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STATE OF NEVADA

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NOTICE TO LICENSEES

Notice #2014-39

DATE: May 6, 2014

TO: All Gaming Licensees & Applicants

FROM: Terry Johnson, Esq., Board Member 

SUBJECT: Medical Marijuana Establishments

The Gaming Control Board (Board) has received questions regarding whether a person who has received a gaming approval or has applied for a gaming approval may invest in or otherwise participate in medical marijuana establishments approved under Nevada laws and regulations. While the Nevada Legislature has made certain medical marijuana establishments legal, the Controlled Substances Act (CSA) makes it illegal under federal law to manufacture, distribute, dispense or possess marijuana. See 21 U.S.C. § 801, et seq. The federal government has also reiterated that the illegal distribution, possession, and sale of marijuana are serious crimes that provide a significant source of revenue to criminal enterprises, and that there is an expectation that states with some form of legalized marijuana will have strong regulatory practices that are strictly enforced.

The Board is charged with considering and determining whether certain activities by persons or entities involved in gaming implicate the character or integrity of the licensee or would pose a threat to the effective regulation and control of gaming. Further, the Board must also determine whether any such activity by a gaming licensee or applicant that violates federal law would reflect or tend to reflect discredit upon the State of Nevada or its gaming industry.

Accordingly, unless the federal law is changed, the Board does not believe investment or any other involvement in a medical marijuana facility or establishment by a person who has received a gaming approval or has applied for a gaming approval is consistent with the effective regulation of gaming. Further, the Board believes that any such investment or involvement by gaming licensees or applicants would tend to reflect discredit upon gaming in the State of Nevada.