



Can states restrict ownership of licensed businesses to state residents only? The answer to this question would generally be a straightforward no — states cannot attempt to provide undue, preferential treatment to their own citizens over those from other states.

But federal courts have reached different conclusions when it comes to state-legal marijuana operations.

For instance, in the [U.S. Court of Appeals for the First Circuit](#), the appellate panel **[concluded last year](#)** in *Northeast Patients Group v. United Cannabis Patients and Caregivers of Maine* that the U.S. Constitution precluded states from implementing residency requirements for dispensary ownership in Maine.

Click here to read the full story on [Law360](#).

## Authors



### **Andrew J. Kline**

Senior Counsel

[AKline@perkinscoie.com](mailto:AKline@perkinscoie.com) [303.291.2307](tel:303.291.2307)



### **Thomas (Tommy) Tobin**

Counsel

[TTobin@perkinscoie.com](mailto:TTobin@perkinscoie.com) [206.359.3157](tel:206.359.3157)

## Explore more in

[Cannabis Law](#)