**Division of Cannabis Regulation**

**Marijuana License Confidentiality Questionnaire Instructions**

Per Article XIV, Section 1 and 2, beginning December 8, 2022, all public records produced or retained pursuant to this section are subject to the general provisions of the Missouri Sunshine Law, chapter 610, RSMo, or its successor provisions. Notwithstanding the foregoing, records containing proprietary business information obtained from an applicant or licensee shall be closed.

**For documents submitted beginning December 8, 2022**, the applicant or licensee shall label business information it believes to be proprietary prior to submitting it to the department. Each document containing proprietary information must include a header in the upper right hand corner of the document that reads “Proprietary Information.”

**For documents submitted prior to December 8, 2022**, the applicant or licensee may advise the department, through the below process, of any records previously submitted by the applicant or licensee that contain proprietary business information.

Each licensee (per license number) must fill out a Marijuana License Confidentiality Questionnaire if it wishes to designate any previously submitted documents as containing proprietary information. Multiple licensees may not use the same document to designate proprietary information and any questionnaires that reference multiple licensees will not be accepted.

Per Article XIV, proprietary business information includes:

1. sales information
2. financial records
3. tax returns
4. credit reports
5. license applications
6. cultivation information unrelated to product safety
7. testing results unrelated to product safety
8. site security information and plans
9. individualized consumer information

Please note the presence of proprietary business information shall not justify the closure of public records:

1. that identify the applicant or licensee
2. that relate to any:
	1. citation
	2. notices of violation
	3. tax delinquency
	4. other enforcement action
	5. public official's support or opposition relative to any applicant, licensee, or their proposed or actual operations
3. where disclosure is reasonably necessary for the protection of public health or safety
4. that are subject to public inspection under other applicable law

The Marijuana License Confidentiality Questionnaire will ask the licensee to identify all relevant files by:

1. name
2. document title or description
3. justification for proprietary designation
4. purpose of document submission
5. submission date
6. method of submission

All areas of the questionnaire must be filled out and any incomplete questionnaires will be returned to the licensee or applicant for completion. Licensees must submit completed questionnaires to their assigned Business Services Specialist (former title: License Specialist) and copy mmlicenses@health.mo.gov. Applicants must submit completed questionnaires to mmlicenses@health.mo.gov.