

Introduction

Pursuant to Alcoholic Beverages and Cannabis Article, §36-404, Annotated Code of Maryland, the Maryland Cannabis Administration (MCA or Administration) will accept standard and micro cannabis business license applications for grower, processor and dispensary applicants. All applications that meet the minimum qualifications, on a pass/fail basis, will be included in a lottery to determine the recipients of a conditional license. Minimum qualifications will be based on the following:

1. A detailed operational plan for the safe, secure, and effective cultivation, manufacture, or dispensing of cannabis;
2. A business plan demonstrating a likelihood of success and sufficient ability and experience on the part of the applicant, and providing for appropriate employee working conditions; and
3. A detailed diversity plan.

Alcoholic Beverages and Cannabis Article, §36-440(d), Annotated Code of Maryland, limits the first round of licensing to social equity applicants who meet the application minimum qualifications. Only candidates who obtained a social equity applicant verification from the Administration prior to the application round are eligible to apply, enter into the lottery, and obtain a conditional licensing award.

To assist social equity applicants in meeting the application minimum qualifications, the Administration has created the following evaluation worksheet to help inform application development. The tables that follow will be used in the review process to determine whether an application meets the minimum qualifications for the lottery.

Application Lottery

The application lottery will be administered as follows for the various license types:

- County lotteries for standard dispensaries. Each of Maryland's 24 counties (including Baltimore City) will have a unique pool of dispensary applications. **An individual or entity may apply for a standard dispensary license in only one (1) county. If an individual or entity applies for a standard dispensary license in multiple counties, all applications associated with the individual or entity will be denied.**

- Regional-level lotteries for **each** of the following license types:
 - Micro Growers
 - Micro Processors
 - Micro Dispensaries
 - Standard Growers
 - Standard Processors

The five regions for licensing lotteries are determined as follows:

- **Western Region:** Carroll, Frederick, Montgomery, Allegany, Garrett, and Washington Counties.
- **Southern Region:** Anne Arundel, Prince George's, Calvert, Charles, and St. Mary's Counties.
- **Central Region:** Baltimore, Harford, Howard, and Cecil Counties, and Baltimore City.
- **Eastern Region:** Caroline, Kent, Queen Anne's, Talbot, Dorchester, Somerset, Wicomico, and Worcester Counties.

An individual or entity may not be associated with applications submitted for the **same license type in multiple regions**. Additionally, an individual or entity may be associated with no more than two applications across all licensing categories within the **entire first licensing round**.

The MCA will maintain the lottery pools for applicants who have received a passing evaluation and return to these pools if any initially selected applicants are unable to meet the requirements of a conditional license. In addition, the MCA will conduct a second licensing round for all cannabis business licensing categories on or after May 1, 2024. Applicants are not required to possess or own property or a facility as part of the application, and the MCA strongly discourages any applicant from securing property or a facility prior to obtaining a conditional award.¹

In an effort to promote applicant success while ensuring minimum qualifications for licensure are met, the Administration will use the following tables to evaluate an application. These tables should be used to guide application development.

¹ Physical location need not be secured for applications. Including a secured location will **not** increase the odds of applicant success in entering the lottery. The MCA is **prohibited** from requiring physical location as a condition of application in accordance with §36-404(b)(3) of the Alcoholic Beverages and Cannabis Article.

Instructions²

The following worksheet is intended to help potential applicants understand the criteria that will be used to determine whether an application meets the minimum qualifications and is eligible for the lottery. Consider the following in the development of your application:

1. You must use the MCA Provided Templates for all required attachments.
2. Provide only the requested information to meet the minimum criteria. Additional information will not contribute to the pass-fail evaluation.
3. Use each worksheet as a “checklist” to ensure that you meet the minimum qualifications for each plan.
4. Prior to submitting your application in the OneStop portal, you will need to have the following documents ready for attachment:
 - a. A verification report from Creative Services, Inc., indicating you meet the statutory criteria to be deemed a social equity applicant (*for social equity applicants only*). (PDF)
 - b. An operations plan that uses the MCA provided template and includes the specifications in the outlined tables. (PDF)
 - c. A business plan that uses the MCA provided template and includes the specifications in the outlined tables. (PDF)
 - d. A diversity plan that uses the MCA provided template and includes the specifications in the outlined tables. (PDF)
5. *Business Plan*: The business plan includes a separate worksheet to be uploaded for evaluation. The worksheet requires the applicant to provide the projections of certain monetary metrics; however, those **monetary metrics will not be used as independent evaluation measures**. As such, **projecting metrics (e.g., revenues) at higher figures will not provide applicants an advantage over those projecting lower figures**. The MCA strongly discourages any applicant from submitting information or figures that may be uninformed, unfeasible, or untruthful and factually incorrect. Similarly, applicants are not to provide other information that is verifiably false. **The Administration may deny any application that contains a material misstatement, omission, misrepresentation, or untruth** (COMAR 14.17.05.02). **The worksheet will be evaluated to ensure that the applicant has accurately calculated the total costs of their proposed business by adding each line item of the worksheet.**

² These instructions are for the benefit of the applicant and shall not be misconstrued as professional business or legal advice.

6. **Any aspect or part of the submitted information or materials that indicate the applicant will violate any provision of Alcoholic Beverages and Cannabis Article, Title 36, Annotated Code of Maryland, COMAR 14.17, or COMAR 10.62, will result in a “fail” for the application.** All relevant statutes and laws should be carefully read and considered prior to the development of an application.
7. *Redacted Copies:* In addition to the specifications of the attachments outlined in the tables below (i.e., file type, page length, font size), applicants are required to provide redacted copies of *each* attachment in **one complete file to be uploaded**. Redacted copies may have certain text concealed from view for privacy protection, such as sensitive business information. It is the responsibility of the applicant to determine what information, if any, should be redacted with the understanding that the information provided and not redacted may be made public under the Maryland Public Information Act.
8. *Demonstration v. Confirmation:* At various points in the application, applicants are asked to either demonstrate or confirm components of their prospective business. When asked to *demonstrate*, the applicant should describe their experience, understanding, or expertise in the criteria listed. When asked to *confirm*, the applicant must simply state that they understand and will implement or abide by the criteria referenced.
9. *Social Equity Applicant Status:* Pursuant to Alcoholic Beverages and Cannabis Article, §36-404(d), applications will be considered *only* if at least 65 percent of the ownership and control of the applicant is held by one or more individuals who meet the statutory definition of a social equity applicant. In order to be eligible to apply, an applicant **MUST** verify their status as a social equity applicant in advance of the licensing round by *submitting supporting documentation to Creative Services, Inc. (CSI) for social equity status verification*. The social equity verification period is available to prospective applicants until **November 7th, 2023**. **Applicants should verify their social equity applicant status as soon as possible. Only individuals who have verified their status as a social equity applicant in advance may apply for an ownership share greater than 35% in the first round of licensing.** Candidates may access CSI’s portal, track their documentation status, and provide additional verification information as needed. Once verified, prospective applicants will be provided with a report that must be submitted along with the application to affirm their eligibility for the first licensing round.

10. *Pass/Fail Evaluation of Application:* The template below represents the *minimum* criteria for a successful application. **An application that fails to meet the minimum criteria shall not be considered.** Failure to meet the minimum criteria means:

- a. Failure to submit any one of the attachments in the manner prescribed by the MCA;
- b. Failure to accompany the application attachments with self-redacted copies of the prescribed attachments; or
- c. Missing, incomplete, or insufficient criteria in any subsections throughout the three attachments.

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**Application Attachment A – (On Administration-Provided Template – “Operational Plan Template”):
A detailed operational plan for the safe, secure,
and effective cultivation, manufacture, or dispensing of cannabis**

Evaluation Measure	Evaluation Metric(s)	Criteria for Passing in Addition to Following Above Instructions	Criteria for Failure
<p>Operational Plan - Attachment. The operational plan submitted at minimum:</p>	<p>Meets the attachment standards required by the application portal.</p> <ul style="list-style-type: none"> ● 12-point font ● Does not exceed 3 pages on the Administration prescribed template. ● PDF format 	<p>Meets the three attachment standards required by the application portal.</p>	<p>Does not meet the three attachment standards required by the application portal.</p>
<p>Operational Plan – Safety</p> <p>1. Safety Procedures. The operational plan discusses a safety plan for the operation of the business that <i>confirms</i>, at minimum:</p>	<p>Upon conditional licensing and prior to being granted a full license, the applicant will prepare and make available to the Administration safety procedures that must include responding to, at minimum, the three (3) following safety-related events:</p> <ol style="list-style-type: none"> 1.1 Fire safety 1.2 Medical emergencies 1.3 A threatening event such as an armed robbery, an invasion, a burglary, or other criminal incidents. 	<p>Included at minimum the three listed events in their confirmation of preparing and making such documentation available.</p>	<p>Did not include at minimum the three listed events in their confirmation of preparing and making such documentation available.</p>

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<p>Operational Plan – Safety</p> <p>2. Safe Handling of Cannabis. The operational plan discusses a safety plan for the operation of the business that <i>confirms</i>, at minimum:</p>	<p>Upon conditional licensing and prior to being granted a full license, the applicant will create and make available to the Administration guidance documentation for the safe handling of cannabis that must include, at minimum, the two (2) following safety-related elements:</p> <ul style="list-style-type: none"> 2.1 Sanitary practices for those handling cannabis plants or products (unpackaged or packaged) 2.2 Storage procedures for cannabis or cannabis products 	<p>Included at minimum the two listed elements in their confirmation of preparing and making such documentation available.</p>	<p>Did not include at minimum the two listed elements in their confirmation of preparing and making such documentation available.</p>
<p>Operational Plan – Safety</p> <p>3. Workplace Safety Regulations. The operational plan discusses a safety plan for the operation of the business that <i>confirms</i>, at minimum:</p>	<p>Upon conditional licensing and prior to being granted a full license, the applicant will create and make available to the Administration plans for remaining in compliance with regulations for workplace safety, that must cite at least three (3) relevant standards from OSHA 29-CFR 1910 Subpart E – Exit Routes and Emergency Planning.</p>	<p>Cited at minimum any three relevant standards from the provided federal code subsection in the confirmation of preparing and making such documentation available.</p>	<p>Cited less than three relevant standards from the provided federal code subsection in the confirmation of preparing and making such documentation available.</p>

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Operational Plan – Security

4. Security Plan.

The operational plan discusses a security plan for the operation of the business that *confirms*, at minimum:

Upon conditional licensing and prior to being granted a full license, the applicant will create and make available to the Administration a security plan that must include, at minimum, **the two (2) following** elements:

4.1 The purchasing and implementing of continuous or motion-activated video surveillance recording system that meets the standards of MCA regulations, under:

COMAR 10.62.10.07 for growers;

COMAR 10.62.21.05 for processors; and

COMAR 10.62.27.07 for dispensaries.

4.2 The purchasing and implementation of an alarm system that meets the standards of MCA regulations under:

COMAR 10.62.10.06 for growers;

A COMAR 10.62.21.05 for processors; and

COMAR 10.62.27.06 for dispensaries.

Included at minimum **the two** listed elements and met regulatory compliance in the confirmation of preparing and making such documentation available

Did not include at minimum **the two** listed elements and/or did not meet regulatory compliance in the confirmation of preparing and making such documentation available

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Operational Plan – Effectiveness

Plan for Regulatory Adherence.
The operational plan discusses an effective plan for the cultivation, manufacture, or dispensing of cannabis that *confirms*, at minimum:

Upon conditional licensing and prior to being granted a full license, the applicant will create and make available to the Administration a plan to remain in compliance with all state and local cannabis laws and regulation, and other laws and regulations pertinent to the application license type, that must cite at least **the two (2) following** sources:

- Alcoholic Beverages and Cannabis Article, Title 36, Annotated Code of Maryland
- Code of Maryland Regulations Title 14, Subtitle 17, and Title 10, Subtitle 62.

Included at minimum **the two** listed sources in the confirmation of preparing and making such documentation available.

Did not include at minimum **the two** listed sources in the confirmation of preparing and making such documentation available.

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**Application Attachment B (On Administration-Provided Template – “Business Plan Template”):
A business plan demonstrating a likelihood of success and sufficient business ability and experience on the part of the applicant,
and providing for appropriate employee working conditions**

Evaluation Measure	Evaluation Metric(s)	Criteria for Passing in Addition to Following Above Instructions	Criteria for Failure
<p>Business Plan - Attachment. The business plan submitted at minimum:</p>	<p>Meets the attachment standards required by the application portal.</p> <ul style="list-style-type: none"> ● 12-point font ● Does not exceed 10 pages on the Administration prescribed template with the exception of the financial worksheet which is not to exceed 1 page. ● PDF format 	<p>Met the three attachment standards required by the application portal.</p>	<p>Does not meet the three attachment standards required by the application portal.</p>
<p>Business Plan - Likelihood of Success.</p> <p>1. Financial Workbook</p> <p>The business plan <i>demonstrates</i> the applicant's likelihood of success by providing, at minimum:</p>	<p>In the table provided in Section 1 of the “Business Plan Template,” the business plan must provide the following eight (8) financial metric categories without adjusting or compromising the template.</p> <ol style="list-style-type: none"> 1.1 Anticipated startup <i>costs</i> for the build out of the physical location of your facility 1.2 Anticipated startup <i>costs</i> for any required permits for authorized activities 1.3 Anticipated startup <i>costs</i> for the first year of utilities that must include, but is not limited to, water, gas, and electricity. 	<p>Included only the eight financial metric categories AND the individual line items accurately equate to the total assumed pre-tax profits projected.</p>	<p>Did not include or consider the eight financial metrics OR the individual line items did not accurately equate to the total assumed pre-tax profits projected.</p>

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- 1.4 Anticipated startup costs for the first year of salaries or wages for initial staffing to begin operations.
- 1.5 Anticipated startup *costs* for the first year of necessary equipment for the cultivation, production, or sale of cannabis and cannabis products.
- 1.6 Anticipated startup *costs* for the first year of track-and-trace, point of sale, testing costs (if applicable) or other technology fees.
- 1.7 Anticipated *revenue* for the first year of initial operations
- 1.8 Anticipated *pre-tax profit* for the first year of initial operations.

Note: You may enter \$0 if you believe your entity will not be incurring any associated cost related to a line item.

Business Plan - Likelihood of Success.

2. 18-Month Financial Overview

The business plan *demonstrates* the applicant's likelihood of success by providing, at minimum:

Based on the figures you have provided in your financial workbook (see evaluation metrics above), an overview of the applicant's plan to become operational in 18-months that must include at a minimum, a description of the following two (2) elements:

2.1 The steps for raising adequate capital to enable the business to become operational may include but are not limited to securing a premises, completing a

Mentions, at minimum, **the two** elements listed, **AND** timelines **do not exceed 18 months**

Mentions, at minimum, **the two** elements listed, **AND** timelines **do not exceed 18 months**

	<p>buildout, hiring and training staff, and initiating operations.</p> <p>2.2 The anticipated timeline to complete each individual step identified in 2.1.</p>		
<p>Business Plan - Likelihood of Success.</p> <p>3. 18-Month Operational Overview</p> <p>The business plan <i>demonstrates</i> the applicant's likelihood of success by providing, at minimum:</p>	<p>An overview of the applicant's plan to become operational in 18 months that must include at a minimum, a description of the following two (2) elements:</p> <p>3.1 The steps for the applicant to secure a premises that complies with state and local zoning and planning requirements.</p> <p>3.2 Associated projected timeline with each step identified in 3.1.</p>	<p>Mentions, at minimum, the two elements listed, AND timelines do not exceed 18 months</p>	<p>Does not mention, at minimum, the two elements listed, OR timelines exceed 18 months</p>
<p>Business Plan - Likelihood of Success.</p> <p>4. Permits and Registration</p> <p>The business plan <i>demonstrates</i> the applicant's likelihood of success by providing, at minimum:</p>	<p>An overview of the applicant's plan to become operational in 18-months that must include at a minimum, two (2) specific permits or registrations relevant to the proposed license type that you may need to complete a buildout and conduct authorized activities of the specific license. Examples of this may include, but are not limited to, zoning approval, building permits, fire, trader's license, sales, and use tax registration (applicable to dispensaries only).</p>	<p>Mentions, at minimum, two permits or registrations relevant to the proposed license type</p>	<p>Does not mention, at minimum, two permits or registrations relevant to the proposed license type</p>

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<p>Business Plan - Likelihood of Success.</p> <p>5. Principal Officers</p> <p>The business plan <i>demonstrates</i> the applicant's likelihood of success by providing, at minimum:</p>	<p>Identify one (1) or more principal officers for the prospective business. Each principal officer listed should include:</p> <ul style="list-style-type: none"> (i) Name; (ii) Title; (iii) Roles and responsibilities; (iv) Direct reports (if applicable). 	<p>Identified one or more of the organization's principal officers and provided all of the required information.</p>	<p>Was unable or unwilling to identify any of the organizations principal officers OR did not provide complete information.</p>
<p>Business Plan - Likelihood of Success.</p> <p>6. Factors for Success</p> <p>The business plan <i>demonstrates</i> the applicant's likelihood of success by providing, at minimum:</p>	<p>An overview not to exceed one (1) page that discusses the applicant's ability to be successful in the regulated cannabis industry by discussing and making logical connections to, at minimum, the three (3) following considerations:</p> <ul style="list-style-type: none"> 6.1 The applicant's <i>preparedness</i> for working within a complex regulated environment. 6.2 The applicant's <i>aptitude</i> for entrepreneurship or business. 6.3 The applicant's <i>skill sets</i> that may promote the success of their proposed business. 	<p>Overview includes, at minimum, the three listed considerations by making logical connections to the italicized key words AND did not exceed one page.</p>	<p>Overview did not include, at minimum, the three listed considerations by making logical connections to the italicized key words OR exceeded one page</p>

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<p>Business Plan – Sufficient Business Ability</p> <p>7. Sufficient Ability and Experience.</p> <p>The business plan <i>demonstrates</i> the applicant’s sufficient business ability and experience by providing, at minimum:</p>	<p>An overview not to exceed one (1) page that must discuss the applicant’s experience in, at minimum, one (1) of the following five (5) areas:</p> <ul style="list-style-type: none"> (i) Owning, managing, or founding a business; (ii) Working in the cannabis industry; (iii) Operating a business that is subjected to the compliance of laws and regulations; (iv) Working with consumer goods, other products, or controlled substances; (v) Or other work, education, or volunteer experience that may help your proposed business be successful 	<p>Includes experience of, at minimum, one listed area in the overview AND did not exceed one page.</p>	<p>Did not include experience of, at minimum, one listed area in the overview OR exceeded one page.</p>
<p>Business Plan – Providing for Appropriate Employee Working Conditions.</p> <p>8. Appropriate Employee Working Conditions.</p> <p>The business plan <i>confirms</i> applicant’s plans to provide appropriate employee working conditions by, at minimum:</p>	<p>Upon conditional licensing and prior to being granted a full license, the applicant will create and make available to the Administration plans for providing appropriate employee working conditions that must include, at minimum, the following two (2) elements:</p> <ul style="list-style-type: none"> (i) Compliance with Maryland wage, payment and employment <u>standards</u>. (ii) Physical and physiological demands of the workplace pertinent to the license type. 	<p>Included, at minimum, the two listed elements in the confirmation of preparing and making such documentation available</p>	<p>Did not include, at minimum, the two listed elements in the confirmation of preparing and making such documentation available</p>

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**Application Attachment C (On Administration-Provided Template – “Detailed Diversity Plan Template”):
A detailed diversity plan**

Evaluation Measure	Evaluation Metric(s)	Criteria for Passing	Criteria for Failure
<p>Diversity Plan - Attachment. The diversity plan submitted, at minimum:</p>	<p>Meets the attachment standards required by the application portal.</p> <ul style="list-style-type: none"> ● 12-point font ● Does not exceed 4 pages. ● PDF format 	<p>Meets the three attachment standards required by the application portal.</p>	<p>Does not meet the three attachment standards required by the application portal.</p>
<p>Diversity Plan – The diversity plan details an applicant’s approach to ensuring and promoting diversity in their workplace by <i>demonstrating</i>, at minimum:</p>	<p>An overview not to exceed 4 pages that must discuss the four (4) following elements:</p> <ol style="list-style-type: none"> 1. Establish a goal to ensure that people from diverse backgrounds have equal opportunities in ownership, leadership, jobs, and business contracts and demonstrate the methods that would be used to meet this goal. 2. Provide an action plan that must address how to recruit, utilize, and promote diversity of an owner, investor, employee, or a contractor. 	<p>Included, at minimum, the four (4) listed elements AND did not exceed 4 pages.</p>	<p>Did not include, at minimum, the four (4) listed elements in the OR exceeded 4 pages.</p>

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3. Explain who qualifies as '**Diverse Participants**' in the proposed diversity plan and demonstrate how these individuals or groups have faced disadvantages, or are underrepresented in the cannabis industry, making it beneficial to include them in the plan.
4. Confirm that the proposed business will engage in diversity-oriented **outreach** including but not limited to promoting or sponsoring events, providing mentoring, training or professional development programs, partaking in civic or professional groups that promote diversity, or any other initiatives to promote diversity.

Note: In determining whether an application's Diversity Plan meets the minimum qualifications to be entered into the lottery, the MCA will consider any type of diverse group where an applicant can demonstrate that the group has been disadvantaged, or underrepresented in the cannabis industry and, therefore, inclusion of the individuals from such group as participants in the Diversity Plan would be beneficial.

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