



Marijuana Testing Laboratory License

Finance Department
P.O. Box 1178 Billings, Montana 59103
406-657-8364
businesslicense@billingsmt.gov

A complete application will include all of the following items, for each owner of a Marijuana Testing Laboratory License. Please use the page at the end to provide clarification or additional explanation to any questions.

- ✓ **Initial application fee of \$350 Checks made payable to City of Billings**
- ✓ **Completed attached application**
- ✓ **Lease agreement for the property location to be used for Marijuana Testing Laboratory**
 - **A signed letter of intent, with contact info for property owner is sufficient**
- ✓ **Zoning Compliance permit through City of Billings-Planning**
- ✓ **Security plan for the proposed license**
- ✓ **Credit Report**
- ✓ **Government Issued ID**
- ✓ **State WIN fingerprint background check**
- ✓ **Copy of State License or, if not yet issued a copy of the submitted applications for the State of Montana License**
- ✓ **Copy of State Workers Permit**

Section I – Business Information

- 1.) Business Legal Name

- 2.) Business Name (DBA)

- 3.) Legal Business Form

- 4.) Physical Business Address

- 5.) Business Mailing Address, if different

- 6.) E-mail Address

- 7.) Business Telephone Number

- 8.) Business Entity Legal Structure (e.g, Partnership, Corp, LLC, Sole Proprietor)

 - a. Please Provide: A certificate of good standing, registration, or incorporation from Secretary of State
- 9.) Hours and Days of Operation

10.) Hours of Operation during which the business entrance may be locked

Section II – Business Location Premises Information

1.) Name of Business Premises Owner

2.) Physical Address of Business Premises Owner

3.) Phone Number of Owner of Premises

4.) E-mail address of building owner

Section III – Applicant Information

1.) Applicant Name

2.) Applicant Aliases

3.) Date of Birth

4.) Place of Birth

5.) Telephone Number(s)

6.) Email Address

7.) Residential Address

a. If applicant has resided in this location for less than 2 years, list most recent previous address

8.) Has the applicant, either as an owner or employee, ever been refused any similar license or permit in the city or elsewhere?

YES _____ NO _____

9.) Has the applicant, either as an owner or employee, ever had any similar license or permit revoked or suspended in the city or elsewhere?

YES _____ NO _____

- 10.) Has the applicant obtained a state endorsement from the Montana Department of Health and Human Services from the State of Montana?
YES _____ NO _____
- 11.) Is the applicant, principals, registered manager and employees all over the age of twenty-one (21)?
YES _____ NO _____
- 12.) Has the applicant, principals, registered manager or employees had a discharged sentence for any felony in the five (5) years immediately preceding the application, or are they currently subject to a deferred judgment or sentence for a felony?
YES _____ NO _____
- 13.) Has the applicant, principals or registered manager held an interest in any liquor license, medical marijuana license or other license issued by any city, county or state that has been revoked, suspended, or fined within the preceding two (2) years?
YES _____ NO _____
- 14.) Has the applicant, principals, registered agent, creditors or employees had their authority, if any, to act as a primary caregiver revoked by the State within the preceding two (2) years?
YES _____ NO _____
- 15.) Is the applicant, principals, or creditors in default on any city, county, state or federal taxes, fees, fines or charges?
YES _____ NO _____
- 16.) Do the applicant, principals, or creditors have any outstanding warrants for their arrest, or have any outstanding liens or judgments payable to the City?
YES _____ NO _____
- 17.) Are the applicant or principals in default on any student loan?
YES _____ NO _____
- 18.) Do the applicant, principals, registered manager and employees all hold valid occupational licenses and registrations required by the Montana Department of Revenue?
YES _____ NO _____
- 19.) Do the applicant or principals have any orders or judgments against them for child support in default or arrears?
YES _____ NO _____
- 20.) Do the applicant, principals, registered manager and employees all hold valid occupational licenses and registrations for marijuana testing laboratory licenses issued by the State of Montana?
YES _____ NO _____
- 21.) Are the applicant or principal's peace officers or prosecuting attorneys?
YES _____ NO _____
- 22.) Are the applicant or principals licensed physicians who recommend medical marijuana?
YES _____ NO _____
- 23.) Does any person who is the controlling beneficial owner of the testing laboratory, or holds a financial interest in a licensed testing laboratory, have a controlling beneficial ownership or a financial interest in any entity involved in the cultivation, manufacture, or sale of marijuana or marijuana products for whom testing services are performed in the State of Montana or any other state?
YES _____ NO _____

24.) Is the applicant aware of the provisions of the ordinance and will comply with them?

YES _____ NO _____

Attach any additional information demonstrating owner, applicant, or employee training, certification, or experience that demonstrates your ability to comply with the requirements of ordinance.

Section IV – Applicant Attestation

The requirements of this Billings Municipal City Code imposed on the applicant shall also apply to the licensee. The requirements of this Billings Municipal City Code imposed on the proposed licensed premises, adjacent grounds or location shall also apply to the licensed premises, adjacent grounds and actual locations, respectively.

The licensee and its principals, registered manager and employees have a continuing duty to ensure that the requirements of this Billings Municipal City Code continue to be met after the license is issued and at all times that the license remains in effect.

A marijuana testing laboratory licensee must take all reasonable measures and precautions to ensure the following:

- (a) that there is sufficient space for placement of equipment and storage of materials for the testing of marijuana and marijuana products;
- (b) that all state laws and regulations are followed;

A marijuana testing laboratory must have current, written standard operating procedures at the licensed premises and available for inspection for the following:

- (a) each category and type of marijuana product that it tests;
- (b) provisions for maintaining a clean and hygienic testing area;
- (c) proper handling and storage of any solvent, gas, or other chemical used in processing or on the licensed premises;
- (d) proper handling of marijuana and marijuana products before, during, and after the testing process; and
- (e) proper disposal of any waste produced during processing.

A marijuana testing laboratory may transport their marijuana and marijuana products to be tested from the originating marijuana businesses to the marijuana testing laboratory without a marijuana transporter license.

A person delivering marijuana or marijuana products to a marijuana testing laboratory must possess a valid marijuana worker permit issued by the state and be a current employee of the marijuana business.

A marijuana testing laboratory licensee must maintain all test results in the seed-to-sale tracking system or in some other manner sufficient for City inspectors to review marijuana testing laboratory results.

A person who obtains a testing laboratory license or is an employee of a licensed testing laboratory is authorized to possess and test marijuana as allowed by State law and Billings Municipal City Code.

If an analysis of raw testing data indicates that licensees are providing test results that vary among testing laboratories by an amount determined by the state laboratory by rule, the City may investigate the inconsistent results and determine within 60 days the steps the testing laboratories must take to ensure that each testing laboratory provides accurate and consistent results.

If the analysis of raw testing data indicates a testing laboratory may be providing inconsistent results, the City may suspend the testing laboratory's license. A suspension must be based on rules adopted by the state laboratory.

The City shall revoke a testing laboratory's license upon a determination that the laboratory is:

- (a) providing test results that are fraudulent or misleading; or
- (b) providing test results without having:
 1. the equipment needed to test marijuana, marijuana concentrates, or marijuana products; or
 2. the equipment required under this Billings Municipal City Code to conduct the tests for which the laboratory is providing results.

I swear or affirm that the information submitted in and with this application is true, complete, correct, and within my personal knowledge. To the extent that any of the information is outside of my personal knowledge, I swear or affirm that I have made a diligent effort to verify the truthfulness and accuracy of the submitted information.

I understand that the following statute applies to this application:

§45-7-203. Unsworn falsification to authorities. (1) A person commits an offense under this section if, with the purpose to mislead a public servant in performing an official function, the person:

- (a) makes any written false statement that the person does not believe to be true;**
- (b) purposely creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements from being misleading;**
- (c) submits or invites reliance on any writing that the person knows to be forged, altered, or otherwise lacking in authenticity; or**
- (d) submits or invites reliance on any sample, specimen, map, boundary mark, or other object that the person knows to be false.**

(2) A person convicted of an offense under this section shall be fined not to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both.

I understand that a false or misleading statement, or omission of necessary information to prevent a statement from being misleading may lead to a denial of the license or to sanctions against an issued license, up to and including revocation of the license.

Signature of Applicant

_____ **Date** _____

Printed Name and Title:

Office Use Only:

Date Rec'd: _____

Form of ID Presented: _____

Name Match (Initial): _____

Tender: Cash _____ Credit _____ Check _____

Use this page to provide any additional information or explanation to answers provided above. Use as many pages as necessary.
