

10.80.045 - Procedure for change in or transfer of a controlling interest in a license issued to non-natural persons, and for temporary operation following the death of an individual.

- C. *Procedure.* An application for transfer of a controlling interest in a marijuana establishment license issued to a partnership, a limited liability company, or a corporation, must be filed in writing on a form the municipal clerk prescribes within 10 days of the effective date of an agreement or contract for such a transfer, in compliance with the application procedure set out in section 10.80.026. The application must name the current holder of the marijuana establishment license and the proposed transferee, including all persons listed in 3 AAC 306.020 if the transferee is a partnership, limited liability company, or a corporation. The application must contain:
1. The same information about each transferee as is required of an applicant for a new license under section 10.80.020, section 10.80.021 except for information regarding the previously approved special land use permit as required by subsection 10.80.021C., and 3 AAC 306.020;
 2. A statement, under oath, executed by the current holder of the marijuana establishment license, listing all debts of the business, all taxes the business owes, current contact information for each creditor, and an affirmation that the current holder of the marijuana establishment license has submitted a copy of the transfer application to all creditors; and
 3. Any other information required by the municipal clerk for the type of marijuana establishment license sought to be transferred.
- D. *Action by the municipal clerk.* When the municipal clerk receives a complete application for transfer of a license to another person, the municipal clerk shall immediately:
1. Reserved.
 2. Reserved.
 3. Send notice of the proposed transfer to the community council in which the licensed premises is located; and
 4. Schedule the application for transfer to be considered by resolution by the assembly as soon as practicable.
- E. *Renewal application may be required.* If a licensed establishment submits an application for transfer after April 30 and before July 1, it must also submit an application for renewal.

([AO No. 2016-16\(S\)](#), § 1, 2-9-16 ; AO No. [2017-71\(S\)](#), § 6, 4-25-17; AO No. [2017-95\(S\)](#), § 3, 5-1-17)

3 AAC 306.045. Application for transfer of a license to another person

- b) An application for transfer of a marijuana establishment license, or of a controlling interest in a marijuana establishment license issued to a partnership, a limited liability company, a corporation, or a local government, must be filed in writing on a form the board prescribes, in compliance with the application procedure set out in 3 AAC 306.025. The application must name the current holder of the marijuana establishment license and the proposed transferee, including all persons listed in 3 AAC 306.020 if the transferee is a partnership, limited liability company, a corporation, or a local government. The application must contain
1. the same information about each transferee as is required of an applicant for a new license under 3 AAC 306.020;
 2. a statement, under oath, executed by the current holder of the marijuana establishment license, listing all debts of the business, all taxes the business owes, current contact information for each creditor, and an affirmation that the current holder of the marijuana establishment license has submitted a copy of the transfer application to all creditors; and
 3. any other information required by the board for the type of marijuana establishment license sought to be transferred.
