

SECTION D

D.1 – OWNER(S) INFORMATION

NOTE: List the names of all owners/associated businesses below. If there are multiple owners, please attach additional pages of Section D.

OWNER'S LEGAL LAST NAME:	OWNER'S LEGAL FIRST NAME:
LEGAL BUSINESS NAME (IF APPLICABLE):	EIN (FOR BUSINESS AGGREGATE OWNERSHIP INTEREST):
BUSINESS TITLE:	DATE OF BIRTH:
LIVE SCAN ATI NUMBER:	GOVERNMENT ISSUED ID NUMBER: <input type="checkbox"/> CA STATE <input type="checkbox"/> OTHER
TAXPAYER IDENTIFICATION NUMBER: <input type="checkbox"/> SSN <input type="checkbox"/> ITIN <input type="checkbox"/> NIN	DATE OWNER ACQUIRED INTEREST:
HOME ADDRESS:	CITY:
ZIP CODE:	STATE:
PHONE NUMBER:	COUNTY:
PERCENTAGE OF OWNERSHIP (%):	E-MAIL ADDRESS:

D.2 – OWNER CANNABIS FINANCIAL INTERESTS

NOTE: All state issued cannabis license(s) the owner holds an ownership or financial interest in must be disclosed to the Department. If more space is needed, please attach additional pages.

TYPE OF LICENSE	LICENSE NUMBER	ISSUED BY

D.3 – OWNER DISCLOSURES	Yes	No
1. Have you ever been convicted of or entered a plea of guilty or nolo contendere to any misdemeanor or felony in the United States or a foreign country? If yes, please complete the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004).	<input type="checkbox"/>	<input type="checkbox"/>
2. Have you had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?	<input type="checkbox"/>	<input type="checkbox"/>
4. Have you ever had a commercial cannabis license or other professional license suspended, revoked, or denied, or otherwise subject to discipline or fine by this state or elsewhere (i.e., other U.S. state, U.S. territory, agency of the federal government, or other country)?	<input type="checkbox"/>	<input type="checkbox"/>
D.4 – OWNER REQUIRED ATTACHMENTS		
<p><input type="checkbox"/> Copy of each owner’s government-issued identification.</p> <p><input type="checkbox"/> Copy of each owner’s completed application for electronic fingerprint images submitted to the Department of Justice.</p> <p>If applicable:</p> <p><input type="checkbox"/> History of convictions if indicated in Section D.3.</p> <p><input type="checkbox"/> Evidence of dismissal under section 1203.4, 1203.4a, and 1203.41 of the Penal Code or another state’s similar law.</p> <p><input type="checkbox"/> Certificate of rehabilitation under section 4852.01 of the Penal Code and dated letters of reference.</p> <p><input type="checkbox"/> A statement of rehabilitation for each conviction, including any documentation to support rehabilitation.</p>		
D.5 – OWNER DECLARATIONS		
1. I am responsible for knowing and complying with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to Medicinal and Adult Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. I understand I am responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.		
2. I hereby declare the information contained within and attached to this application is complete, true, and accurate. I understand a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.		
Print Name:		
Owner Signature:	Date:	

SECTION D.1: OWNER INFORMATION

Information for the business owner must be entered in the application. If there are multiple owners or if you need more space to input owner information, please print and attach additional copies of the Owner Information pages (Section D) for each owner.

Owner means any of the following:

- (1) A person with an aggregate ownership interest of 20 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (2) The chief executive officer of a nonprofit or other entity.
- (3) A member of the board of directors of a nonprofit.
- (4) An individual who will be participating in the direction, control, or management of the person applying for a license.

An owner who is an individual participating in the direction, control, or management of the commercial cannabis business includes any of the following:

- (1) A partner of a commercial cannabis business that is organized as a partnership;
- (2) A managing member of a limited liability company of a commercial cannabis business that is organized as a limited liability company;
- (3) An officer or director of a commercial cannabis business that is organized as a corporation.

Person is defined as any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

In the application form, for business entities that have an aggregate ownership interest, other than a security interest, lien, or encumbrance, of 20 percent or more in the commercial cannabis business, enter the owner's associated "Legal Business Name" and the business' "EIN."

Enter the owner's full legal name, "Business Title," and "Date of Birth."

Enter the Live Scan Applicant Tracking Identifier (ATI) Number. The ATI number is provided by the Live Scan operator and documents your fingerprint submission. This can be found on your copy of the completed application for electronic fingerprint images submitted to the Department of Justice. Select and provide the appropriate Taxpayer Identification Number, which refers to the associated Social Security Number (SSN), Individual Taxpayer Identification Number (ITIN), or National Identification Number (NIN), used to identify the Business by the IRS.

Select and provide the appropriate Government Issued Identification Number. A California State Government Issued Identification Number includes driver's license or identification card numbers issued by the State of California. Other forms of acceptable identification numbers are issued by a federal, state, county, or municipal government. All forms of identification must contain the name, date of birth, physical description, and picture of the individual.

In the application form, enter the owner's "Home Address," "Phone Number," and "Email Address." If there are any questions or concerns regarding the owner application information or attachments, CalCannabis will contact the owner using this information.

Enter the "Percentage of the Ownership" interest held in the applicant business entity by the owner. Enter the "Date the Owner Acquired Interest" in the applicant business entity.

NOTE: Once licensed, legal entities must identify any changes in ownership, which affect the applicant business entity type and require a new application. These changes may also need to be reported to the California Department of Tax and Fee Administration or California Secretary of State.

SECTION D.2: OWNER CANNABIS FINANCIAL INTERESTS

The owner must identify all other ownership or financial interests in any other state licensed commercial cannabis business. Having a financial interest can mean the following:

1. An investment in a commercial cannabis business.
2. Loan provided to a commercial cannabis business.
3. Other fully-vested equity interest in a commercial cannabis business.

In the application form, for each of these ownership or financial interests, enter the following information to identify the associated commercial cannabis business:

- "Legal Business Name" as registered with the state agency, California Secretary of State, California Department of Tax and Fee Administration (CDTFA), or local jurisdiction.
- Commercial cannabis business license type as categorized by a California State licensing authority. This includes:
 1. Cultivation
 2. Manufacturing
 3. Distribution
 4. Laboratory Testing
 5. Retailers
 6. Microbusiness
- "License Number" issued by the state licensing authority, which can be found on the official license.

- Indicate which licensing authority issued the license: The Department of Food and Agriculture, the Department of Public Health, or the Department of Consumer Affairs.
- Date an owner acquired an ownership interest in the licensed commercial cannabis business.

NOTE: An owner must notify the Department of any update or change in financial interests in other licensed commercial cannabis businesses within 10 calendar days of the change via email at CalCannabis@cdfa.ca.gov or by mail to California Department of Food and Agriculture, CalCannabis Cultivation Licensing Division, P.O. Box 942871, Sacramento, CA 94271.

SECTION D.3: OWNER DISCLOSURES

The disclosures release information about the owner. In the application form, indicate “Yes” or “No” on each disclosure. Depending on the selection, more information may be required from the owner.

1. Have you ever been convicted of or entered a plea of guilty or nolo contendere to any misdemeanor or felony in the United States or a foreign country? If yes, please complete the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004).

If you indicate “Yes” on this disclosure, you will need to fill out the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004), which includes the dates of conviction, dates of incarceration, dates of probation, dates of parole, and a detailed description of each offense. This form may be found at: cannabis.cdfa.ca.gov. You may attach any related information such as evidence of dismissal, certificate of rehabilitation, and supporting evidence of rehabilitation.

As required by law, all owners are required to submit a full set of fingerprints for the purpose of conducting a criminal background check. Fingerprints will be compared to the records of the California Department of Justice (DOJ) to determine whether a criminal history exists. This information will be used to verify the information provided by the owner.

The information provided will be verified through the CalCannabis Licensing Program’s fingerprinting requirement.

Failure to report a conviction accurately (except as explained below) may result in an application being denied. The term “conviction” includes pleading guilty or nolo contendere (“no contest”) or being convicted by a court of any misdemeanor or felony in this state or elsewhere.

Your license will not be issued until the Department receives fingerprint results from the DOJ. Even though you may have been fingerprinted previously for an employer or another regulatory body, you will need to undergo the fingerprinting and criminal history check process again for a CalCannabis Cultivation License.

Under section 26057(b)(4) of the Business and Professions Code, “The licensing authority may deny the application for licensure or renewal of a state license if any of the following conditions apply:

The applicant, owner, or licensee 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, except that if the licensing authority determines that the applicant, owner, or licensee is otherwise suitable to be issued a license, and granting the license would not compromise public safety, the licensing authority shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, owner, or licensee to be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the licensing authority shall include, but not be limited to, the following:

- (A) A violent felony conviction, as specified in subdivision (c) of section 667.5 of the Penal Code.
- (B) A serious felony conviction, as specified in subdivision (c) of section 1192.7 of the Penal Code.
- (C) A felony conviction involving fraud, deceit, or embezzlement.
- (D) A felony conviction for hiring, employing or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
- (E) A felony conviction for drug trafficking with enhancements pursuant to sections 11370.4 or 11379.8 of the Health and Safety Code.”

Except as provided in subparagraphs (5) and (6) of paragraph (a) and notwithstanding Chapter 2 (commencing with section 480) of Division 1.5 of Penal Code, a prior conviction, where the sentence, including any term or probation, incarceration, or supervised release, is completed, for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is not considered substantially related, and shall not be the sole ground of denial for a license. Conviction for any controlled substance felony subsequent to licensure shall be grounds for revocation of a license or denial of the renewal of the license.”

Owners with criminal convictions that are substantially related are not automatically denied licensure and the Department will conduct a review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation. Evidence of rehabilitation includes:

- (1) The nature and severity of the criminal offense;
- (2) Whether the person has a felony conviction based on possession or use of cannabis or cannabis products that would not be a felony if the person was convicted of the offense on the date of the person’s application;
- (3) The applicant’s criminal record as a whole;
- (4) Evidence of any conviction of a criminal offense committed subsequent to the criminal offense under consideration that could be considered grounds for denial, suspension, or revocation of a commercial cannabis activity license;
- (5) The time that has elapsed since commission of the act or offense;
- (6) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant;
- (7) If applicable, evidence of dismissal under sections 1203.4, 1203.4a, 1203.41 of the Penal Code or another state’s similar law;

- (8) If applicable, a certificate of rehabilitation obtained under section 4852.01 of the Penal Code or another state's similar law; and
- (9) Other evidence of rehabilitation submitted by the applicant.

2. Have you had a license sanctioned, suspended, or revoked in the past three years by a licensing authority, a city, county, or city and county for unauthorized commercial cannabis activities?

If you indicate "Yes" on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the nature of the sanction, suspension, or revocation.

The Department will determine if the sanction, suspension, or revocation will be grounds for denial. Under section 26057(b) of the Business and Professions Code, the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority.

3. Have you been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to section 26057 of the Business and Professions Code?

If you indicate "Yes" on this disclosure, you are not automatically denied licensure and the Department will conduct a review of the fines, penalties, or sanctions for cultivation or production of a controlled substance on public or private lands.

Section 26057 of the Business and Professions Code states that the licensing authority may deny the application for licensure or renewal of a state license if the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to sections 12025 or 12025.1 of the Fish and Game Code.

As defined by section 11007 of the Health and Safety Code, a "controlled substance" unless otherwise specified, means a drug, substance, or immediate precursor, which is listed in any schedule in sections 11054, 11055, 11056, 11057, or 11058 of the Health and Safety Code.

- Section 11054 lists all Schedule I controlled substances.
- Section 11055 lists all Schedule II controlled substances.
- Section 11056 lists all Schedule III controlled substances.
- Section 11057 lists all Schedule IV controlled substances.
- Section 11058 lists all Schedule V controlled substances.

Section 12025 or 12025.1 of the Fish and Game Code describes the civil penalties of being in connection with the production or cultivation of a controlled substance on land under the management of the Department of Parks and Recreation, the Department of Fish and Wildlife, the Department of Forestry and Fire Protection, the State Lands Commission, a regional park district, the United States Forest Service, or the United States Bureau of Land Management, or within the respective ownership of a timberland production zone, or while trespassing on other public or private land in connection with the production or cultivation of a controlled substance.

These fines, penalties, or being sanctioned for cultivation or production of a controlled substance on public or private lands are considered grounds for denial.

4. Have you ever had a commercial cannabis license or other professional license suspended, revoked, or denied, or otherwise subject to discipline or fine by this state or elsewhere (i.e., other U.S. state, U.S. territory, agency of the federal government, or other country)?

According to section 26030(b) of the Business and Professions Code, "Grounds for disciplinary action include, but are not limited to, all of the following:

Conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 (commencing with section 480) of Division 1.5 or discipline of a license pursuant to Chapter 3 (commencing with section 490) of Division 1.5.

SECTION D.4: OWNER REQUIRED ATTACHMENTS

The following attachments are necessary for **each** owner:

1. Copy of each owner's government-issued identification. Acceptable forms of identification are a document issued by a federal, state, county, or municipal government, including, but not limited to, a driver's license, that contains the name, date of birth, physical description, and picture of the individual.
2. Copy of each owner's completed application for electronic fingerprint images submitted to the Department of Justice.

If you indicated in the Owner Disclosures section of the application that you have had criminal convictions, fill out and attach the Criminal Conviction Disclosure Form (CDFA Form CDFA-LIC-004). A conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Convictions dismissed under sections 1203.4, 1203.4a, and 1203.41a of the Penal Code or the equivalent non-California law shall also be disclosed. Juvenile adjudications and traffic infractions do not need to be included. For each conviction, the owner shall provide the following:

1. The date of conviction;
2. Date(s) of incarceration, if applicable;
3. Date(s) of probation, if applicable;
4. Date(s) of parole, if applicable;
5. A detailed description of the offense for which the owner was convicted; and
6. A statement of rehabilitation for each conviction. The statement of rehabilitation is to be written by the owner and shall contain all evidence that the owner would like the California Department of Food and Agriculture to consider that demonstrates the owner's fitness for licensure. Supporting evidence may be attached to the statement of rehabilitation and may include, but is not limited to, a certificate of rehabilitation under section 4852.01 of the Penal Code, or dated letters of reference from employers, instructors, or professional counselors that contain valid contact information for the individual providing the reference.

SECTION D.5: OWNER DECLARATIONS

Declarations are formal written statements in which the owner declares under oath that the contents are true. In this section of the application, the owner will read the declarations and if they agree they will comply and abide with the terms and conditions as defined in the statements, they will acknowledge their acceptance of the declarations by signing in the space provided.

1. I am responsible for knowing and complying with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to Medicinal and Adult-Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. I understand I am responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) provides provisions for the California Department of Food and Agriculture to issue state licenses for commercial medicinal and adult-use cannabis cultivation. Other related codes include, but are not limited to, the Water Code, Penal Code, Health and Safety Code, Family Code, Fish and Game Code, Food and Agricultural Code, Business and Professions Code, and California Code of Regulations.

2. I hereby declare that the information contained within and attached to this application is complete, true, and accurate. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.

SECTION E.1: PREMISES INFORMATION

The Premises is the designated structure(s) and land specified in the application that are in possession of and used by the applicant or licensee to conduct the commercial cannabis activity. The premises shall be a contiguous area and may only be occupied by one licensee.

In the application form, provide the following information about the premises:

The “Premises Address” refers to the location of the premises and the physical address that is assigned by the local municipality or county. Boxes and Postal Mail Boxes are not acceptable for the premises’ physical address. **Please note that your premises address is NOT considered to be confidential. Premises address information will be disclosed if/when requested pursuant to a California Public Records Act request.**

Enter the “Assessor Parcel Number (APN)” that is assigned and can be provided by the tax assessor of a particular jurisdiction. There may be multiple APNs associated with the premises. In this case, please include all associated APNs using additional forms.

The “Date of Initial Operation” refers to the date an applicant began actively conducting the same commercial cannabis activity as the license type for which the applicant is applying. Actively conducting means beginning cannabis cultivation activities and does not include site preparation and construction as authorized by the local jurisdiction. Applicants who have provided evidence of operating in compliance with the Compassionate Use Act of 1996 and its implementing laws prior to September 1, 2016 shall receive priority review.

The location for retention of records refers to the requirement that all records, applications, reports, or other supporting documents be kept on the premises of the licensed location as specified in section 26160 of the Business and Professions Code.