



ADVISORY BULLETIN

November 16, 2022

Supersedes October 25, 2022

Changes Requiring Prior CRA Approval: Amendment Process & Reporting Form Process

The intent of this bulletin is to provide applicants and licensees with guidance regarding the types of changes they are required to report to the Cannabis Regulatory Agency (Agency) that require the agency's approval before the changes occur. These notifications are required pursuant to R 420.14 of the Marihuana Licenses Rule Set and R 420.802 of the Marihuana Disciplinary Proceedings Rule Set.

The changes requiring agency approval will be effectuated via the amendment process or reporting form process.

Amendment Process Will Govern:

- Changes to the mailing addresses, phone numbers, electronic mail addresses, and other contact information they provide the agency.
- Change in owners, officers, members, or managers.
- The addition or removal of persons named in the application or disclosed.
- Change in entity name.
- Any attempted transfer, sale or conveyance of an interest in a marijuana license.

Reporting Form Process Will Govern:

- Change of processing machinery or equipment.
- Any change or modification to the marihuana business before or after licensure that was not pre-inspected, inspected, or part of the marihuana business location plan or final inspection including, at a minimum, all of the following:
 - Operational or method changes requiring inspection under the rules.
 - Additions or reductions in equipment or processes at a marijuana business.
 - Increase or decrease in the size or capacity of the marijuana business.
 - Alterations of ingress or egress

This advisory bulletin does not constitute legal advice. Licensees are encouraged to seek legal counsel to ensure their operations comply with all applicable laws and administrative rules.

- Changes that impact security, fire safety, and building safety.
- Criminal convictions, charges, or civil judgments against a licensee in this state or any other state, federal, or foreign jurisdiction.
- Regulatory disciplinary action taken or determined against a licensee by this state or any other state, federal, or foreign jurisdiction, including any pending action.
- The initiation or conclusion of any new judgments, lawsuits, legal proceedings, charges, or government investigations, whether initiated, pending, or concluded, that involve the licensee. Notification of an alleged violation of an ordinance or a zoning regulation adopted pursuant to section 205(3) of the MMFLA, MCL 333.27205, or section 6 of the MRTMA, MCL 333.27956, committed by the licensee, but only if the violation relates to activities licensed under the acts, the Michigan Medical Marihuana Act, and these rules.
- Entering into, amending or terminating a licensing or management agreement that constitutes a material change to the marijuana business.
- When an employee has been disciplined or removed from their position for misconduct related to marijuana sales or transfers.
- Reporting action by another party or employee in violation of the acts or rules.
- Reporting an unwanted fire.
- Reporting theft or loss of any marijuana product or criminal activity at the marijuana business.

Amendment Process

To facilitate proposed changes that fall under the amendment process, the agency has implemented additional functionality through the Accela Citizen Access (ACA) portal to allow for applicants and licensees to submit proposed changes online.

- Applicants and licensees may now submit the following amendment types through ACA:
 - Change of ownership – adding.
 - Change of ownership – removing.
 - Change of ownership – equity only.
 - Change of name (legal entity name).
 - Conversion (example: changing from a corporation to an LLC).
 - Asset purchase.

Required documents for all amendment types include the new Amendment Application, updated governing documents, and updated organizational structure. Additional supporting documentation may be required per amendment type, and the agency may request additional documentation in order to process your requested amendment. Instruction Booklets are available to assist applicants and licensees with completing and submitting the amendment application.

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The new amendment application was designed to replace the prior Entity: Change of Ownership Form, and to bring requested amendments for entities operating under the MMFLA and/or MRTMA into one application and one process. Entities requesting to amend their application that are prequalified and/or licensed under both the MMFLA and MRTMA will only need to submit one amendment application and associated supporting documentation.

Applicants and licensees that need to provide an updated mailing address, email address, legal name, phone number, or would like to operate under an assumed name will need to complete the new Demographic Amendment Application and submit the completed demographic amendment application to CRA-Amendments@michigan.gov.

These amendments require agency approval before the applicant or licensee executes the proposed changes.

Reporting Form Process

To facilitate proposed changes that fall under the reporting form process, the agency has two separate Reporting Forms to communicate the proposed change. All Reporting Forms should be filed through ACA.

Entities that are prequalified and/or licensed under both the MMFLA and MRTMA will only need to submit one Reporting Form and associated supporting documentation for each location the change applies too. All applicable applicant/license numbers should be included on the Reporting Form.

Examples of items that fall under the categories outlined above which require the submission of a Reporting Form, include but are not limited to, the following:

- Change in marijuana extraction equipment or marijuana-infused product processing equipment.
- Change in point-of-sale systems.
- Change in location of acceptance of marijuana deliveries.
- Changes to procedures required in the rules.
- Change of camera locations.
- Change of methods of marijuana extraction.
- Modifications to fire suppression systems.
- External storage locations.
- Modifications to the grow areas.
- Modification to extraction rooms.
- Modification to rooms and storage.
- Modifications to changes in occupancy.
- Reporting action by another party or employee in violation of the acts or rules.

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- Reporting an unwanted fire.
- Reporting theft or loss of any marihuana product or criminal activity at the marihuana business.

Examples of items that do not require the submission of a Reporting Form, include, but are not limited to, the following:

- Moving the location of outdoor dumpsters
- Adding a toaster to the breakroom
- Notification of changing lightbulbs
- Adding an ATM

If you have questions or concerns regarding whether a reporting form is required for a specific proposed change, please contact CRA-Enforcement@michigan.gov or CRA-Amendments@michigan.gov as applicable prior to submitting a Reporting Form.

Reporting Forms require agency and Bureau of Fire Services (BFS) approval before the applicant or licensee executes the proposed changes. Please submit all forms to the Agency before contacting BFS.

An applicant or licensee's failure to provide notifications or reports to the agency pursuant to the MMFLA, MRTMA, and associated administrative rules may impact eligibility for licensure or result in disciplinary action. Please refer to the new webpage containing links to the applications and forms listed in this bulletin as well as additional information, instructions, and FAQs.

The Cannabis Regulatory Agency may be contacted via email at CRA-Amendments@michigan.gov or by phone at 517-284-8599.

For more information about the Cannabis Regulatory Agency, please visit michigan.gov/CRA