

**TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 100 – Division of Cannabis Regulation**  
**Chapter 1 – Marijuana**

**PROPOSED AMENDMENT**

**19 CSR 100-1.060 Facility Applications and Selection.** The division is amending sections (2), (3), (4), (5), and (6).

*PURPOSE: This amendment adds application requirements to ensure consistency between rule, Constitutional requirements, and license applications. This amendment also adds requirements for applying for and being approved for microbusiness licensure to address noncompliant practices that arose during the first two rounds of microbusiness license issuance.*

(2) Facility application process.

(C) The department will receive applications for all medical and marijuana facility licenses or certifications electronically through a department-provided, web-based application system. In the event of application system unavailability, the department will arrange to accept applications in an alternative, department-provided format and will notify the public of those arrangements through its website.

1. The department shall charge each applicant seeking an available medical or marijuana facility license an application fee to be submitted with the application. The department shall publish the current fees, including any adjustments, on its website.

2. Application fees are nonrefundable, except that a microbusiness facility applicant not chosen by lottery may request a refund of its application fee **using the email address provided for the designated contact in the application.**

A. Requests for a refund will be accepted **via the form available on the department's website**, beginning thirty-one (31) days after the date of the denial but no later than six (6) months after the date of the denial. **Refund requests received later than six (6) months from the date of the denial may be submitted along with a variance request pursuant to 19 CSR 100-1.020.**

B. The application fee will be refunded if the department determines the microbusiness facility applicant met the criteria to apply for a microbusiness facility license and the applicant has no pending or future legal actions related to the denial of the application. Issuance of a refund is not a determination from the department that the applicant is qualified for licensure or is entitled to a license in future applications.

(3) Application requirements. Entities must obtain a license or certification to operate a medical or marijuana facility in Missouri. Applications for facility licenses or certifications, except for off-site storage of marijuana product, shall include at least the following information:

(A) Name *[and]*, address, **phone number, and email** of the designated contact for the applicant entity. **For microbusinesses, the designated contact must be an eligible individual contributing to the majority ownership of the microbusiness;**

(C) All **owners** of the applicant entity, with ownership percentage, and a visual representation of the *[facility's]* **applicant entity's** ownership structure, **in a department approved format;**

(F) For a microbusiness facility license application, an attestation that —

1. the applicant does not have an owner who is also an owner of an existing medical, comprehensive, or another microbusiness marijuana facility license;

2. the applicant has not entered, and will not enter into until after successful completion of eligibility verification and mandatory post-award training, any agreement that removes from the eligible majority owners listed in the application the power to—

A. order or direct the management, managers, and policies of the license,

B. enter into and exit agreements on behalf of the license, and

C. otherwise make decisions for the license or that diminishes the controlling interests of those eligible individuals;

3. the designated contact is an eligible individual with ownership in the microbusiness license;

4. the microbusiness is and will continue to be majority owned and operated by eligible individuals;

5. if selected by lottery, the applicant will respond to all requests for documentation within five (5) business days from the date the request is sent, unless an extension has been requested and approved; and

6. mandatory pre-application training was completed by an eligible individual contributing to majority ownership;

(H) Proposed address of the facility and—

1. An attestation that the proposed facility location complies with the facility location requirements of this chapter;

2. An attestation that the proposed facility location complies with any facility location requirements of the local government; and

3. A copy of, and, **where available**, a hyperlink to, all local government requirements for facility location, such as zoning requirements, if applicable. Applicable sections shall be highlighted in the copy of the regulations;

(J) For *[facilities]* **applicants** that will be cultivating marijuana, the cultivation practices(s) (indoor, outdoor, or greenhouse) used by the facility, and, if using a combination of practices, the ratio of cultivation space limits for each cultivation practice, as provided in the cultivation section of this chapter;

(4) In addition to the application requirements in section (3) above, microbusiness facility applicants must also provide the following:

(A) All entities, which includes individuals, with an ownership interest in the applicant entity, indicating ownership percentage, and a visual representation of the *[facility's]* **applicant entity's** ownership structure, **in a department approved format**; and

(B) Documents demonstrating eligibility for microbusiness facility ownership as follows:

1. A valid (not expired) government-issued photo ID; and

2. For applicants claiming a net worth of less than two hundred fifty thousand dollars (\$250,000) and low income—

A. Sworn, **notarized** financial statements demonstrating a net worth at the time of the application of less than two hundred fifty thousand dollars (\$250,000). This includes all marital property, unless applicant provides evidence sufficient to demonstrate that property is not jointly owned; and

B. Documentation establishing that the applicant's *[gross]* household **adjusted gross** income was below two hundred and fifty percent (250%) of the federal poverty guidelines issued by the U.S. Department of Health and Human Services for at least three (3) of the last ten (10) years **from the date of the application**. Income for each year claimed may be established by tax returns, paycheck stubs summarizing the full income from the source for the year, W-2s, evidence

of job loss, or other documentation sufficient to demonstrate gross income below two hundred and fifty percent (250%) of the federal poverty level during the applicable year. **Household income is determined using an individual's income combined with their spouse's income. A household is made up of an individual, their spouse, and any dependents. If household size cannot be determined from the documentation above, applicant must submit a list of dependents' first and last names, SSNs, and relationships to the applicant.**

3. For applicants claiming a service-connected disability:

A. A copy of the front of the applicant's current veteran health identification card demonstrating a service-connected disability; or

B. A copy of the applicant's VA benefit summary letter, dated within six (6) months before the date of the application, demonstrating a service-connected disability; or

C. A copy of the applicant's VA award letter, dated within six (6) months before the date of the application, demonstrating a service-connected disability; or

D. If none of these proofs are available, some other current evidence of service-connected disability which the department determines is sufficient proof of service-connected disability.

4. For applicants claiming an arrest, prosecution, or conviction for a non-violent marijuana offense—

A. A copy of the relevant arrest record; or

B. A copy of the relevant FBI background check; or

C. A copy of the relevant arrest record and a letter from the prosecutor's office indicating the charge filed; or

D. A copy of the relevant arrest record and a certified copy of the judgment of conviction;

or

E. A copy of the relevant arrest record and a certificate of expungement from a court; or

F. If none of these proofs are available, some other evidence of the arrest, prosecution, or conviction which the department determines is sufficient proof of arrest, prosecution, or conviction of a non-violent marijuana offense; and

G. If the arrest, prosecution, or conviction was for the applicant's parent, guardian, or spouse—

(I) A valid (not expired), government-issued photo ID of the parent, guardian, or spouse; and

(II) Proof of relationship—

(a) A certified copy of the applicant's birth certificate; or

(b) A certified copy of the judgment of adoption or guardianship; or

(c) A certified copy of the marriage certificate; or

(d) If none of these proofs are available, some other evidence of relationship which the department determines is sufficient proof of relationship;

5. For applicants claiming residency in a ZIP code or census tract area where either thirty percent (30%) or more of the population lives below the federal poverty level or the rate of unemployment is fifty percent (50%) higher than the state average, the application must include—

A. Two (2) separate types of utility bills (i.e. one (1) water bill, one (1) electric bill) dated within the last four (4) months, which must include—

(I) The name of the applicant;

(II) The dates of service;

(III) The service address; and

(IV) The billing address; or

B. A copy of a current residential lease, which must include the name of the applicant, the full address, the date the lease went in to effect and expires, and an affidavit from the applicant stating the applicant resides at that address; or

C. A copy of a residential mortgage which includes the name of the applicant and the full address, and an affidavit from the applicant stating the applicant resides at that address; or

D. A copy of the applicant’s real or personal property taxes, dated within the past twelve (12) months, which must include the applicant’s name, address, and the date assessed; or

E. Other documentation sufficient to demonstrate residency; and

F. Documentation or screenshot from the most recent five- (5-) year estimates published by the American Community Survey of the U.S. Census Bureau, for the department to verify the claimed resident ZIP code tabulation area or census tract contains the qualifying poverty or unemployment rate.

6. For applicants claiming residency in a ZIP code or census tract area where the historic rate of incarceration for marijuana-related offenses is fifty percent (50%) higher than the rate for the entire state—

A. Two (2) separate types of utility bills (i.e. one (1) water bill, one (1) electric bill) dated within the last four (4) months, which must include:

(I) The name of the applicant;

(II) The dates of service;

(III) The service address; and

(IV) The billing address; or

B. A copy of a current residential lease, which must include the name of the applicant, the full address, the date the lease went in to effect and expires, and an affidavit from the applicant stating the applicant resides at that address; or

C. A copy of a residential mortgage which includes the name of the applicant and the full address, and an affidavit from the applicant stating the applicant resides at that address; or

D. A copy of the applicant’s real or personal property taxes, dated within the past twelve (12) months, which must include the applicant’s name, address, and the date assessed[.]; **or**

**E. Other documentation sufficient to demonstrate residency.**

A list of qualifying ZIP codes in Missouri, using data obtained from the Missouri State Highway Patrol, is included herein. For individuals residing in a different state, the application must include data from a comparable state authority sufficient to demonstrate the claimed resident ZIP code or census tract contains the qualifying incarceration rate for marijuana offenses.

Zip Codes in Missouri with Qualifying Historic Rate of Incarceration

63050	63555	64469	65103	65483
63065	63556	64473	65104	65532
63066	63565	64477	65105	65536
63084	63633	64482	65106	65560
63101	63640	64601	65107	65565
63105	63645	64633	65108	65582

63150	63651	64640	65111	65607
63169	63664	64653	65201	65613
63188	63670	64683	65205	65622
63195	63736	64701	65212	65625
63199	63755	64759	65216	65653
63301	63779	64766	65233	65656
63302	63834	64772	65248	65661
63334	63857	64776	65259	65667
63361	63869	64856	65261	65668
63379	64028	65018	65265	65712
63380	64067	65020	65275	65721
63383	64068	65036	65299	65785
63435	64079	65041	65301	65801
63457	64085	65051	65302	65802
63459	64106	65055	65340	65805
63466	64184	65082	65401	
63469	64187	65084	65402	
63548	64198	65101	65409	
63552	64424	65102	65466	

7. For applicants claiming graduation from a school district that was unaccredited, or had a similar successor designation, at the time of graduation:

- A. Documentation from the school district or a state accrediting authority sufficient for the department to verify that the school district was unaccredited at the time of graduation; and
- B. An official copy of the applicant’s high school diploma; or
- C. A letter from the applicant’s high school demonstrating that the applicant graduated from the school and the year the applicant graduated.

8. For applicants claiming residency in a ZIP code containing an unaccredited school district, or similar successor designation for three (3) of the past five (5) years:

A. Documentation from the school district or a state accrediting authority sufficient for the department to verify that the school district was unaccredited during at least one (1) of the three (3) years the applicant resided in the school district; and

B. A copy of two (2) separate types of utility bills (i.e. one (1) water bill, one (1) electric bill,) for each quarter of the three (3) years that the applicant claims to have lived in said location which must include:

- (I) The name of the applicant;
- (II) The dates of service;
- (III) The service address; and
- (IV) The billing address; or

C. Copies of residential leases for three (3) of the past five (5) years, which must include the name of the applicant, the full address, and the effective date and the expiration date of the lease; or

D. A copy of a residential mortgage which includes the name of the applicant and the address, along with an affidavit that the applicant resided at that address during the applicable years; or

E. A copy of three (3) of the last five (5) years' real or personal property taxes for the applicant, which must include the applicant's name, address, and the date; or

**F. Other documentation sufficient to establish residency; or**

**G. An applicant may provide any of the acceptable types of documentation for each year they are claiming residency in the ZIP code (i.e., utility bills from one year, lease from a separate year, and property taxes for a third year)/.]; and**

**(C) Names, phone numbers, addresses, and email addresses for all eligible individuals contributing toward majority ownership; and**

**(D) Certificates of completion or other records documenting completion of mandatory pre-application training for at least one eligible individual contributing to majority ownership; and**

**(E) All business agreements that affect ownership, control, or financial interests in cannabis operations related to the application or future license, existing at the time of application, including all management agreements, consulting agreements, partnership agreements, loans, or other agreements whereby any entities stand to gain financially from the business.**

(5) Application requirements for warehouses. Licensees must obtain a separate certification for each warehouse facility used for storing marijuana product at a location other than the approved location of the licensee. Such requests must be submitted after the licensee's facility has passed a commencement inspection and shall include at least the following information:

(D) *[If the local government in which the warehouse will be located has enacted applicable zoning restrictions, documentation from the local government with jurisdiction over the offsite storage location confirming that the proposed location complies with applicable zoning restrictions;]* **A copy of, and, where available, a hyperlink to, all local government requirements for warehouse location, such as zoning requirements, if applicable. Applicable sections shall be highlighted in the copy of the regulations;**

(E) An attestation that the warehouse will comply with all other rules applicable to the *[facility]* licensee for which the warehouse is being established;

(F) An administrative and processing fee of *[five]* **two thousand five hundred** dollars (*[\$5000]* **2500**). **This fee shall be increased or decreased each year by the percentage of increase or decrease from the end of the previous calendar year of the Consumer Price Index, or successor index as published by the U.S. Department of Labor, or its successor agency;** and

(G) Approved warehouse certificates shall have the same expiration and renewal date as the *[facility]* **license or certification** for which the warehouse is being established.

(6) Application approval and denial process.

(A) In cases where there are more applicants than available licenses or certificates, the department will select applicants for available licenses or certifications by lottery.

1. All timely applications submitted with an application fee during an application time period will be entered into the lottery. Untimely applications or applications without an application fee will be denied.

2. Applications entered into the lottery will be assigned an application identifier by the department. The assigned identifiers will be transmitted to the entity conducting the lottery. The individual(s) conducting the lottery will do so without reference to the identities of the applicants.

3. Identifiers will be randomly drawn and listed in the order drawn. If licenses are issued by congressional district, separate drawings will occur for each congressional district.

4. After identifiers are drawn, the department will review the application corresponding to the selected identifier, beginning with the first identifier drawn, to determine if the applicant is eligible for licensure prior to issuing the license.

A. Applicants are responsible for submitting a complete and accurate application as set out in this chapter. However, the department may request an applicant to provide additional information or documents needed to determine eligibility for a license by sending the request to the email address of the designated contact associated with the application. If requested, the applicant will have three (3) business days from the date the email is sent to provide the requested information or documents.

**B. The department will determine that microbusiness licenses will be awarded to and be operated by eligible applicants in good standing by requesting, if necessary:**

**(I) Additional documentation sufficient to verify that individuals contributing to majority ownership meet the eligibility criteria in rule;**

**(II) Additional documentation sufficient to verify that individuals contributing to majority ownership are operating the license; and**

**(III) Any additional documentation sufficient to verify that the license is owned and operated by eligible entities.**

5. If during the application review period, the department determines an application meets all of the license eligibility requirements in this chapter and Article XIV, the license will be issued.

6. An application will be denied if—

A. The application is not complete;

B. The applicant, application, or any proposal in the application, is in violation of any rule in this chapter or Article XIV;

C. Awarding a license would result in an entity being an owner in more licenses than permitted by Article XIV Section 2.3(9-11);

D. The applicant provides false or misleading information in an application;

E. The applicant fails to timely provide information or records requested by the department;

F. An entity, which includes an individual, holds an ownership interest in more than one (1) microbusiness applicant in the same microbusiness application period, all microbusiness applications where the entity holds an ownership interest will be denied;

G. The department determines an application fails to meet the license eligibility requirements in this chapter and Article XIV.

7. If an application is denied, the department will review the next application in the order drawn until the available licenses or certifications are issued.

8. Once all available licenses or certifications are issued, the remaining applications entered into the lottery for that application time period will be denied for failure to be selected in the lottery.

**(E) The department will have sixty (60) days after license issuance to verify that microbusiness licenses have been awarded to and are being operated by eligible applicants in good standing by requesting, if necessary:**

**1. Additional documentation demonstrating that individuals contributing to majority ownership meet the eligibility criteria in rule;**

**2. Additional documentation demonstrating that individuals contributing to majority ownership are operating the license, such as agreements with third parties, partnership agreements, and consultant agreements, regardless of whether those documents are fully executed; and**

**3. Any additional documentation the department deems necessary to verify that the license is owned and operated by eligible individuals.**

*AUTHORITY: sections 1.3.(1)(b), 1.3.(2), 2.4(1)(b), and 2.4(4) of Article XIV, Mo. Const. Emergency rule filed Jan. 20, 2023, effective Feb. 3, 2023, expired Aug. 1, 2023. Original rule filed Jan. 20, 2023, effective July 30, 2023. Amended: Filed November 6, 2025*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, [DCRPublicComment@health.mo.gov](mailto:DCRPublicComment@health.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*