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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 7 – CANNABIS CONTROL COMMISSION RECORDS (CCC)

7.1 Purpose, Authority, Severability, and Destruction

7.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

7.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

7.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

7.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

CCC Cannabis Control Commission Records

CCC1 Applications – Licenses

The Cannabis Control Commission licenses medical marijuana compassion centers, cultivators, cooperative cultivations, hemp growers and handlers, CBD distributors and retailers, and any other relevant cannabis businesses, facilities and persons within the Department's jurisdiction per R.I. Gen. Laws Chapters 21-28.6, 2-26, and any other applicable provisions of the General Laws. The records in this series may include, but are not limited to, original applications for licenses, renewal applications, registry ID card applications and renewals, BCI reports, and licensee reports. They may contain information regarding licensed facility premises, licensee policies and procedures, corporate records, and key personnel experience. Other items that may be found in the files include financial records and correspondence relevant to the application. (R.I. Gen. Laws Chapters 21-28.6 and 2-26)

Retention: Retain ten (10) years from denial, revocation, or surrender, assuming that all records maintained while licenses are active, until revocation or surrender.

Note: Previously DBR8.1 (Applications – Licenses).

CCC2 Applications – Tags and Tag Certificates

The Cannabis Control Commission reviews applications for medical marijuana plant tags for personal grows by patients and caregivers. The records in the series may include, but are not limited to, original applications, renewal applications, BCI reports, information regarding growing location, and correspondence related to the applications.

Retention: Retain ten (10) years from denial, revocation, or surrender, assuming that all records maintained while tags and tag certificates are active, until revocation or surrender.

Note: Previously DBR8.2 (Applications – Tags and Tag Certificates).

CCC3 Inspection Reports

The Cannabis Control Commission inspects facilities and individuals it licenses including, but not limited to, compassion centers, cultivators, cooperative cultivations, hemp growers and handlers, CBD distributors and retailers, and any other relevant cannabis businesses, and tag holders. The program then prepares reports of these inspections. This

series consists of those reports and any associated documentation such as correspondence.

Retention: Retain ten (10) years from denial, revocation, or surrender, assuming that all records maintained while tags and tag certificates are active, until revocation or surrender.

Note: Previously DBR8.3 (Inspection Reports).

CCC4 Complaint Files

The Cannabis Control Commission receives and reviews written complaints from the public and complaints resulting from DBR investigations concerning cannabis licensees and tag holders. The program also investigates complaints of any unlicensed activity. The records in this series consist of these complaints and any associated documentation such as correspondence.

Retention: Permanent.

Note: Previously DBR8.4 (Complaint Files).

CCC5 Hearing Files

The Cannabis Control Commission maintains hearing files related to enforcement proceedings involving any licensees or tag holders within the program. DBR conducts these hearings. The records in this series may include, but are not limited to, complaints, pleadings, prosecutor notes, hearing officer notes, transcripts, copies of orders, correspondence, discovery, investigatory files, and administrative appeals. The files of the hearing officer and administrative prosecutor are maintained separately until a final decision is rendered, after which they can be merged into one file.

Retention: Permanent.

Note: Previously DBR8.5 (Hearing Files).

CCC6 Consent Agreements, Decisions and Orders

The Cannabis Control Commission maintains records of the department's consent agreements, decisions, and orders regarding the cannabis programs. The department has the responsibility of issuing these items. The records in the series consist of all these items.

Retention: Permanent.

Note: Previously DBR8.6 (Consent Agreements, Decisions and Orders).