

APPLICATIONS NOW OPEN FOR NEBRASKA MEDICAL CANNABIS FACILITIES

The Nebraska Medical Cannabis Commission approved emergency regulations which would enable the Commission to accept applications for medical cannabis facilities. These emergency regulations were approved on June 26, 2025, and will take effect for up to 90 days. The two medical cannabis-related laws that were approved by voters mandated that applications must be accepted no later than July 1, 2025.

LICENSE INFORMATION

The state regulator will be the Nebraska Medical Cannabis Commission. The emergency regulations identify four available facility license types: cultivator, dispensary, product manufacturer, and transporter. No applicant will be allowed to possess more than one type of license authorized by the regulations, so vertical licensing is not permitted. Facility licenses are valid for two years and are non-transferrable and non-relocatable.

RESIDENCY REQUIREMENT

Nebraska's regulations include a residency requirement, outlining that at least 51% of the applicant's ownership must be comprised of Nebraska residents who have established residency for at least four preceding years. Courts have struck down similar residency requirements in other states that have legalized medical and recreational cannabis, declaring them unconstitutional violations of the Dormant Commerce Clause. But absent such a court decision, the Nebraska residency requirement will remain in full force and effect.

APPLICATION INFORMATION

Each facility license application must contain required information, including the following:

1. Name and address of applicant and its officers, directors or managers.
2. Statements that verify the residency requirement and outline that the applicant's structure does not contain any individuals with a disqualifying conviction.
3. A description of the land where a license is desired.

PEOPLE

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4. The name of the owner of the land where the licensed business will be.
5. Certification of approval for the business by (a) the local health department and (b) either the village board, city council or county board. This approval must include a statement that the business meets all local government requirements.
6. Any additional requirements based on the type of license the applicant is applying for.

Armstrong Teasdale's Cannabis Law practice has a long track record of success helping companies apply for cannabis facility licenses in multiple states. We are constantly monitoring developments in Nebraska and other states with regard to issues and opportunities relevant to our clients. Contact your regular AT lawyer or one of the authors to discuss your particular situation.