

INSTRUCTIONS FOR COMPLETING THE CANNABIS EVENT ORGANIZER APPLICATION

SECTION A – APPLICANT/BUSINESS INFORMATION

Cannabis Event Organizer: In order to obtain a temporary cannabis event license, the event organizer must first apply for and obtain a cannabis event organizer license.

Business Organizational Structure

All applicants are required to identify their business organizational structure. (See Required Attachments)

Business Contact Information

If an individual, the first and last name of the applicant must be provided. If the applicant is a business entity, then the full legal business name is required. The applicant business name must be identical to the name listed on the business-formation documents submitted to the Bureau. The applicant must provide the physical address of the premises, and the mailing address if it is different. The applicant must also provide the business website address, email address, and telephone number.

Social Security Number/Individual Taxpayer Identification Number/ Federal Employer Identification Number

Each applicant must provide a valid United States Social Security Number (SSN), Individual Taxpayer Identification Number (ITIN), or a Federal Employer Identification Number (FEIN), before an application can be approved.

SECTION B – PRIMARY CONTACT PERSON

The primary contact is the individual who is designated as the person the licensing authorities can contact for information regarding the business. The applicant must provide the primary contact's name, title, telephone number, and email address. The Bureau staff will only discuss the license application with this person and an owner listed on the business.

SECTION C – DECLARATIONS

State Employment Identification Number

If the applicant has more than one employee, it shall provide a State Employment Identification Number (SEIN) issued by the California Employment Development Department.

Labor Peace Agreement

If the applicant has 20 or more non-supervisory employees, the applicant must have either (a) entered into a labor peace agreement and provide a copy of the signature page and a notarized statement that it will abide by the terms of the agreement, or (b) provide a notarized statement indicating that it will enter into and abide by a labor peace agreement as soon as reasonably practicable. If the applicant does not have 20 or more non-supervisory employees, it must provide a notarized statement indicating that it will enter into and abide by a labor peace agreement within 60 days of hiring its 20th non-supervisory employee. (See Required Attachments)

Limited Waiver of Sovereign Immunity

If the applicant is a federally recognized tribe or other sovereign entity, a limited waiver is required. (See Required Attachments)

Cal-OSHA

If the applicant has more than one employee, it shall attest that it employs, or will employ within one year of renewing the license, one supervisor and one employee who has successfully completed a Cal-OSHA 30-hour general industry outreach course offered by a training provider that is authorized by an OSHA Training Institute Education Center.

SECTION D – LIST OF OWNERS

An individual is considered an owner under the following circumstances:

- A person with an aggregate ownership interest of 20% or more.
- The CEO of a non-profit or other entity.
- A member of the board of directors of a nonprofit.
- The trustee(s) and all persons that have control of the trust and or the commercial cannabis business that is held by a trust.
- An individual entitled to a share of at least 20 percent of the profits of the commercial cannabis business.
- An individual who will be participating in the direction, control or management of the person applying for the license. This could include:
 - A general partner of a commercial cannabis business organized as a general partnership.

- A non-member, manager, or managing member of a commercial cannabis business organized as a limited liability company.
- An officer or director of a commercial cannabis business that is organized as a corporation.

Each owner must complete an Owner Submittal form and must electronically submit fingerprint images to the Department of Justice (DOJ). The applicant must use the live scan form provided by the Bureau. Live Scan locations can be found at: <https://oag.ca.gov/fingerprints/locations>

SECTION E – ENTITY OWNERSHIP

Entity owners are businesses, trusts, or organizations that have a financial interest in the applicant and may or may not qualify as an owner.

- **When an entity is an owner** in a commercial cannabis business, all entities and individuals with a financial interest in the entity shall be disclosed to the Bureau and may be considered owners of the commercial cannabis business. This includes all entities in a multi-layer business structure, as well as the chief executive officer, members of the board of directors, partners, trustees and all persons that have control of a trust, and managing members or non-member managers of the entity. Each entity disclosed as having a financial interest must disclose the identities of persons holding financial interests until only individuals remain.
- **When an entity has a financial interest** in a commercial cannabis business, then all individuals who are owners of that entity shall be considered financial interest holders of the commercial cannabis business. This includes all entities in a multi-layer business structure, as well as the chief executive officer, members of the board of directors, partners, trustees and all persons that have control of a trust, and managing members of non-member managers of the entity. Each entity disclosed as having a financial interest must disclose the identities of persons holding financial interests until only individuals remain.

SECTION F – NON-OWNERS WITH A FINANCIAL INTEREST IN THE BUSINESS

Non-owners are all individuals who have a financial interest in the applicant business but do not qualify as an owner as defined above.

A financial interest means an agreement to receive a portion of the profits of a commercial cannabis business, an investment into a commercial cannabis business, a loan provided to a commercial cannabis business, or any other equity interest in a commercial cannabis business except as provided in Bureau Regulations section 5004(d).

An agreement to receive a portion of the profits includes, but is not limited to, the following individuals:

- An employee who has entered into a profit share plan with the commercial cannabis business.
- A landlord who has entered into a lease agreement with the commercial cannabis business for a share of the profits.
- A consultant who is providing services to the commercial cannabis business for a share for a share of the profits.
- A person acting as an agent, such as an accountant or attorney, for the commercial cannabis business for a share of the profits.
- A broker who is engaging in activities for the commercial cannabis business for a share of the profits.
- A salesperson who earns a commission.

SECTION G – FICTITIOUS BUSINESS NAMES

The applicant must provide a list of all fictitious business names they will operate under and the address of the businesses.

SECTION H – LICENSING FEE DETERMINATION

In determining the appropriate license fee due, the applicant shall first estimate the gross revenue for the 12-month license period of the license. Based on the license type sought, the applicant shall identify the appropriate tier category in which their expected gross revenue belongs as provided in Bureau Regulations section 5014.

SECTION I – REQUIRED ATTACHMENTS/DOCUMENTS

Business Formation Documents

Applicants are required to provide a copy of all business formation documents (by type). If the business is held in a trust, the applicant shall provide a copy of the trust. Below is a list of the types of business structure and the common types of supporting documentation:

- **Corporation:** Articles of Incorporation, Statement of Information, Certificate of Stock, Stock Ledger, Organizational charts, Bylaws, List of Board Members.
- **General Partnership:** Partnership Agreement, Statement of Partnership Authority, Tax forms.
- **Limited Liability Company:** Articles of Organization, Statement of Information, Operating Agreements.
- **Limited Partnership:** Partnership Agreements, Certificates of Limited Partnership, Operating Agreements, tax forms.
- **Trusts:** Certificate of Trust establishing Trustee Authority.
- **Sole Proprietor:** Fictitious Business Name form filed with local business permit office, Tax forms. The documentation must support the type of business structure, the legal business name and the owners including their ownership percentage.
- **Foreign Corporation or Foreign Limited Liability Company:** Statement and Designation by Foreign Professional Corporation, Certificate of Qualification, Certificate of Registration, or Certificate of Status issued by the California Secretary of State.

Labor Peace Agreement

The applicant must provide an attachment(s) responsive to one of the following:

- If the applicant **has** 20 or more non-supervisory employees and **has** entered into a labor peace agreement, it must provide a notarized statement indicating that it has entered into and will abide by the terms of a labor peace agreement along with a copy of the signature page of the agreement.
- If the applicant **has** 20 or more non-supervisory employees and **has not** yet entered into a labor peace agreement, it must provide a notarized statement indicating that it will enter into and abide by the terms of a labor peace agreement as soon as reasonably practicable.
- If the applicant **does not have** 20 or more non-supervisory employees, it must provide a notarized statement indicating that it will enter into and abide by the terms of a labor peace agreement within 60 days of employing its 20th non-supervisory employee.

Limited Waiver of Sovereign Immunity

If an applicant can assert a defense of sovereign immunity, the applicant must submit a written limited waiver of sovereign immunity to the Bureau with any license application or renewal, which must be valid for the period of the license. The written waiver must include they will abide by all state laws, rules, and regulations governing commercial cannabis activity. The applicant must provide proof they have the lawful authority to enter into the waiver and the waiver must be signed and dated by the authorized person.

Financial Information Form - http://bcc.ca.gov/clear/financial_information_form.pdf

Applicants are required to provide a list of all investments, loans, funds, and gifts associated with the cannabis business.

Additional Information

Incomplete Application

If the application is incomplete, a notification will be sent to all owners listed on the application with details regarding the information still needed to process the application. Notification of incomplete information on an Owner Submittal will only be sent to the specific owner.

Withdrawal of Application

If the applicant wishes to withdraw the submitted application, a written withdrawal request, including the date and signature of at least one owner must be submitted.

License Approval

Upon approval of the application, the applicant will be required to pay a license fee, which is independent of the application fee. Once the license fee is received, the license number will be issued to the applicant. The applicant may not conduct any cannabis activity until a license is received from the Bureau.