

STATEMENT OF ADOPTION

To: Jim Burack, Director, Marijuana Enforcement Division

From: Michael S. Hartman, Executive Director of the Colorado Department of Revenue, State Licensing Authority

Re: Statement of Adoption

Revised Medical Marijuana Rules, 1 CCR 212-1
Revised Retail Marijuana Rules, 1 CCR 212-2

Pursuant to the Administrative Procedure Act, Title 24, Article 4, of the Colorado Revised Statutes, I, Michael S. Hartman, Executive Director of the Colorado Department of Revenue, State Licensing Authority, promulgate the following rules to become effective on January 1, 2019:

Permanent Rules, Medical Marijuana, 1 CCR 212-1

Secretary of State Filing Tracking Number 2018-00471

M 100 Series – General Applicability

- M 102 (Revised Basis and Purpose) – Severability
- M 103 (New and Revised) – Definitions
- M 104 (Revised Basis and Purpose) – Declaratory Orders Concerning the Medical Code
- M 105 (Revised Basis and Purpose) – Computation of Time
- M 106 (Revised) – Subpoena Fees

M 200 Series – Licensing and Interests

- M 201 (Revised) – Application Process
- M 202.1 (Revised) – Applications, Agreements, Contracts and Certifications Required for Indirect Beneficial Interest Owners: Medical Marijuana Businesses
- M 203 (Revised) – Process for Renewing a License: Medical Marijuana Businesses
- M 204 (Revised) – Ownership Interests of a License: Medical Marijuana Businesses
- M 204.5 (Revised) – Disclosure, Approval and Review of Business Interests
- M 205 (Revised) – Transfer of Ownership and Changes in Business Structure: Medical Marijuana Businesses
- M 207 (Revised) – Schedule of Application Fees: Medical Marijuana Businesses

- M 208 (Revised) – Schedule of Business License and Registration Fees: Medical Marijuana Businesses
- M 209 (Revised) – Schedule of Business License and Registration Renewal Fees: Medical Marijuana Businesses
- M 210 (Revised) – Schedule of Other Application Fees: All Licensees
- M 211 (Revised) – Conversion – Medical Marijuana Business to Retail Marijuana Establishment
- M 231 (Revised) – Qualifications for Licensure and Residency
- M 232 (Revised Basis and Purpose) – Factors Considered When Determining Residency and Citizenship: Individuals
- M 233 (Revised) – Medical Code or Retail Code Occupational Licenses Required
- M 235 (Revised Basis and Purpose) – Schedule of Application and License Fees: Individuals
- M 236 (Revised Basis and Purpose) – Schedule of Renewal Fees: Individuals
- M 250 (Revised) – Licensee Required to Keep Mailing Address Current with the Division: All Licensees
- M 251 (Revised) – Application Denial and Voluntary Withdrawal: All Licensees
- M 252 (Revised) – Length of License: All Licensees Except Medical Marijuana Transports and Occupational Licenses
- M 253 (New) – Temporary Appointee Registrations for Court Appointees

M 300 Series – The Licensed Premises

- M 303 (Revised Basis and Purpose) – Changing, Altering, or Modifying Licensed Premises
- M 304.1 (Revised) – Medical Marijuana Business and Retail Marijuana Establishment – Shared Licensed Premises and Operational Separation
- M 305 (Revised) – Security Alarm Systems and Lock Standards
- M 307 (Revised) – Waste Disposal
- M 307.5 (New) – Transfers of Fibrous Waste
- M 308 (Revised Basis and Purpose) – Selling and Serving Medical Marijuana and Medical Marijuana-Infused Product: Hours of Operation
- M 309 (Revised) – Medical Marijuana Business: Inventory Tracking System

M 400 Series – Medical Marijuana Centers

- M 401 (Revised) – Medical Marijuana Center: License Privileges
- M 402 (Revised) – Registration of a Primary Medical Marijuana Center
- M 403 (Revised) – Medical Marijuana Sales: General Limitations or Prohibited Acts
- M 404 (Revised Basis and Purpose) – Point of Sale: Restricted Access Area
- M 405 (Revised) – Acceptable Forms of Identification for Medical Marijuana Sales
- M 407 (Revised) – Health and Safety Regulations: Medical Marijuana Center
- M 408 (Revised) – Medical Marijuana Center: Responsible Vendor Program

M 500 Series – Optional Premises Cultivation Operation: License Privileges

- M 501 (Revised) – Optional Premises Cultivation Operation: License Privileges
- M 502 (Revised) – Optional Premises Cultivation Operation: General Limitations or Prohibited Acts
- M 503 (Revised) – Optional Premises Cultivation Operation: Inventory Tracking System
- M 504 (Revised) – Optional Premises Cultivation Operation: Health and Safety Regulations
- M 506 (Revised) – Optional Premises Cultivation Operation: Medical Marijuana Concentrate Production
- M 507 (New) – Optional Premises Cultivation Operation: Production Management
- M 508 (New) – Sampling Unit Protocols

M 600 Series – Medical Marijuana-Infused Products Manufacturers

- M 601 (Revised) – Medical Marijuana-Infused Products Manufacturer: License Privileges
- M 602 (Revised) – Medical Marijuana-Infused Products Manufacturer: General Limitations or Prohibited Acts
- M 603 (Revised) – Medical Marijuana-Infused Products Manufacturer: Inventory Tracking System
- M 605 (Revised) – Medical Marijuana-Infused Products Manufacturer: Medical Marijuana Concentrate Production
- M 606 (New) – Sampling Unit Protocols
- M 607 (New) – Medical Marijuana-Infused Products Manufacturer: Audited Product and Alternative Use Product

M 700 Series – Medical Marijuana Testing Facilities

M 701 (Repealed Basis and Purpose)

M 703 (Revised) – Medical Marijuana Testing Facilities: Certification Requirements

M 705 (Revised Basis and Purpose) – Medical Marijuana Testing Facilities: Standard Operating Procedure Manual

M 706 (Revised Basis and Purpose) – Medical Marijuana Testing Facilities: Analytical Processes

M 707 (Revised Basis and Purpose) – Medical Marijuana Testing Facilities: Proficiency Testing

M 708 (Revised Basis and Purpose) – Medical Marijuana Testing Facilities: Quality Assurance and Quality Control

M 709 (Revised) – Medical Marijuana Testing Facilities: Chain of Custody

M 712 (Revised) – Medical Marijuana Testing Facilities: Sampling and Testing Program

M 800 Series – Transport and Storage

M 801 (Revised) – Transport: All Medical Marijuana Businesses

M 802 (Revised) – Off-Premises Storage of Medical Marijuana, Medical Marijuana Concentrate, and Medical Marijuana-Infused Product: All Medical Marijuana Businesses

M 900 Series – Business Records

M 901 (Revised) – Business Records Required

M 902 (Revised Basis and Purpose) – Reporting and Transmittal of Taxes

M 903 (Revised Basis and Purpose) – Independent Audit May be Required

M 904 (Revised) – Medical Marijuana Business Reporting Requirements

M 905 (Revised Basis and Purpose) – Department Information Access

M 1000 Series – Labeling, Packaging, and Product Safety

M 1001.5 (Repealed) – Labeling and Packaging Requirements: General Applicability

M 1002.5 (Repealed) – Packaging and Labeling of Medical Marijuana by an Optional Premises Cultivation Operation or a Medical Marijuana-Infused Products Manufacturer

M 1003.5 (Repealed) – Packaging and Labeling of Medical Marijuana Concentrate by an Optional Premises Cultivation Operation or Medical Marijuana-Infused Products Manufacturer

M 1004.5 (Repealed) – Packaging and Labeling Requirements of Medical Marijuana-Infused Products Manufacturer

M 1005 (Repealed) – Packaging and Labeling of Medical Marijuana by a Medical Marijuana Center

M 1006 (Repealed) – Packaging and Labeling of Medical Marijuana-Infused Product by a Medical Marijuana Center

M 1007 (Repealed) – Packaging and Labeling of Medical Marijuana Concentrate by a Medical Marijuana Center

M 1000-1 Series – Labeling, Packaging, and Product Safety

M 1000-1 Series (Revised) – Effective and Compliance Dates

M 1001-1 (Revised) – Packaging and Labeling: Minimum Requirements Prior to Transfer to a Medical Marijuana Business

M 1002-1 (Revised) – Packaging and Labeling: General Requirements Prior to Transfer to a Patient

M 1003-1 (Revised) – Additional Labeling Requirements Prior to Transfer to a Patient

M 1100 Series – Signage and Advertising

M 1102 (Revised Basis and Purpose) – Advertising General Requirement: No Deceptive, False or Misleading Statements

M 1103 (Revised Basis and Purpose) – The Term “Minor” as Used in the Medical Code and These Rules

M 1104 (Revised Basis and Purpose) – Advertising: Television

M 1105 (Revised Basis and Purpose) – Advertising: Radio

M 1106 (Revised Basis and Purpose) – Advertising: Print Media

M 1107 (Revised Basis and Purpose) – Advertising: Internet

M 1108 (Revised Basis and Purpose) – Advertising: Targeting Out-of-State Persons Prohibited

M 1109 (Revised Basis and Purpose) – Signage and Advertising: No Safety Claims Because Regulated by State Licensing Authority

M 1110 (Revised Basis and Purpose) – Signage and Advertising: No Safety Claims Because Tested by Medical Marijuana Testing Facility

M 1111 (Revised Basis and Purpose) – Signage and Advertising: Outdoor Advertising

M 1112 (Revised Basis and Purpose) – Signage and Advertising: No Content That Targets Minors

M 1113 (Revised Basis and Purpose) – Advertising: Advertising via Marketing Directed Toward Location-Based Devices

M 1114 (Revised Basis and Purpose) – Pop-Up Advertising

M 1115 (Revised Basis and Purpose) – Advertising: Event Sponsorship

M 1200 Series – Enforcement

M 1201 (Revised) – Duties of Employees of the State Licensing Authority

M 1202 (Revised) – Requirement for Inspections and Investigation, Searches, Administrative Holds, Voluntary Surrenders and Such Additional Activities as May Become Necessary from Time to Time

M 1204 (Revised) – Written Warnings and Assurances of Voluntary Compliance

M 1300 Series – Discipline

M 1301 (Revised Basis and Purpose) – Disciplinary Process: Non-Summary Suspension

M 1302 (Revised) – Summary Suspensions

M 1303 (Revised) – Suspension Process: Regular and Summary Suspensions

M 1304 (Revised Basis and Purpose) – Administrative Hearings

M 1305 (Revised Basis and Purpose) – Administrative Subpoenas

M 1306 (Revised Basis and Purpose) – Administrative Hearing Appeals/Exceptions to Initial Decision

M 1307 (Revised) – Penalties

M 1308 (Revised Basis and Purpose) – Confidential Information and Former State Licensing Authority Employees

M 1309 (Revised Basis and Purpose) – Administrative Warrants

M 1400 Series – Division, Local Licensing Authority, and Law Enforcement Procedures

M 1401 (Revised Basis and Purpose) – Instructions for Local Licensing Authorities and Law Enforcement Officers

M 1500 Series – Medical Marijuana Testing Program

M 1501 (Revised) – Medical Marijuana Testing Program – Contaminant Testing

M 1503 (Revised) – Medical Marijuana Testing Program – Potency Testing

M 1504 (Revised) – Medical Marijuana Testing Program – Sampling Procedures

M 1506 (Revised) – Medical Marijuana Testing Program – Costs

M 1507 (Revised) – Medical Marijuana Testing Program – Contaminated Product and Failed Test Results

M 1600 Series – Medical Marijuana Transporters

M 1601 (Revised Basis and Purpose) – Medical Marijuana Transporter: License Privileges

M 1603 (Revised) – Medical Marijuana Transporter: Inventory Tracking System

M 1604 (Revised Basis and Purpose) – Medical Marijuana Transporter: Health and Safety Regulations

M 1700 Series – Medical Marijuana Business Operators

M 1702 (Revised) – Medical Marijuana Business Operators: General Limitations and Prohibited Acts

M 1704 (Revised Basis and Purpose) – Medical Marijuana Business Operators: Business Records Required

M 1800 Series – Medical Marijuana Transfers to Unlicensed Medical Research Facilities and Pesticide Manufacturers

M 1802 (Revised) – Pesticide Manufacturers

M 1900 Series – Licensed Research Businesses

M 1901 (Revised) – Licensed Research Businesses: License Privileges

M 1902 (Revised) – Licensed Research Businesses: General Limitations or Prohibited Acts

M 1903 (Revised) – Licensed Research Businesses: Inventory Tracking

M 1904 (Revised) – Licensed Research Businesses: Project Approval

M 1905 (Revised) – Licensed Research Businesses: Authorized Research Activities

Permanent Rules, Retail Marijuana, 1 CCR 212-2

Secretary of State Filing Tracking Number 2018-00472

R 100 Series – General Applicability

R 102 (Revised Basis and Purpose) – Severability

R 103 (New and Revised) – Definitions

R 104 (Revised Basis and Purpose) – Declaratory Orders Concerning the Retail Code

R 105 (Revised Basis and Purpose) – Computation of Time

R 106 (Revised) Subpoena Fees

R 200 Series – Licensing and Interests

R 201 (Revised) – Application Process

R 202.1 (Revised) – Applications, Agreements, Contracts and Certifications Required for Indirect Beneficial Interest Owners: Retail Marijuana Establishments

R 203 (Revised) – Process for Renewing a License: Retail Marijuana Establishments

R 204 (Revised) – Ownership Interests of a License: Retail Marijuana Establishments

R 204.5 (Revised) – Disclosure, Approval and Review of Business Interests

R 205 (Revised Basis and Purpose) – Transfer of Ownership and Changes in Business Structure: Retail Marijuana Establishments

R 208 (Revised) – Schedule of Business License Fees: Retail Marijuana Establishments

R 209 (Revised) – Schedule of Business License Renewal Fees: Retail Marijuana Establishments

R 210 (Revised) – Schedule of Other Application Fees: All Licensees

R 211 (Revised) – Conversion - Medical Marijuana Business to Retail Marijuana Establishment Pursuant to 44-12-104(1)(a)(I), C.R.S.

R 212 (Revised) – New Applicant Retail Marijuana Cultivation Facilities Licensed Pursuant To 44-12-104(1)(b), C.R.S.

R 231 (Revised) – Qualifications for Licensure and Residency

R 232 (Revised Basis and Purpose) – Factors Considered When Determining Residency and Citizenship: Individuals

R 234 (Revised Basis and Purpose) – Schedule of Application and License Fees: Individuals

R 235 (Revised Basis and Purpose) – Schedule of Renewal Fees: Individuals

R 250 (Revised) – Licensee Required to Keep Mailing Address Current with the Division: All Licensees

R 251 (Revised) – Application Denial and Voluntary Withdrawal: All Licensees

R 252 (Revised Basis and Purpose) – License Must be Renewed Each Year: All Licensees Except Retail Marijuana Transporters and Occupational Licenses

R 253 (New) – Temporary Appointee Registrations for Court Appointees

R 300 Series – The Licensed Premises

R 302 (Revised Basis and Purpose) – Possession of Licensed Premises

R 303 (Revised Basis and Purpose) – Changing, Altering, or Modifying Licensed Premises

R 304.1 (Revised) – Medical Marijuana Business and Retail Marijuana Establishment – Shared Licensed Premises and Operational Separation

R 305 (Revised) – Security Alarm Systems and Lock Standards

R 306 (Revised Basis and Purpose) – Video Surveillance

R 307 (Revised) – Waste Disposal

R 307.5 (New) – Transfers of Fibrous Waste

R 308 (Revised Basis and Purpose) – Selling and Serving, Retail Marijuana and Retail Marijuana Product – Hours of Operation

R 309 (Revised) – Retail Marijuana Establishments: Inventory Tracking System

R 400 Series – Retail Marijuana Stores

R 401 (Revised) – Retail Marijuana Store: License Privileges

R 402 (Revised) – Retail Marijuana Sales: General Limitations or Prohibited Acts

R 403 (Revised Basis and Purpose) – Point of Sale: Restricted Access Area

R 404 (Revised) – Acceptable Forms of Identification for Retail Sales

R 406 (Revised) – Retail Marijuana Store: Health and Safety Regulations

R 407 (Revised) – Retail Marijuana Store: Responsible Vendor Program

R 500 Series – Retail Marijuana Cultivation Facilities

R 501 (Revised) – Retail Marijuana Cultivation Facility: License Privileges

R 502 (Revised) – Retail Marijuana Cultivation Facility: General Limitations or Prohibited Acts

R 503 (Revised) – Retail Marijuana Cultivation Facility: Inventory Tracking System

R 504 (Revised) – Retail Marijuana Cultivation Facility: Health and Safety Regulations

R 505 (Revised) – Retail Marijuana Cultivation Facilities: Retail Marijuana Concentrate Production

R 506 (Revised) – Retail Marijuana Cultivation Facility: Production Management

R 507 (New) – Sampling Unit Protocols

R 600 Series – Retail Marijuana Products Manufacturing Facilities

R 601 (Revised) – Retail Marijuana Products Manufacturing Facilities: License Privileges

R 602 (Revised) – Retail Marijuana Products Manufacturing Facility: General Limitations or Prohibited Acts

R 603 (Revised) – Retail Marijuana Products Manufacturing Facility: Inventory Tracking System

R 605 (Revised) – Retail Marijuana Products Manufacturing Facility: Retail Marijuana Concentrate Production

R 606 (New) – Sampling Unit Protocols

R 607 (New) – Retail Marijuana Products Manufacturing Facility: Audited Product and Alternative Use Product

R 700 Series – Retail Marijuana Testing Facilities

R 701 (Revised) – Retail Marijuana Testing Facilities: License Privileges

R 702 (Revised) – Retail Marijuana Testing Facilities: General Limitations or Prohibited Acts

R 703 (Revised) – Retail Marijuana Testing Facilities: Certification Requirements

R 705 (Revised Basis and Purpose) – Retail Marijuana Testing Facilities: Standard Operating Procedure Manual

R 706 (Revised Basis and Purpose) – Retail Marijuana Testing Facilities: Analytical Processes

R 707 (Revised Basis and Purpose) – Retail Marijuana Testing Facilities: Proficiency Testing

R 708 (Revised Basis and Purpose) – Retail Marijuana Testing Facilities: Quality Assurance and Quality Control

R 709 (Revised Basis and Purpose) – Retail Marijuana Testing Facilities: Chain of Custody

R 712 (Revised) – Retail Marijuana Testing Facilities: Sampling and Testing Program

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R 801 (Revised) – Transport: All Retail Marijuana Establishments

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R 901 (Revised) – Business Records Required

R 902 (Revised Basis and Purpose) – Reporting and Transmittal of Taxes

R 903 (Revised Basis and Purpose) – Independent Audit May Be Required

R 904 (Revised) – Retail Marijuana Establishment Reporting Requirements

R 905 (Revised Basis and Purpose) – Department Information Access

R 1000 Series – Labeling, Packaging, and Product Safety

R 1000 Series (Repealed)

R 1001 (Repealed) – Labeling and Packaging Requirements: General Applicability

R 1002.5 (Repealed) – Packaging and Labeling of Retail Marijuana by a Retail Marijuana Cultivation Facility and Retail Marijuana Manufacturing Facility

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R 1004 (Repealed) – Packaging and Labeling Requirements of a Retail Marijuana Product by a Retail Marijuana Products Manufacturing Facility

R 1005.5 (Repealed) – Packaging and Labeling of Retail Marijuana by a Retail Marijuana Store

R 1006 (Repealed) – Packaging and Labeling of Retail Marijuana Product by a Retail Marijuana Store

R 1007.5 (Repealed) – Packaging and Labeling of Retail Marijuana Concentrate by a Retail Marijuana Store

R 1000-1 Series – Labeling, Packaging, and Product Safety

R 1000-1 Series (Revised) – Effective and Compliance Dates

R 1001-1 (Revised) – Packaging and Labeling: Minimum Requirements Prior to Transfer to a Retail Marijuana Establishment

R 1002-1 (Revised) – Packing and Labeling: General Requirements Prior to Transfer to a Consumer

R 1003-1 (Revised) – Additional Labeling Requirements Prior to Transfer to a Consumer

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R 1109 (Revised Basis and Purpose) – Signage and Advertising: No Safety Claims Because Regulated by State Licensing Authority

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R 1308 (Revised Basis and Purpose) – Confidential Information and Former State Licensing Authority Employees

R 1309 (Revised Basis and Purpose) – Administrative Warrants

R 1400 Series – Division, Local Jurisdiction, and Law Enforcement Procedures

R 1401 (Revised Basis and Purpose) – Instructions for Local Jurisdictions and Law Enforcement Officers

R 1500 Series – Retail Marijuana Testing Program

R 1501 (Revised) – Retail Marijuana Testing Program – Contaminant Testing

R 1502 (Revised) – Retail Marijuana Testing Program – Mandatory Testing

R 1503 (Revised) – Retail Marijuana Testing Program – Potency Testing

R 1504 (Revised) – Retail Marijuana Testing Program – Sampling Procedures

R 1506 (Revised Basis and Purpose) – Retail Marijuana Testing Program – Costs

R 1507 (Revised) – Retail Marijuana Testing Program – Contaminated Product and Failed Test Results

R 1600 Series – Retail Marijuana Transporters

R 1601 (Revised) – Retail Marijuana Transporter: License Privileges

R 1602 (Revised) – Retail Marijuana Transporter: General Limitations or Prohibited Acts

R 1604 (Revised Basis and Purpose) – Retail Marijuana Transporter: Health and Safety Regulations

R 1700 Series – Retail Marijuana Establishment Operators

R 1701 (Revised Basis and Purpose) – Retail Marijuana Establishment Operator: License Privileges

R 1702 (Revised) – Retail Marijuana Establishment Operators: General Limitations or Prohibited Acts

**R 1704 (Revised Basis and Purpose) – Retail Marijuana Establishment Operators:
Business Records Required**

Signed this 9th day of November, 2018.



Michael S. Hartman
State Licensing Authority