



## **Department of Business License**

# **Retail Marijuana**

## **Frequently Asked Questions**

### **CONSUMERS**

**1. What is the difference between medical marijuana and retail marijuana?**

Medical marijuana is sold at a medical marijuana dispensary to persons that have a valid medical marijuana registry card for the purpose of mitigating the symptoms or effects of a chronic or debilitating medical condition, such as cancer, glaucoma, seizures or severe pain or nausea. Retail marijuana is sold at a retail marijuana store, which may be the same location as a dispensary. All retail marijuana consumers must be at least 21 years of age.

**2. Is there a difference in price between medical and retail marijuana?**

The dispensaries and the retail marijuana stores set the selling prices for their products. However, the state taxes on retail marijuana are more than those on medical marijuana.

**3. Are there any taxes on retail marijuana?**

Currently, there is a 15% state excise tax on the wholesale value at cultivation paid by the cultivator, an additional 10% state excise tax on the retail sale of marijuana and a state sales tax of 8.25% on the retail sale of marijuana. Local governments also may have additional taxes or fees on the retail marijuana establishments. For retail marijuana stores located within the unincorporated areas of the County, a business license fee of up to 3% of gross sales is assessed.

**4. Who can purchase retail marijuana?**

In order to purchase retail marijuana you must be at least 21 years of age and possess valid, government-issued identification.

**5. How soon will I be able to purchase marijuana from a retail marijuana store?**

It is anticipated that retail marijuana stores could be open as soon as July 1, 2017, but that date could change depending on state and local licensing processes.

**6. Where can I purchase marijuana if I don't have a medical registration identification card?**

If you are at least 21 years of age and have valid, government-issued identification you may purchase marijuana from any licensed retail marijuana store in the state.

**7. May I request a private consultation where I can ask questions and obtain information about the products?**

Yes, the store must accommodate a customer's request for a confidential and private consultation within the available space of the store.

**8. How much retail marijuana can I purchase or possess at one time?**

The maximum amount that a person can purchase or possess at one time is one ounce of marijuana other than concentrated marijuana, or one-eighth of an ounce of concentrated marijuana. Also, possession or consumption of marijuana or marijuana products is prohibited on any airport property in Clark County.

**9. Can I consume marijuana anywhere?**

No, consumption of marijuana and marijuana products is prohibited in a public place or in a retail marijuana store. A "public place" is defined as an area to which the public is invited or in which the public is permitted regardless of age. Consuming marijuana is also prohibited on any properties that has gaming, including inside your hotel room and is prohibited on all public sidewalks.

**10. Can I sell marijuana that I purchased from a retail marijuana store?**

No, it is illegal to sell marijuana to another person. Only licensed retail marijuana stores may sell retail marijuana to persons that are at least 21 years of age.

**11. Can I grow my own marijuana and, if so, how much?**

In order to grow marijuana, other than medical marijuana, you must live more than 25 miles from a licensed retail marijuana store and you are limited to a maximum of six plants (twelve plants per household). All at-home cultivation must take place in an enclosed area with a lock or security measures to keep unwanted persons from entering the area. The plants must not be visible from a public place by normal unaided vision and the cultivation must take place on property that the person has lawful possession of or has the consent of the person that does have lawful possession of the property.

**12. Can I travel to another state with marijuana?**

No, marijuana is still an illegal drug under federal law and transportation of marijuana or marijuana products across state lines is illegal.

**13. How should I store my marijuana at home?**

Marijuana should be stored in a secure location to prevent the access by persons under 21 years of age or by pets.

## **CULTIVATION / PRODUCTION FACILITIES**

**14. If I am already licensed as a medical cultivation facility or a medical marijuana production facility do I have to apply for a state and local license for retail cultivation or production?**

Yes. You must apply for and obtain a state license and a local business license in order to cultivate retail marijuana or produce retail marijuana products.

**15. Can I transport or deliver marijuana or marijuana products to other marijuana establishments?**

A cultivation facility may transport marijuana to another cultivation facility, to a production facility or to a testing facility, but not to a retail marijuana store. A production facility may transport marijuana to or from a cultivation facility, another product manufacturing facility or a testing facility, but not to a retail marijuana store. A testing facility may transport retail marijuana and marijuana products to or from any retail marijuana establishment. However, only a licensed marijuana distributor may transport marijuana or marijuana products to a retail marijuana store for sale.

**16. As a cultivator, if I sell retail marijuana to another cultivator does the second cultivator have to pay the state excise tax on retail marijuana when it is sold again?**

No, only the cultivator that originally sells retail marijuana is responsible for payment of the state wholesale excise tax.

## **TESTING FACILITIES**

**17. If I am already licensed as a medical testing laboratory do I have to apply for a state and local license for retail testing facility?**

Yes. You must apply for and obtain a state license and a local business license in order to provide testing services for retail marijuana or retail marijuana products.

**18. Can I transport or deliver marijuana or marijuana products to other marijuana establishments?**

Yes, a testing facility may transport marijuana or marijuana products to any from any other marijuana establishment.

## **RETAIL MARIJUANA STORES**

**19. If I am already licensed as a medical marijuana dispensary do I have to apply for a state and local license for a retail marijuana store?**

Yes. You must apply for and obtain a state license and a local business license in order to sell retail marijuana or marijuana products.

**20. Can I transport marijuana or marijuana products from a cultivation facility or a production facility to my store?**

No. Only a licensed marijuana distributor may transport marijuana or marijuana products from a cultivation facility or a production facility to a retail marijuana store.

**21. Can I deliver marijuana or marijuana products to a customer at their residence or hotel room?**

You may deliver marijuana and marijuana products to a customer at a residence as long as you comply with the provisions in Clark County Code Section 8.65.140. You may not deliver marijuana or marijuana products to anyone within the Las Vegas Boulevard Gaming Corridor or an H1 Zone as defined in Title 30 of the Clark County Code.

## **MARIJUANA DISTRIBUTOR**

**22. Can I transport or deliver marijuana or marijuana products to customers of marijuana retail stores?**

No, a marijuana distributor may only transport marijuana or marijuana products between licensed marijuana establishments.