of Food and Agriculture is responsible for issuing cultivation licenses; the Department of Public Health is responsible for issuing manufacturing licenses; and the Bureau of Medical Cannabis Regulation within the Department of Consumer Affairs is responsible for issuing distribution, transportation, laboratory testing, and dispensary (sale) licenses.

**Q.** How can I apply for a license from the Bureau?

**A.** The Bureau of Medical Cannabis Regulation is not issuing state licenses at this time. The Bureau recommends interested parties contact their local government regarding the rules and requirements applicable to medical cannabis activities in that city or county.

**Q.** How long will licenses be active before they must be renewed?

**A.** The Act requires licenses to be renewed annually.

**Q.** If I want to apply for a medical cannabis license issued by the Bureau, what should I do now?

**A.** Be patient. The Bureau is still in the early stages of development and won't be accepting applications for licenses until 2018.

**Q.** Will priority be given to certain businesses for the issuance of state licenses?

**A.** In issuing licenses, the Bureau will prioritize any entity that can demonstrate to the Bureau's satisfaction that the entity was in operation and in good standing with the local jurisdiction by January 1, 2016, as required by the Act.

**Q.** How many licenses can I have?

**A.** The Act does not specifically limit the number of licenses a person may hold of a particular license type. However, the Act does limit the types of licenses a person may hold at one time.

**Q.** How much will the licensing fees cost?

**A.** The Bureau has not determined the fees for the state licenses that will be issued by the Bureau.

**Q.** If I have a criminal background will I be denied approval for a license?

**A.** According to the Act, the Bureau may deny a license to an applicant who has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made.

**Q.** What if my city/county prohibits all or certain medical cannabis businesses?

**A.** If a local jurisdiction bans all or a specific form of medical cannabis business, then, under the Act, a business is not allowed to operate in that jurisdiction.

**Q.** Can I hold an alcoholic beverage license and a medical cannabis license?

**A.** A person who holds an alcoholic beverage retail license may not hold a medical cannabis license.

**Q.** What kind of license will I need?

**A.** The type of license you need will depend on your business and what capabilities you desire. The Act limits the different types of licenses that one person may hold.

**Q.** What is the timeline for the development of regulations?

**A.** The Bureau anticipates that regulations will be developed by January 1, 2018.

**Q.** How can I receive updates regarding regulation development?

**A.** The Bureau website will contain information regarding the regulatory process. Information will be sent out to email-alert subscribers: (subscribe at https://www.dca.ca.gov/webapps/bmcr/subscribe.php) or you may request information regarding the Bureau's proposed regulations be sent to you by mail.

**Q.** How will the Bureau develop regulations?

**A.** The Bureau will develop regulations in accordance with the Administrative Procedure Act. It will also conduct research, and convene stakeholders, members of the public, and other state agencies to develop the regulations necessary to successfully implement a medical cannabis regulatory structure in California.


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