1. Working group name:

*Cultivation Working Group*

1. Individual sponsor(s):

*John Ritter, Nevada Dispensary Association*

*Amanda Connor – Connor & Connor PLLC*

1. Describe the recommendation:

*The Cultivation Working Group recommends that the security requirements for outdoor cultivation be similar to the current medical marijuana cultivation requirements as there is a need to ensure stringent security over the product.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety, and well-being of Nevada’s communities.*

*Guiding Principle 3 – Ensure that youth are protected from the risks associated with marijuana, including preventing the diversion of marijuana to anyone under the age of 21.*

*Guiding Principle 4 – Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome.*

*Guiding Principle 6 – Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state and federal levels), consumers, and licensees are predictable and understandable.*

1. What provision(s) of Question 2 does this recommendation apply to?

*Question 2 allows outdoor cultivation while the current medical marijuana program does not. Therefore, this recommendation addresses what security should be required for outdoor cultivation.*

1. What issue(s) does the recommendation resolve?

*This recommendation would resolve the concern over outdoor cultivation and the need to have the product adequately monitored and secure.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*There was dissent by Lynn Hettrick and Wes Henderson.*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*This change will require the Department of Tax to adopt regulation regarding the security requirements for an outdoor cultivation facility. The following suggested security requirements should be included to be similar to medical marijuana cultivation with a few additional requirements given that outdoor cultivation will not be in an enclosed locked facility :*

**NAC ~~453A.420~~  Security. ~~(~~**[~~NRS 453A.370~~](http://www.leg.state.nv.us/NRS/NRS-453A.html#NRS453ASec370)**)**To prevent unauthorized access to ~~medical marijuana at a medical~~ an outdoor cultivation marijuana establishment, the ~~medical marijuana~~ establishment must have:

     1.  Security equipment to deter and prevent unauthorized entrance into limited access areas that includes, without limitation:

     (a) Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular or private radio signals, or other mechanical or electronic device with motion detectors covering the entire facility, perimeter and exterior area.;

     (b) Exterior lighting to facilitate surveillance covering the entirety of the establishment, although if there are times during the grow cycle when the lighting would interfere with the flowering cycle then the lighting should cover the perimeter wall, fence and the exterior area around the facility;

     (c) Electronic monitoring, including, without limitation:

          (1) At least one call-up monitor that is 19 inches or more;

          (2) A video printer capable of immediately producing a clear still photo from any video camera image;

          (3) Video cameras with a recording resolution of at least 704 x 480 or the equivalent which provide coverage of the entire facility, perimeter and exterior area around the facility, entrances to and exits from limited access areas and all entrances to and exits from the ~~building~~ establishment and which are capable of identifying any activity occurring in or adjacent to the ~~building~~ establishment;

~~(4) A video camera at each point-of-sale location which allows for the identification of any person who holds a valid registry identification card or his or her designated primary caregiver purchasing medical marijuana;~~

~~(5)~~(4) A video camera ~~in each grow room~~ which is capable of identifying any activity occurring within the grow ~~room~~ areas in low light conditions;

~~(6)~~ (5) A method for storing video recordings from the video cameras for at least 30 calendar days;

~~(7)~~ (6) A failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system; ~~and~~

~~(8)~~ (7) Sufficient battery backup for video cameras and recording equipment to support at least 5 minutes of recording in the event of a power outage; and

     (d) Immediate automatic or electronic notification to alert local law enforcement agencies of an unauthorized breach of security at the ~~medical marijuana~~ establishment in the interior of ~~each building of~~ the ~~medical marijuana~~ establishment.

(e) be located within a 15 minute response time of local law enforcement.

(f) The alarm system and cameras monitored 24 hours a day.

(g) A solid 8-foot wall with razor wire on top as the exterior barrier, and then the 8-foot fence inside that wall, also with razor wire.

     2.  Policies and procedures:

     (a) That restrict access to the areas of the ~~medical marijuana~~ establishment that contain ~~medical~~ marijuana to persons authorized to be in those areas only;

     (b) That provide for the identification of persons authorized to be in the areas of the establishment that contain ~~medical~~ marijuana;

     (c) That prevent loitering;

     (d) For conducting electronic monitoring; and

     (e) For the use of the automatic or electronic notification to alert local law enforcement agencies of an unauthorized breach of security at the ~~medical~~ marijuana establishment.

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*None*