

ESSB 5131 - H AMD TO APP COMM AMD (H-2600.1/17) **470**

By Representative Condotta

ADOPTED 04/11/2017

1 On page 3, line 23 of the striking amendment, after "first" strike
2 "three" and insert "nine"

3
4 On page 3, after line 24 of the striking amendment, insert the
5 following:

6 "(v) The board may not require license forfeiture if the licensee
7 has been incapable of opening a fully operational retail marijuana
8 business due to actions by the city, town, or county with jurisdiction
9 over the licensee that include any of the following:

10 (A) The adoption of a ban or moratorium that prohibits the opening
11 of a retail marijuana business; or

12 (B) The adoption of an ordinance or regulation related to zoning,
13 business licensing, land use, or other regulatory measure that has the
14 effect of preventing a licensee from receiving an occupancy permit
15 from the jurisdiction or which otherwise prevents a licensed marijuana
16 retailer from becoming operational."

17

EFFECT: (1) Increases from three months to nine months the grace period during which the board may not cause the forfeiture of a retail marijuana license held by a licensee following the effective date of the act; (2) Prohibits the board from requiring the forfeiture of a retail marijuana license if the reason for the licensee's failure to open a fully operational business is the result of legal or regulatory actions by the city, town, or county that have the effect of preventing the licensee from opening the business.

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and