



# FACT SHEET

## How to Renew a Provisional Cannabis Cultivation License or Transition From a Provisional License to an Annual License

California Assembly Bill 97, signed into law on July 1, 2019, removed the requirement that cannabis licensees at some point had to have held a temporary cannabis license to be eligible to apply for a provisional license. The bill also extended our authority to issue provisional licenses until January 1, 2022, and it gave us the ability to renew provisional licenses, provided the licensees are actively and diligently pursuing annual cannabis cultivation license requirements.

### **General Information**

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- To transition from a provisional license to an annual license, or to renew a provisional license, a licensee will need to submit a Notice of Provisional License Transition or Renewal (Notice) and all applicable documentation to the California Department of Food and Agriculture (CDFA). This Notice will be available online as of late December 2019 at [calcannabis.cdfa.ca.gov](http://calcannabis.cdfa.ca.gov).
- While a provisional license is in effect (not expired), it may be transitioned to an annual license once the licensee satisfies all the regulatory requirements for an annual license and submits the Notice.
- If there have been changes to the business or owner information for the license, including, but not limited to, an updated surety bond, change of financial-interest holders, or change of ownership, these changes need to be made through the administrative amendment process, as required in Title 3 of the California Code of Regulations, section 8204.
- Licensees are required to pay the annual license fee prior to the renewal of a provisional license or renewal of an annual license. The fee may not be paid more than 60 days prior to a license's expiration, and it must be paid before the license's expiration date.

### **Transitioning From a Provisional License to an Annual License**

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Once the Notice and all applicable documentation have been submitted, CDFA staff will determine whether the licensee has met the requirements for transitioning to an annual license.

A license's expiration date will not change if it is transitioned to an annual license; the annual license will expire on the same date the original (provisional) license was set to expire, so it must be renewed to maintain licensure.

A license-fee invoice will be sent to the licensee when the license is within 60 days of expiring—and it must be paid prior to renewal of the license.

To transition to an annual license, provisional licensees must meet all regulatory requirements in Title 3 of the California Code of Regulations, sections 8102, 8105, and 8106, including, but not limited to:

- Obtaining a Lake or Streambed Alteration (LSA) Agreement—or written verification from the California Department of Fish and Wildlife that an LSA Agreement is not needed.
- Enrolling in the State Water Resources Control Board's Cannabis Cultivation General Order. (Please note that licensees enrolled in the North Coast or Central Valley Regional Orders must transition to coverage under the Cannabis General Order.)
- Providing evidence of California Environmental Quality Act (CEQA) compliance that meets the requirements of Title 3 of the California Code of Regulations, section 8102(r).

## **Renewing a Provisional License**

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Once the Notice has been submitted, CDFA staff will determine whether the licensee has met the requirements for renewing the provisional license. And once approved for renewal by CDFA, the license fee must be paid within 60 days of the license's expiration.

To renew a provisional license, licensees are required to:

- Meet all regulatory requirements in Title 3 of the California Code of Regulations, sections 8105 and 8106, which are available online at [cdfa.ca.gov/calcannabis/regulations.html](https://cdfa.ca.gov/calcannabis/regulations.html).
- Obtain a final LSA Agreement—or written verification from the California Department of Fish and Wildlife that an LSA Agreement is not needed. If a licensee is in the process of obtaining an LSA Agreement, the licensee must have proof-of-progress toward meeting this requirement.

- Enroll in the State Water Resources Control Board's Cannabis Cultivation General Order. (Please note that licensees enrolled in the North Coast or Central Valley Regional Orders must transition to coverage under the Cannabis General Order.)
- Be in the process of complying with local ordinances and completing requirements for CEQA certification.

*For more information on the state's commercial cannabis licensing process, please visit CDFA's CalCannabis Cultivation Licensing Division website: **CalCannabis.cdfa.ca.gov**. If you have questions, please contact CalCannabis by calling **1-833-CALGROW** (1-833-225-4769) or sending an email to **CalCannabis@cdfa.ca.gov**.*