

Division of Cannabis Regulation

Section for Compliance & Enforcement

Instructions for Business Change Application; Transfer Entity Same Ownership

Pursuant to 19 CSR 100-1.100(2) and 19 CSR 100-1.100(3), respectively, Marijuana and Medical facility licensees must apply for and obtain the department's approval before they may transfer their license to a different entity with the same ownership.

INSTRUCTIONS

Licensees are required to complete the Business Change Application Checklist. For the change application to be considered complete, the checklist and ***all*** documentation outlined on the checklist must be uploaded through the Missouri Registry Portal. The documents and information outlined in the checklist are the minimum required to verify the proposed change complies with Article XIV and 19 CSR 100-1. Considering the uniqueness of each request, the department cannot anticipate questions that might arise from the documentation submitted or the need for additional documentation. Pursuant to 19 CSR 100-1.030, licensed or certified entities must provide documents or records requested as part of an inspection or investigation within seven (7) days of the department issuing the request unless additional time is requested and granted. A department request for documents or records made as part of reviewing an application submitted by a licensee, such as a business change application, shall be considered an inspection of records. In addition, failure to timely provide requested documents or records may result in a fine of up to five thousand (\$5,000) dollars for every day the requested documents or records have not been provided after the deadline.

If documents are not submitted within the timeframe provided or found to be incomplete, the business change application may be denied. Licensees will be required to submit a new business change application and payment for applications that were previously denied for the department to process the business change application.

As a reminder, licensees may only submit business change applications as Business Updates through the Missouri Registry Portal, and the department will deny business change applications with missing or incomplete payments and documentation. Licensees can remit payment at <https://magic.collectorsolutions.com/magic-ui/Login/mo-health-senior-serv>, and upload their payment receipt with their business change application. The current fee schedule can be accessed at <https://health.mo.gov/safety/cannabis/fees.php>.

Change applications will be approved if the request contains all of the documentation, fees, and information required by 19 CSR 100-1, and the resulting change in ownership or ownership interests does not violate any provision of this chapter or Article XIV. If the department determines that an applicant has provided false or misleading information in the application, including applications for change, the license may be revoked or the department may impose other remedies not inconsistent with 19 CSR 100-1 or Article XIV. If you have any questions about the documentation or information requested in the Business change application Checklist, please reach out to your license's assigned Business Licensing Services Specialist.

Business Change Application Checklist

Verify	Department Requested Document	Licensee Uploaded Document Name(s)
	Current legal name of the licensee, including fictitious business names, and proposed new legal name of the licensee, including fictitious business names;	
	<p>MARIJUANA LICENSEES (Includes Comprehensive licenses, as well as Testing, Transportation and Microbusiness Licenses): All owners of the licensed entity and their individual ownership percentage, which must show the proposed new entity is owned by the same owners as is the licensee</p> <p><i>Complete the Ownership Reporting Tool</i></p>	
	<p>MARIJUANA LICENSEES (Includes Comprehensive licenses, as well as Testing, Transportation and Microbusiness Licenses): A visual representation of the licensee’s ownership structure, including all owner entities</p> <p><i>Organizational Chart</i></p>	
	<p>MEDICAL LICENSEES (Licenses designated as Medical only): Any entity that owns any part of the licensed entity and their individual ownership percentage, which must show the proposed new entity is owned by the same entities as is the licensee</p> <p><i>Complete the Ownership Reporting Tool</i></p>	
	<p>MEDICAL LICENSEES (Licenses designated as Medical only): A visual representation of the licensee’s ownership structure, including all entities that own any part of the licensed entity</p> <p><i>Organizational Chart</i></p>	
	<p>Current and proposed operating agreement(s), bylaws, and/or other documentation as applicable for the entity and all parent, subsidiary, and affiliated owner entities, to include capitalization schedule or exhibit of members, with percentages, in support of the proposed ownership.</p> <p><i>Agreements provided should allow the Department to arrive at the same interest percentage stated on the Ownership Reporting Tool for each entity and individual’s percent of economic and voting interest.</i></p> <p><i>Include applicable agreements pertaining to interest purchase, sale, and/or transfer</i></p>	
	IRS documentation of EIN;	

	Payment receipt for administrative and processing fee	
	Completed Business Change Application Checklist	
	Narrative description of request. <i>Detail all aspects of the proposed change</i>	