

342.15 ADULT-USE CANNABIS BUSINESS; CRIMINAL HISTORY CHECK AND DISQUALIFICATIONS.

Subdivision 1. **Criminal history check.** (a) Upon request by the office, every license applicant or, in the case of a business entity, every cooperative member or director, manager, and general partner of the business entity, for a cannabis business license, or in the case of a business entity, every cooperative member or director, manager, and general partner of the business entity, and prospective cannabis worker must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees to the office. Upon receipt of this information, the office must submit the completed criminal history records check consent form, full set of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau must conduct a Minnesota criminal history records check of the license applicant or prospective cannabis worker. The bureau may exchange a license applicant's or prospective cannabis worker's fingerprints with the Federal Bureau of Investigation to obtain the license applicant's or prospective cannabis worker's national criminal history record information. The bureau must return the results of the Minnesota and federal criminal history records checks to the office to determine if the license applicant or prospective cannabis worker is disqualified under rules adopted pursuant to this section.

(b) The office may, by rule, establish exceptions to the requirement under paragraph (a) for members of a cooperative who hold less than a five percent ownership interest in the cooperative.

Subd. 2. **Criminal offenses; disqualifications.** The office may by rule determine whether any felony convictions shall disqualify a person from holding or receiving a cannabis business license issued under this chapter or working for a cannabis business, and the length of any such disqualification. In adopting rules pursuant to this subdivision, the office shall not disqualify a person for a violation of section 152.025.

Subd. 3. **Risk of harm; set aside.** The office may set aside a disqualification under subdivision 2 if the office finds that the person has submitted sufficient information to demonstrate that the person does not pose a risk of harm to any person served by the applicant, license holder, or other entities as provided in this chapter.

Subd. 4. **Exception.** The background check requirements and disqualifications under this section do not apply to an applicant for a hemp business license or to hemp workers.

History: 2023 c 63 art 1 s 15