
Updates to Social Equity Applicant Status Certification

The 2026 legislative session brought several changes to Rhode Island's cannabis licensing process through amendments to the Rhode Island Cannabis Act. The changes were in response to an injunction issued by the Rhode Island Federal District Court stopping the Commission's licensing process, based on a ruling that provisions in the original Cannabis Act—including the definition of Social Equity Applicant as well as the requirement that applicants for licensure be majority owned by Rhode Island residents—unconstitutionally favored residents of Rhode Island compared to residents of other states. The Legislature removed the potentially unconstitutional sections of the Cannabis Act so that the licensing of new Adult Use Cannabis Retailers could proceed as quickly as possible.

This document is to provide an overview of the changes related to the Social Equity program and prepare applicants for the next phase of Social Equity Applicant Status Certification.

Specifically, [H8544](#) took the following three steps that apply directly to all individuals or entities interested in pursuing Social Equity Applicant status and licensure as an Adult Use Cannabis Retailer:

- Rendered the previous Social Equity Applicant Certification and license application round **void**, meaning that all previously certified Social Equity Applicants are required to reapply for certification.
- Removed criteria under which an individual or entity could previously be certified as a Social Equity Applicant while keeping certification criteria related to involvement with the justice system for an offense that was decriminalized under the Rhode Island Cannabis Act.
- Expanded the Social Equity Applicant Status Certification criteria to recognize qualifying cannabis-related offenses from other jurisdictions that are equivalent to offenses decriminalized under the Rhode Island Cannabis Act

What Happens Next?

In addition to changing the certification criteria and voiding the past certification process, the amendments to the Cannabis Act direct the Commission to move expeditiously and begin a new certification process within sixty (60) days of passage, which falls on August 10, 2026.

The Commission will meet this deadline by opening a Social Equity Applicant Status Certification window between August 7th, 2026, and September 11th, 2026, at 5:00 PM EST. Access to the

application will be granted upon the submission of an Interest Form, available [here](#), which will be followed by an invitation to enter the secure certification portal managed by the Commission's selected Social Equity Review Vendor, Creative Services, Inc.

Frequently Asked Questions About Changes to Social Equity Certification

This section will address some common questions regarding the changes to the Social Equity Applicant Certification process. ***This is not a substitute for carefully reviewing the [relevant statutes and regulations](#) governing the program.***

I was certified by the Commission as a social equity applicant. Does my certification from the last round carry over?

No. All parties interested in being certified as a Social Equity Applicant will need to reapply in the new round.

What if I was certified under a criterion that is no longer included in the definition of "Social Equity Applicant?"

The Cannabis Control Commission is only able to certify applicants who demonstrate they meet the definition of "Social Equity Applicant" as defined in RIGL 21-28.11-3(39). As amended by H8544, this means an applicant with at least fifty-one percent (51%) ownership and control by one or more individual(s) who:

- Has been arrested for, convicted of, or adjudicated delinquent for any cannabis offense that has been decriminalized under the Rhode Island Cannabis Act; or
- Has been arrested for, convicted of, or adjudicated delinquent for any cannabis offense from another jurisdiction that occurred prior to May 25, 2022, that is equivalent to an offense that has been decriminalized under the Rhode Island Cannabis Act; or
- Is a member of an impacted family.

"Member of an impacted family" is defined as an individual who has a parent, legal guardian, child, spouse, or dependent who, or was a dependent of an individual who, prior to May 25, 2022, was arrested for, charged with, convicted of, or adjudicated delinquent for any cannabis offense that has been decriminalized under the Rhode Island Cannabis Act or for an offense from another jurisdiction that is equivalent to an offense that has been decriminalized under the Rhode Island Cannabis Act.

No other individuals may be certified as Social Equity Applicants.

Do I have to be a resident of Rhode Island to be eligible for Social Equity Applicant Status Certification?

No. The passage of H8544 removed any residency requirements from eligibility for Social Equity Applicant Status and licensure as an Adult Use Retailer.

Did my eligible criminal offense need to occur in Rhode Island for me to be certified as a Social Equity Applicant?

No. Qualifying offenses may have occurred in any state provided they occurred **before May 25, 2022** and are equivalent to offenses decriminalized under the Rhode Island Cannabis Act. This includes:

- Possession of less than one ounce (1 oz.) – equivalent RI Statute 21-28-4.01(c)(2)(ii);
- Possession of less than ten ounces (10oz.) (exclusive of live plants) within the person's residence – equivalent RI Statute 21-28-4.01(c)(2)(iii);
- Possession of more than one ounce (1oz.) but less than two ounces (2oz.), by a person 21+ years old, as 1st or 2nd offense within 18 months – equivalent RI Statute 21-28-4.01(c)(2)(iv); and
- Possession of two ounces (2 oz.) or less, by a person between seventeen (17) and twenty (20) years old, as 1st or 2nd offense within 18 months – equivalent RI Statute 21-28-4.01(c)(2)(v)

Applicants must provide official documentation from the relevant government agency demonstrating that the submitted offense is equivalent. **This includes describing the quantity of cannabis possessed at the time of arrest.**

Will I have the opportunity to form an entity or add additional interest holders to my business following initial certification?

Much like the first certification round, the Commission intends to open an Interest Holder Change Request window for Certified Social Equity Applicants to either form an entity, if they applied as individuals, or to change their previously listed interest holders, if they applied as an entity. Approval of any Interest Holder Change Request is entirely at the discretion of the Cannabis Control Commission and applicants must ensure that the Certified Social Equity Applicant retains at least fifty-one percent (51%) ownership and control of the entity.

Because approval of an Interest Holder Change Request is not guaranteed, applicants are encouraged to apply for Social Equity Applicant Status Certification with the structure that they intend to use when applying for licensure.