



8/25 Public Meeting - Cannabis Control Commission Public Meeting – Additional Materials

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Badging History_Inability to Implement v9.4.26.pdf

To: Cannabis Control Commission

From: Anthony Ivan Wilson, Commissioner

Date: 9/17/26

Re: Proposal to modify the requirements for Marijuana Establishments agent registration to reduce equity barriers, improve market oversight and increase consumer safety.

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I. The Current Agent Registration System

a. Regulatory Overview

The Commission's regulations create two categories of registered agent: Laboratory Agents, governed by 935 CMR 500.029 (Registration and Conduct of Laboratory Agents), and Marijuana Establishment Agents, governed by 935 CMR 500.030 (Registration of Marijuana Establishment Agents). Further clarified by "Guidance on Agent Registration" issued on July 2021. This proposal modifies only the requirements for Adult Use Marijuana Establishment Agents. Unless otherwise indicated, the terms "agent" and "registration" as used below refer exclusively to Marijuana Establishment Agents and their registrations.

Who must register. The scope of the registration obligation is stated inconsistently in two places, and the two provisions do not align. Section 500.030(1) requires a Marijuana Establishment to apply for registration for "all its employees, Owners, Executives and volunteers" associated with that establishment. That directive contains no limitation tied to job function; read on its own, it reaches bud tenders, clerical staff, janitorial employees, and anyone else on the payroll, including individuals who never handle marijuana. The definition of "Marijuana Establishment Agent" at 935 CMR 500.002 uses the same four categories, but then provides that "[e]mployee includes a consultant or contractor" furnishing on-site services related to an enumerated set of functions: cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana. The definition thus attaches a function-based qualifier to the word "employee" that 500.030(1) does not contain. As will be discussed below, this conflict leaves unresolved whether an establishment's bookkeeper, receptionist, or contracted cleaning crew requires a card.

Eligibility and suitability. An agent must be at least 21 and must be found suitable by the Commission, based on criminal and regulatory history. A conviction for distributing a controlled substance to a minor is automatically disqualifying. An unresolved criminal case for distribution to a minor is presumptively disqualifying, which in practice acts a default bar to registration. The Commission also reviews open matters related to professional licensure. There are additional suitability requirements for individuals that are "Persons with Direct or Indirect Control" of the Marijuana Establishment.

Agents must stay suitable after badging and must report any arrest or summons within ten days, and the case outcome within ten days of disposition.

The employer runs the background check, not the employee. The establishment must pull a CORI report on each applicant within 30 days before registering the individual as an

agent. As of January 2, 2026, a new report is not needed if one was run within the past year for an employee moving between commonly owned licenses.

Number of cards. An agent needs a separate card for every license they work under. Under M.G.L. c. 94G, § 16, as rewritten by Chapter 65 of the Acts of 2026, a licensee may hold up to six marijuana retailer licenses, three marijuana cultivator licenses and three marijuana product manufacturer licenses, plus transporter and delivery licenses and, if it operates a colocated medical business, a parallel set of medical licenses requiring separate registration. An employee whose work touches the operator's cultivation, manufacturing, and retail operations must be registered separately under each license they work under, with each renewal tracked on its own cycle. A compliance officer, an IT administrator, or a transport driver working across the whole enterprise can be carrying badges in the double digits. Multiplied across a workforce, the cost and administrative burden are substantial.

The Commission recognized this burden and amended the rule effective January 2, 2026 to allow a single card covering multiple licenses. However, this change has not yet been implemented due to limited Commission budget, resources, and existing technology constraints. Because implementation has not yet been completed, the Executive Director has instructed licensees to continue to use the existing badging system and paying the existing per-badge fees in MassCIP. The multiple-card burden therefore remains in place while the Commission continues its implementation process.

Fees. The application fee for an Agent Registration Card is a nonrefundable \$115, and the renewal fee is likewise \$115. The application fee is paid by the Marijuana Establishment for each agent card described above. In addition, persons required to submit fingerprints pay a separate fee set by the Secretary of Administration and Finance; the Commission may pay that fee on an applicant's behalf, or reimburse all or part of it, on the rounds of financial hardship.

Term and renewal. A card is valid for one year from the date of issue and may be renewed every three years, on a determination that the applicant remains suitable for registration. 935 CMR 500.030(5).

Ongoing obligations. An agent must always carry the Registration Card associated with the appropriate establishment while in possession of marijuana or marijuana products, including at all times while at the establishment or while transporting. 935 CMR 500.030(7).

The establishment must notify the Commission within five business days of any change to previously submitted information or upon discovering that a card has been lost or stolen, 935 CMR 500.030(6), and within one business day after an agent ceases to be associated

with the establishment, at which point the registration is immediately void, 935 CMR 500.030(4); see also 935 CMR 500.033.

Commission authority. The Commission may deny a card on the grounds enumerated in 935 CMR 500.031 and revoke a card on the grounds enumerated in 935 CMR 500.032, including catch-all discretionary grounds in each section relating to the applicant's suitability. Registrants must always remain suitable and must notify the Commission within ten days of any arrest or summons, and within ten days of disposition, for an offense that would trigger a presumptive negative determination or mandatory disqualification. 935 CMR 500.802(3).

b. Statutory Overview

Three provisions of M.G.L. c. 94G, § 4(a½) address employees of marijuana establishments:

Clause (iii) requires the Commission to adopt "qualifications for licensure and minimum standards for employment that are directly and demonstrably related to the operation of a marijuana establishment and similar to qualifications for licensure and employment standards in connection with alcoholic beverages as regulated under chapter 138."

Clause (ix) requires regulations governing "the information to be furnished by a licensee relating to the licensee's employees."

Clause (xiv) requires "any necessary registration requirements for employees working at the marijuana establishment."

These provisions authorize a registration system and direct the Commission to adopt one to the extent necessary. They do not specify its terms. The statute does not require issuance of a physical card, does not establish a term of validity or a renewal interval, does not set a fee, and does not require that registration attach to each individual license rather than to the employing business. Each of those features originates in 935 CMR 500.030 and 500.005(2).

It should also be noted that in exercising this authority the Commission has departed from the statute in several respects, and in each instance the departure makes registration harder to obtain than the Legislature provided.

Clause (iii) does not leave the Commission free to design employment standards from scratch. It requires standards "directly and demonstrably related to the operation of a

marijuana establishment" and "similar to" the standards governing alcohol establishments under M.G.L. c. 138.

The Alcoholic Beverage Control Commission issues no license or registration to a bartender, a server, or a package store clerk, and runs no state background check on any of them. Scrutiny falls on the licensee and on the manager. The disqualifications in chapter 138 apply at the license level, not to the workforce.

The Commission built something different. Every employee registers, carries a card, and is screened individually by the agency. That is not the chapter 138 model the Legislature pointed to.

The statute protects people applying for a job at a Marijuana Establishment. No prior conviction, and no other criminal case disposition, may affect eligibility for employment. There is one exception, for an offense involving distribution of a controlled substance to a minor, and one carve-out, for independent testing laboratories. A conviction for larceny, assault, or drunk driving disqualifies no one from working at a marijuana establishment. The Legislature said so plainly, and by carving out testing laboratories it showed it had considered where stricter screening belonged.

The Commission's regulation does not carry this over. Section 500.802(1) states that the Commission acted "[i]n accordance with M.G.L. c. 94G, § 4(a1/2)(iii)," then gives a single protection: a conviction solely for a marijuana offense, or a violation of c. 94C, § 34, does not affect eligibility "for employment or licensure."

The gap widens under the suitability tables for Marijuana Establishment Agents. The Commission decided outstanding criminal proceeding for distributing a controlled substance to a minor produces a "Presumptive Negative Suitability Determination" which means the applicant is denied unless the presumption is overcome.

The statute permits rejection for a conviction. A pending charge is neither a conviction nor a case disposition, so the person has no adjudicated record at all, only an accusation.

The same tables treat an "Open Professional or Occupational License Case" the same way. The entry names no profession and requires no connection to cannabis. Read as written, a pending disciplinary complaint against someone's construction supervisor license supports a presumptive denial of a job behind a retail counter. The statute requires standards "directly and demonstrably related to the operation of a marijuana establishment." A dispute in an unrelated trade is not.

II. Who Do the Current Regulations Harm

a. Entry employees and the people trying to hire them

An employer cannot put a new hire to work until the Commission issues that person's card. The employer pays \$115 up front, the fee is nonrefundable, and the registration is void the moment the employee leaves. And the \$115 is charged per license, not per person. A vertically integrated operator holding cultivation, manufacturing, and retail licenses pays \$115 for each license the employee works under, so a single new hire whose duties touch three licenses costs \$345 in registration fees before their first shift. Under the revised § 16, which permits up to six retailer licenses, that exposure can be larger still.

For an industry with high turnover in entry-level positions, that combination is expensive. A retailer that hires a seasonal cashier who lasts six weeks has paid the full registration fee, absorbed the wait, and recovered nothing. If that same worker is hired down the street a month later, the new employer starts over: new application, new fee, new wait.

The cost lands hardest on exactly the jobs the statute was meant to keep open. Chapter 94G protects a job applicant's eligibility notwithstanding a prior conviction, but an employer facing a per-head fee, a processing delay, and the possibility of a suitability review has an obvious incentive to avoid applicants whose files might slow things down. The regulation does not tell anyone to screen out workers with records. It just makes hiring them more expensive and less predictable than hiring someone else.

Delay compounds the problem. An applicant with an unresolved court matter or an open professional licensing complaint faces a presumptive negative determination, which means the answer is no unless the presumption is overcome. Court cases and licensing complaints can take many months. During that period the person cannot work in the industry at all, even though nothing has been decided against them.

b. Social equity licensees

The Commission may waive license application fees for Social Equity Program participants, Economic Empowerment Priority Applicants, and certified minority-, women-, and veteran-owned small businesses. It cannot waive agent registration fees. Section 500.005(2), which sets the \$115 charge, contains no waiver and no reduction for any category of licensee.

The result is that the relief the Commission built for equity operators stops at the door and does not reach the recurring cost of staffing the business. A social equity retailer pays

the same \$115 per employee as a well-capitalized multistate operator, out of far less cash. The multistate operator's exposure is larger in absolute dollars but trivial as a share of revenue, while the single-location operator's exposure is material to whether it can afford to staff up at all.

Turnover makes this worse rather than better. An operator with limited working capital cannot absorb the loss when a trained employee leaves. The employer has paid for the badge, paid for Responsible Vendor Training, and paid for on-the-job training, and when the worker moves on, all of it goes with them. The badge dies. The training does not transfer. The next employer, who may also be a small operator, pays for the same worker again.

c. Volume and administrative burden

The Commission processes approximately 850 agent registration applications each month, and each application takes up to ten minutes to complete. That is about 10,200 applications a year and several hundred hours of preparation time spread across licensees, before counting the Commission's own review, the CORI collection, the renewal tracking, and the correspondence when something is wrong.

None of that work produces information the employer does not already have. The employer knows who it hired. It ran the background check itself, since 935 CMR 500.030(3) puts that obligation on the establishment. The registration process largely re-documents facts already in the licensee's hands, and consumes agency staff time that could be directed at inspections, testing oversight, and diversion enforcement.

d. Uncertainty about who must register

Licensees cannot reliably determine who needs a card. As discussed above, 935 CMR 500.030(1) requires registration for all employees, while the definition of "Marijuana Establishment Agent" in 935 CMR 500.002 attaches a function-based qualifier drawn from cultivation, packaging, testing, dispensing, and similar activities. The two provisions do not line up, and neither the bookkeeper, the receptionist, nor the contracted cleaning crew fits cleanly into either.

A licensee facing that ambiguity has two bad options. Register too few people, and an unbadged worker on the premises is a violation that can support discipline against the individual registration and the license itself. Register too many, and the licensee pays \$115 a head for cards nobody needed, plus renewals.

The rational response is to over-register. That is the more expensive error, and the regulations effectively push licensees toward it. It also means the reported volume of

registrations overstates how many workers the Commission has determined actually need to be screened.

Renewal tracking creates its own exposure. Cards are valid one year and renew on a three-year cycle thereafter. 935 CMR 500.030(5). Staggered across a workforce with ongoing turnover, and multiplied by the number of cards each worker holds, that produces a calendar that has to be actively managed. A missed renewal puts an unbadged worker on the floor, which is a compliance problem rather than a paperwork problem.

III. Improved Marijuana Establishment Agent Registration System

An improved Marijuana Establishment Agent Registration System should rest on a single principle: the Commission should register the people who control a license and should merely be informed about the people who work under one. Four features follow from that principle. Mandatory registration should be limited to persons exercising direct or indirect control, executives, and significant equity holders. For everyone else, notification of the current employee roster should replace individual registration. Event-driven updates should replace the fixed renewal cycle. And a registration database should replace physical cards.

a. Mandatory registration of managers and equity holders

The Commission should limit mandatory registration to persons who exercise direct or indirect control over a license, executives, and holders of a significant equity interest. These individuals occupy positions of authority within the licensed business, and they are the people through whom a license can be misused. A bud tender cannot transfer control of a license, conceal an ownership interest, or direct product off the books. A managing member can.

Registration under this proposal is disclosure, not adjudication. The Commission makes no suitability determination about a registered agent, approves no one, and denies no one. It is informed. What the Commission gains is visibility it does not have today. As discussed in Section 1, the Commission's regulations already impose ownership and control limits and require suitability review of persons exercising control over a license, but the Commission ordinarily encounters those persons only when they appear on an application for licensure. A person who acquires control between filings, or who exercises control without ever appearing on the license, is visible only reactively, and often only after something has gone wrong. A registration requirement keyed to the role rather than to the

filing produces a standing, current record of who controls each license. That record is the object of the exercise, and it is the whole of it.

Chapter 65 of the Acts of 2026 requires the Commission, within twelve months, to conduct a targeted audit of adherence to those ownership and control limits and to report its findings to the Legislature. The Commission is in the process of develop mechanisms to fulfill the statutory mandate. In addition, focusing registration on “Persons Having Direct or Indirect Control” will assist in monitoring ownership and control limits.

The registration fee for these individuals is appropriately borne by the licensee. Controlling persons and significant equity holders are principals of the business, not applicants for a job. A fee assessed on them deters no hiring, because there is no hiring decision to deter. The same fee assessed on an hourly employee operates as a per-head tax on employment, which is the objection developed in Section 2 above.

Turnover in this population is low. Equity holders and executives hold a standing financial stake in the business and are far less mobile than line staff. Registration of controlling persons therefore produces a stable file the Commission can maintain at modest cost, rather than the churn of applications, voided registrations, and re-applications that the current system generates.

These individuals are in most cases already subject to the more demanding suitability standard for licensure at 935 CMR 500.801, which applies to persons having direct or indirect control. Registering them under 935 CMR 500.030 adds visibility, not a new evidentiary burden. They would not be required to go through a new suitability check for registration but the registration would ensure that the Commission has an accurate accounting of these individuals.

b. Notification of Current employee roster

For everyone else, the Commission should replace individual registration with roster notification. A Marijuana Establishment should be required to report to the Commission, in a form and manner the Commission determines, each individual it employs at or on behalf of a licensed establishment, and to update that report when an individual is hired or ceases to be employed. The roster should include each employee’s full name and date of birth, the date of hire and, on separation, the date of separation, the license or licenses under which the individual works, and an attestation by the licensee that the individual is at least 21 years of age, and that the individual has not been convicted of an offense involving the distribution of a controlled substance, including marijuana, to a minor.

Attestation to that single disqualifying offense, and to no other, brings the Commission's regulations into line with the statute. M.G.L. c. 94G, § 4(a½)(iii) protects a job applicant's eligibility notwithstanding a prior conviction, with one exception for distribution of a controlled substance to a minor and one carve-out for independent testing laboratories. The current suitability tables reach considerably further than that, as discussed in Section 1. The roster requirement collects the information the statute makes relevant and stops there. It will also lower the cost of hiring, and so widen the avenue into the legal industry for the workers the Legislature meant to protect.

The roster preserves what badging actually delivers to enforcement. The Commission's operational need is to know, at the time of an inspection or an investigation, who is authorized to be on a licensed premises and who is not. A current, queryable roster answers that question more reliably than a laminated card, because it is maintained continuously and cannot be carried by someone who was terminated last month. It also produces something the present system does not: a single view of a licensee's workforce across all of its licenses.

Michigan takes this approach outright: its statute does not license individual employees, and instead requires the license holder to conduct background checks on prospective employees and to retain the results for the duration of employment, available for regulator inspection.

There should be no fee for a roster submission. The Commission is receiving and recording a record, not adjudicating an application. A fee on notification would reintroduce the per-head cost this proposal is designed to eliminate.

This design also aligns the regulated cannabis industry more closely with the employment standards governing alcoholic beverages. Chapter 138 concentrates scrutiny on the licensee and on the manager of record, who under § 26 must be vested by written delegation with full authority and control over the licensed premises and must be satisfactory to the licensing authorities as to character. Massachusetts does not license bartenders. It licenses the business and vets the person who runs it. Registering controlling persons and executives, and not the workforce, brings the marijuana regime into alignment with the model the Legislature identified.

c. Periodic Updates rather than annual renewal

The current cycle imposes a recurring cost disproportionate to the information it produces. A registration card is valid for one year from the date of issue and may be renewed every three years thereafter on a determination that the applicant remains suitable. Staggered across a workforce with ongoing turnover, and multiplied by the

number of cards each worker holds, that produces a compliance calendar that must be actively managed, and a missed date puts an unbadged worker on the floor. With roughly 21,000 registered agents across the adult- and medical-use sectors, renewal alone is a recurring administrative event of substantial scale for licensees and for the Commission. It generates almost no new information, because the renewal application re-collects identifying data the Commission already holds.

The Commission should replace fixed-interval renewal with event-driven updating. A registration should remain in effect for as long as the registrant continues to appear on a current roster and the registrant and the licensee satisfy their continuing reporting duties, subject at all times to the Commission's authority to suspend or revoke. The trigger for an update should be a change in the underlying facts, not the passage of time.

d. Registration database rather than physical cards

Nothing in M.G.L. c. 94G requires the Commission to issue a physical card. Clause (xiv) of § 4(a½) authorizes any necessary registration requirements for employees working at a marijuana establishment, and clause (ix) requires regulations governing the information a licensee furnishes about its employees. Neither prescribes the form of the credential. The card, its term, and the obligation to carry it originate in 935 CMR 500.030, not in the statute, and the Commission may revisit all three.

The function of a registration credential is verification. A database that returns an authoritative answer on query performs that function better than a printed card. A card can be stale, borrowed, or forged, and it tells an inspector only what was true on the day it was printed. The Commission should therefore maintain a registration and roster database of record. This would require little to no modification in MassCIP, which was the bottleneck to the January 2, 2026 regulatory change. This system is similar to the regulations for Alcohol. Under Section 22 of Chapter 138, a person is limited in the amount of alcohol that they can transport without a license form ABCC. However, there is no requirement for a licensee transporting alcohol to carry a badge or ABCC issued form of identification.

Other jurisdictions have already made this move. Colorado's 2025 marijuana regulation streamlining act replaced the statutory requirement that occupational license holders be issued an identification card with authority for the Marijuana Enforcement Division to adopt rules governing identification card requirements, and expressly authorized digital identification cards; the same act narrowed fingerprint-based criminal history checks to controlling and passive beneficial owners, eliminating them for ordinary employee applicants effective January 5, 2026. Oregon does not mail worker permits at all: the permit issues through the agency's online portal, where the permittee retrieves it and the agency

verifies status. Nevada issues temporary agent cards as portal downloads. In each case the record, not the card, is the credential.

Proposed Regulatory Language

500.030: Registration of Marijuana Establishment Agents

- (1) A Marijuana Establishment shall apply for registration for all its Persons Having Direct or Indirect Control, Controlling Persons and Executives as Marijuana Establishment Agents.
- (2) The registration of a Marijuana Establishment Agent shall include:
 - (a) The full name, date of birth, and address of the individual;
 - (b) All aliases used previously or currently in use by the individual, including maiden name, if any;
 - (c) A copy of the applicant's driver's license, government issued identification card, liquor purchase identification card issued pursuant to M.G.L. c. 138, § 34B, or other verifiable identity document acceptable to the Commission;
 - (d) An attestation that the individual will not engage in the Diversion or Inversion of Marijuana or Marijuana Products;
 - (e) Written acknowledgment by the applicant of any limitations on his or her authorization to cultivate, harvest, prepare, package, possess, transport, and dispense Marijuana in the Commonwealth;
 - (f) Any other information required by the Commission.
- (3) The failure to register an individual as a Marijuana Establishment Agent as required by section 500.030(1) will subject the Marijuana Establishment to fines defined in section 500.360 and Suspension, Revocation and Denial of Renewal Applications as defined in section 500.450.
- (4) A Marijuana Establishment shall notify the Commission no more than thirty days after a Marijuana Establishment Agent ceases to be associated with the establishment.

500.031: Disclosure of Marijuana Establishment Employee Roster

- (1) A Marijuana Establishment shall provide the Commission with a list of all employees. The list shall be provided to the Commission no more than thirty (30) days after an individual joins or leaves employment with a Marijuana Establishment.
- (2) The list shall include the following information for each employee:
 - a. Full name
 - b. date of birth
 - c. an attestation that the employee has not been convicted of an offense involving the distribution of a controlled substance, including marijuana, to a minor.
 - d. A unique employee identification number issued by the Marijuana Establishment
- (3) The failure to provide the information required by section 500.031(1) will subject the Marijuana Establishment to fines defined in section 500.360 and Suspension, Revocation and Denial of Renewal Applications as defined in section 500.450.
- (4) Upon the renewal of its license, the Marijuana Establishment shall certify that the all of its employee have not been convicted of an offense involving the distribution of a controlled substance, including marijuana, to a minor.

Repeal section 500.032: Revocation of a Marijuana Establishment Agent Registration Card.

Repeal section 500.033: Void Registration Cards.

Repeal section 500.802: Suitability Standard for Registration as a Marijuana Establishment Agent.

Memorandum

To: Chair Chris Harding, Commissioner Xiomara DeLobato, Commissioner Anthony Wilson
From: Travis Ahern, Executive Director
Date: September 1, 2026
Subject: Agent Registration (“Badging”) – Inability to Implement Previous Regulatory Changes

History:

During the regulatory round that took up Social Consumption Establishments, the former board sought to amend the agent badging practice due to advocacy from licensees that one employee could have upwards of a dozen badges for one location. This review was expected to be extensive and, at the time, Acting Chair Stebbins suggested a multipronged approach to the revision where the Commission could take action in 2025 to move the policy in the right direction and continue to think through other areas of revision in 2026.

Acting Chair Stebbins' suggestion was to change the immediate requirement of one badge per license to being one badge per business as long as the persons or entities having direct and indirect control were the same. He also supported removing the annual registration requirement for a multiyear approach. Both policies were implemented into the regulations in 2025. The Acting-Chair entertained exploring portability of the license, agent-centric licensing and building out a temporary seasonal agent license. The former board was removed from office under Chapter 65 and therefore the former Acting-Chair could not continue to implement additional amendments sought for 2026. Commission staff began implementing the changes in the regulations pertaining to agent registration and ran into issues not anticipated by the former board. No additional consideration was made subsequent to the Social Consumption regulatory promulgation and therefore the board may wish to revisit this series of agent badging policies.

Summary of the Language Change: 935 CMR 500.30 and 935 CMR 501.30

(8) A Marijuana Establishment Agent may be issued a single Agent Registration card covering all licenses held by the same Persons or Entities Having Direct or Indirect Control.

(9) An Agent working in a CMO may only perform tasks and duties permitted by the license under which they are registered and may only perform both medical- and adult-use tasks and duties if registered under both 935 CMR 500.000 and 501.000: Medical Use of Marijuana.



Implementation Roadblocks:

There are a number of issues/questions regarding the language above:

1. (8) states an agent may be issued a single registration card, but does not say they only need to register once.
 - a. Clarification needed: Does this mean the agent still needs to be registered and pay fees for each license they will be working under?
2. Stated intent was to allow an agent to register once across two (2) or more entities with the same Persons or Entities Having Direct or Indirect Control, if the same set of owners hire different managers for each location (i.e. 3 retail stores).
 - a. Clarification needed: Does this mean that each license has different Persons or Entities. If yes, then except for co-located facilities under the same management this provision might have limited impact and create confusion among licensee's expecting to simplify agent management and reduce costs for registrations.
 - b. Clarification needed: For CMO, which license should the agent be registered under? Given the license cost difference the licensees would opt for the ME licenses and not the Medical. Significant issue with bifurcated Rescheduling process of Medical vs. Adult Use.
 - c. Clarification needed: Can we assume the Licensee would register the Agent for one license, and if so, then how are they to be associated with the other licenses? Is the intent that the registration is done without the additional fees and just the single agent badge?
 1. Technical note: Metrc controls agents to only be able to perform functions appropriate for the type of licensee (i.e. Cultivator, Manufacturer, etc.) which is why the vertically integrated MTC agents historically have three (3) badges per license (cultivation, manufacture, retail) which allows them to perform the function associated with the badge/agent number.
 - d. Clarification needed: If an agent is registered under one license, and that license expires does that mean the agent is expired at all other licenses they are associated with under the single license?
 1. Risk: This scenario creates significant administrative processes for Commission staff to monitor and review all change of ownerships and impact on agent registrations associated with them.
3. (7) A Medical Marijuana Establishment agent shall always carry a Registration Card associated with the appropriate Marijuana Establishment while in possession of Marijuana or Marijuana Products, including at all times while at a Medical Marijuana Establishment or while transporting Marijuana or Marijuana Products.
 - a. Clarification needed: Language may need to be adjusted as there might not be a one-to-one relationship of the badge to the ME

4. There is mixed use of “Agent Registration” and “Agent Card”
 - a. Clarification suggested: Planning ahead for potential digital badging, for the question of single registration, consider standardizing the use of “Agent Registration” for the act registrations i.e. (5) and reference the card specifically for having in possession i.e. (7)

This list of clarifications may not be entirely comprehensive, but ultimately demonstrates the issues with implementing the previous “stop-gap” or “partial” approach to updating the agent registration process without a holistic regulatory change in the Fall of 2026.

Current Impacts:

Investigations and Licensing teams have both noted that they have received a number of inquiries regarding how to begin utilizing one (1) agent badge in accordance with the current regulations, but quantifying that is difficult because they have not been specifically tracking those inquiries and they tend to come in through various avenues, *e.g.*, general inboxes or individual leads. Additionally, the EC team has received one (1) waiver request following enactment of the current regs and one (1) request on the same topic prior to enactment.

In summary, revising the regulation without incorporating adequate time to implement the regulation has caused confusion for Licensees and Commission staff and has led to inconsistent application. The Investigations team has received inquiries from at least four (4) Licensees and believes that more have reached out to individual leads but have not been specifically tracked. Of note, a licensee has asked about receiving a refund of fees paid to register agents for multiple licenses. The Licensing team has received at least 20 inquiries but similarly believes they have received outreach that has not been tracked. The Enforcement Counsel Team has received one (1) waiver request, post enactment, seeking to utilize a single agent badge across licenses, which was administratively closed as the regulation already permits that action.