OKLAHOMA Medical Marijuana Authority

AFFIDAVIT OF LAWFUL PRESENCE

BY PERSON MAKING APPLICATION FOR A LICENSE OR CREDENTIAL

Website: omma.ok.gov | Contact: omma.ok.gov/contact | (405)522-OMMA

THE PERSON SIGNING THIS FORM MUST READ THESE INSTRUCTIONS CAREFULLY:

1. If the applicant is a citizen of the United States, then check the box to the left of the statement, "The applicant is a citizen of the United States." If the person signing this form is not a citizen of the United States, then the person should check the box to the left of the statement, "The applicant is an approved alien under the Federal Immigration and Nationality Act and is approved to be present in the United States."
2. Write the identification number in the space provided after "Admission/Registration #" and write the name of the authorizing document in the space provided after "Authorizing Document." For example, INS Form 1-551 or INS Form 1-94. See page 2 for valid documentary evidence of lawful presence.
3. The person signing this form should write today's date in the space provided; write the city and state where they are located when they signed this form; sign their name in the space provided for signature; and print their name in the space provided. If applying for a renewal, write the license or credential number in the space provided. Within this form, the term "penalty of perjury" means the willful assertion of the fact of either United States citizenship or lawful presence in the United States as a qualified alien, and made upon one's oath or affirmation and knowing such assertion to be false.
4. Making such a willful assertion on this form knowing it to be false is a crime in Oklahoma and may be punishable by a term of incarceration of not more than five (5) years in prison. Additionally, one who procures another to commit perjury is guilty of the crime of subornation of perjury and may be punished in the same manner, as he would be if personally guilty of the perjury so procured.

APPLICANT INFORMATION – *PLEASE PRINT OR TYPE CLEARLY*

(Choose one) ☐ **NEW APPLICATION** ☐ **RENEWAL APPLICATION**

License or Credential # *(if applying for renewal)*

First Name | Middle Name | Last Name | Suffix | Date of Birth (mm/dd/yy)

Current Physical Street Address | APT# | City | State | Zip

Social Security Number

ATTACH A COPY OF THE FRONT AND BACK OF YOUR AUTHORIZING DOCUMENT IF APPLICABLE.

Admission/Registration# | Name of Authorizing Document Attached

(Choose one) ☐ **THE APPLICANT IS A CITIZEN OF THE UNITED STATES.**

☐ **THE APPLICANT IS AN APPROVED ALIEN UNDER THE FEDERAL IMMIGRATION AND NATIONALITY ACT AND IS APPROVED TO BE PRESENT IN THE UNITED STATES.**

If applicant checked the box indicating "The applicant is an approved alien under the Federal Immigration and Nationality Act and is approved to be present in the United States." then please complete the following field:

Country of Citizenship

The Oklahoma Medical Marijuana Authority reserves the right to use information provided on this form and any other information provided to OMMA to participate in the Systematic Alien Verification for Entitlement program of the U.S. Citizen and Immigration Services to verify the citizenship and immigration information of non-citizen and naturalized or derived U.S. citizen applicants applying for OMMA licensure. U.S. Citizenship and Immigration Services reserves the right to use information provided on this form and information provided as part of the SAVE verification process for any purpose permitted by law, including, but not limited to, the prosecution of violations of federal administrative or criminal law.

Signature:_____ Date:_____

OKLAHOMA Medical Marijuana Authority

VALID DOCUMENTARY EVIDENCE OF LAWFUL PRESENCE

DISPENSARY • GROWER • PROCESSOR • WASTE TRANSPORTER • LABORATORY• CREDENTIAL

Pursuant to 56 Okla. Stat. § 71, The Oklahoma Medical Marijuana Authority (OMMA) participates in the Systemic Alien Verification for Entitlements (SAVE) Program, which is an intergovernmental information-sharing initiative OMMA routinely uses to aid in determining a non-citizen applicant's immigration status (lawful presence), and thereby ensuring only U.S. Citizens and eligible non-citizens receive government benefits, such as licenses and credentials. OMMA may only issue licenses or credentials to Qualified Aliens (non-U.S. citizens) who present valid documentary evidence of one (1) of the below documents. Failure to provide necessary documentation shall result in denial of an application for a license or credential.

Alien Lawfully Admitted for Permanent Residence:

- INS Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
- Unexpired Temporary I-551(Stamp in foreign passport or on INS Form I-94).

Immigrant or Non-Immigrant Visa Status:

- INS Form I-94
- INS Form I-688B

Asylee:

- INS Form I-94 annotated with stamp showing grant of asylum under §208 of the INA;
- INS Form I-688B (Employment Authorization Card) annotated "27a .12 (a) (5)";
- INS Form I-766 (Employment Authorization Document) annotated "AS";
- Grant letter from the Asylum Office of INS; or
- Order of an immigration judge granting asylum.

Refugee:

- INS Form I-94 annotated with stamp showing admission under §207 of the INA;
- INS Form I-688B (Employment Authorization Card) annotated "274 a.12 (a) (3)";
- INS Form I-766 (Employment Authorization Document) annotated "A3"; or
- INS Form I-571 (Refugee Travel Document);
- Alien Who Has Been Battered or Subjected to Extreme Cruelty;
- INS petition and appropriate supporting documentation.

Alien Paroled Into the U.S. for a least One Year:

- INS Form I-94 with stamp showing admission for at least one year under §212 (d) (5) of the INA (applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement).

Alien Whose Deportation or Removal Was Withheld:

- INS Form I-688B (Employment Authorization Card) annotated "274 a.12 (a) (10)";
- INS Form I-766 (Employment Authorization Document) annotated "A10"; or
- Order from an immigration judge showing deportation withheld under §243 (h) of the INA as in effect prior to April 1,1997, or removal withheld under §241 (b) (3) of the INA.

Alien Granted Conditional Entry:

- INS Form I-94 with stamp showing admission under §203 (a) (7) of the INA;
- INS Form I-688B (Employment Authorization Card) annotated "274 a.12 (a) (3)"; or
- INS Form I-766 (Employment Authorization Document) annotated "A3".

Cuban/Haitian Entrant:

- INS Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on INS Form I-94 with the code CU6 or CU7; or
- INS Form I-94 with stamp showing parole as "Cuba/ Haitian Entrant" under §212 (d) (5) of the INA.

QUALIFIED ALIENS

State law requires the Oklahoma Medical Marijuana Authority to verify the immigration status (lawful presence) of all non-U.S. citizens upon initial license/credential and renewal.

QUALIFIED ALIENS MUST ATTACH A COPY (FRONT & BACK) OF THE DOCUMENTS that supports their status as shown above with their Affidavit of Lawful Presence. A license/credential will not be issued until the appropriate documentation is submitted.

Renewal applicants with new immigration documents are required to mail the new immigration documentation listed above to establish eligibility for renewal.