



ADMINISTRATIVE RULES OF MONTANA

42.39.107 LICENSE AND ENDORSEMENT APPLICATION PROCESS

- (1) An applicant must be a resident of the State of Montana.
- (2) All applications must be completed on forms provided by the department.
- (3) Licenses expire one year from the date of issuance, except for marijuana transporter licenses which expire two years from the date of issuance.
- (4) Renewal applications must be submitted at least 60 days prior to the expiration date of the license.
- (5) The department will approve or deny a new application within 120 days of receiving a complete application and will approve or deny a renewal application within 60 days of receiving a complete application. An application is considered complete when the applicant or licensee, as applicable, has provided all statements, forms, diagrams, operation plans, and other applicable documents required in the application and has paid the nonrefundable processing fee pursuant to ARM 42.39.104(2) and has paid the remaining balance of the license fee upon notification by the department of its pending approval.
- (6) If a renewal application is received less than 60 days prior to license expiration, the department will process the application, but the licensee assumes the risk and possibility of having to suspend operations until the department processes and approves the renewal application.
- (7) Prior to approving an application, the department may contact any applicant or individual listed on the application and request additional supporting documentation or information.
- (8) Prior to issuing a license or endorsement, the department will inspect the proposed premises to determine if the applicant complies with the marijuana laws.
- (9) If a licensee fails to submit a renewal application prior to the license or endorsement expiration date, the licensee may not continue to operate.
- (10) The department will not consider a renewal application received after the license or endorsement expiration date, in which case the license will lapse.
- (11) The department will not amend or extend a license's expiration date unless the licensee can demonstrate that its failure to timely submit a renewal application was due to circumstances beyond its control.
- (12) A licensee may not operate until on or after the effective date of the license.
- (13) Any denial under these rules is subject to a contested case hearing before the department's Office of Dispute Resolution, as provided for under ARM 42.2.621.

Authorizing statute(s): 16-12-112, MCA

Implementing statute(s): 16-12-112, 16-12-201, 16-12-203, 16-12-503, MCA

History: NEW, 2011 MAR p. 2047, Eff. 9/23/11; AMD, 2018 MAR p. 321, Eff. 4/10/18; TRANS, from ARM 37.107.115, 2021 MAR p. 765, Eff. 7/2/21; AMD, 2021 MAR p. 1971, Eff. 1/1/22.