

## NOTICE OF RULEMAKING HEARING

The State Licensing Authority of the Colorado Department of Revenue, Marijuana Enforcement Division, will consider the promulgation of additions and amendments to its Rules and Regulations as authorized by Article XVIII, Section 16 of the Colorado Constitution, the Retail Code, sections 12-43.4-101 *et. seq.*, C.R.S., and the Medical Code, sections 12-43.3-101 *et. seq.*, C.R.S. For specific information and language concerning the proposed changes and new rules, please refer to the draft regulations which are set forth in their entirety following this notice and are also at the Colorado Department of Revenue's website at: <http://www.colorado.gov/cs/Satellite/Rev-MMJ/CBON/1251592984795>.

## STATUTORY AUTHORITY FOR RULEMAKING

The State Licensing Authority promulgates these regulations pursuant to the authority granted in the Retail Code, the Medical Code, Article XVIII, Section 16 of the Colorado Constitution, and section 24-4-103, C.R.S., of the Administrative Procedure Act.

## SUBJECT OF RULEMAKING

The proposed rules are posted on the Colorado Department of Revenue's website at <http://www.colorado.gov/cs/Satellite/Rev-MMJ/CBON/1251592984795>. Other relevant information regarding this rulemaking also will be posted on the Department's website. In addition, the proposed rules are attached to this Notice and fully incorporated herein.

The State Licensing Authority will consider the promulgation of the following list of new rules and existing rules with changes proposed. This list is not exhaustive. For specific information and language concerning the proposed changes, please refer to the draft regulations which are set forth in their entirety with this notice, at the Colorado Department of Revenue's website, and on the Colorado Secretary of State website. **Please take note that in addition to the subject matters addressed in the current draft proposed regulations, the State Licensing Authority may consider additional regulations consistent with any subject matter needed to implement and interpret the Retail Code, the Medical Code, and Article XVIII, Section 16 of the Colorado Constitution.**

The State Licensing Authority will conduct meetings of representative groups of participants with an interest in the subject of the rule-making ("stakeholder meetings") beginning the week of August 11, 2014. More information related to these meetings can be found at: <http://www.colorado.gov/cs/Satellite/Rev-MMJ/CBON/1251592984795>. Each stakeholder meeting will be noticed on the Department's website at least 24 hours in advance, and the minutes and audio recordings of each stakeholder meeting will be posted after each meeting occurs. The written and recorded materials from the stakeholder meetings will be included in the rulemaking record.

The State Licensing Authority expects the draft rules will be amended during the stakeholder meeting process and that new rules may be drafted. The attached draft rules are only intended to provide interested persons with the initial drafts of the permanent rules.

## **RULES TO BE AMENDED OR ADOPTED PURSUANT TO THE RETAIL CODE**

### **R 100 Series – General Applicability**

R 103 – Definitions

Other general rules may be adopted or amended.

### **R 200 Series – Licensing**

R 231 – Qualifications for Licensure: Individuals

Other rules governing licensing may be adopted or amended.

### **R 300 Series – The Licensed Premises**

Rules governing the Licensed Premises may be adopted or amended.

### **R 400 Series – Retail Marijuana Stores**

R 407 – Retail Marijuana Store: Responsible Vendor Program

Other rules governing Retail Marijuana Stores may be adopted or amended

### **R 500 Series – Retail Marijuana Cultivation Facilities**

Rules governing Retail Marijuana Cultivation Facilities may be adopted or amended.

### **R 600 Series – Retail Marijuana Products Manufacturing Facilities**

R 604 –Retail Marijuana Products Manufacturing Facility: Health and Safety Regulations

Other rules governing Retail Marijuana Products Manufacturing Facilities may be adopted or amended.

### **R 700 Series – Retail Marijuana Testing Facilities**

R 712 – Retail Marijuana Testing Facility: Mandatory Sampling and Testing Program

Other rules governing Retail Marijuana Testing Facilities may be adopted or amended.

### **R 800 Series – Transportation and Storage**

Rules governing the transportation and storage of Retail Marijuana may be adopted or amended.

### **R 900 Series – Business Records and Reporting**

Rules governing business records and reporting may be adopted or amended.

### **R 1000 Series – Labeling, Packaging, and Products Safety**

R 1004 - Packaging and Labeling Requirements of a Retail Marijuana Product by a Retail Marijuana Products Manufacturing Facility

R 1004.5 – Packaging and Labeling Requirements of a Retail Marijuana Product by a Retail Marijuana Products Manufacturing Facility

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

R 1006.5 – Packaging and Labeling of Retail Marijuana Product by a Retail Marijuana Store

Other rules governing labeling, packaging, and products safety may be adopted or amended.

**R 1100 Series – Signage, Marketing, and Advertising**

Rules governing signage, marketing, and advertising may be adopted or amended.

**R 1200 Series – Enforcement**

R 1204 – Assurance of Voluntary compliance

Other rules governing enforcement may be adopted or amended.

**R 1300 Series – Discipline**

Rules governing discipline may be adopted or amended.

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

Rules governing Division, local jurisdiction, and law enforcement procedures may be adopted or amended.

**R 1500 Series – Retail Marijuana Testing Program**

R 1501 – Retail Marijuana Testing Program – Contaminant Testing

R 1502 – Retail Marijuana Testing Program – Mandatory Testing

R 1503 – Retail Marijuana Testing Program – Potency Testing

Other rules governing the retail marijuana testing program may be adopted or amended.

**Any other rules necessary to implement the Retail Code.**

**RULES TO BE AMENDED OR ADOPTED PURSUANT TO THE MEDICAL CODE**

**M 100 Series – General Applicability**

M 103 – Definitions

Other general rules may be adopted or amended.

**M 200 Series – Licensing**

Rules related to licensing may be adopted or amended.

**M 300 Series – The Licensed Premises**

Rules governing the Licensed Premises may be adopted or amended.

**M 400 Series – Medical Marijuana Center**

M 402 – Registration of a Primary Medical Marijuana Center

M 403 – Medical Marijuana Sales: General Limitations or Prohibited Acts

M 408 – Medical Marijuana Center: Responsible Vendor Program

Other rules governing Medical Marijuana Centers may be adopted or amended.

**M 500 Series – Optional Premises Cultivation Operation Facilities**

Rules governing Optional Premises Cultivation Operation Facilities may be adopted or amended.

**M 600 Series – Medical Marijuana-Infused Products Manufacturers**

Rules governing Medical Marijuana-Infused Products Manufacturers may be adopted or amended.

**M 700 Series – Independent Medical Marijuana Laboratories**

Rules governing Medical Marijuana Laboratories may be adopted or amended.

**M 800 Series – Transportation and Storage**

Rules governing transportation and storage of Medical Marijuana and Medical Marijuana-Infused Products may be adopted or amended.

**M 900 Series – Business Records and Reporting**

Rules governing business records and reporting may be adopted or amended.

**M 1000 Series – Labeling, Packaging, and Products Safety**

M 1001 – Packaging Requirements: General Requirements

M 1003 – Labeling Requirements: Specific Requirements, Medical Marijuana and Medical Marijuana-Infused Products

Other rules governing labeling, packaging, and products safety may be adopted or amended.

**1100 Series - Signage, Marketing, and Advertising**

Rules governing signage, marketing, and advertising may be adopted or amended.

**M 1200 Series – Enforcement**

Rule M1204 – Assurance of Voluntary Compliance

Other rules governing enforcement may be adopted or amended.

**M 1300 Series – Discipline**

Rules governing discipline may be adopted or amended.

**M 1400 Series – Division, Local Jurisdiction, and Law Enforcement Procedures**

Rules governing Division, local jurisdiction, and law enforcement procedures may be adopted or amended.

**Any other rules necessary to implement the Medical Code.**

**RULEMAKING RECORD AND PUBLIC PARTICIPATION**

1. Official Rulemaking Record. The official record for purposes of the rulemaking hearing on September 2, 2014 will include the written and recorded materials from the stakeholder meetings and any written comments or oral testimony submitted or presented.
2. Written Comments. The State Licensing Authority encourages interested parties to submit written comments on the proposed rules, including alternate proposals, by August 25, 2014, so that the State Licensing Authority can review comments prior to the rulemaking hearing.

Written comments will also be accepted after that date, until the rulemaking record is closed following the hearing.

The State Licensing Authority will accept all written comments but strongly encourages written comments to be submitted on Form DR 2477. A copy of the form is attached to this notice. The form may also be found at <http://www.colorado.gov/cs/Satellite/Rev-MMJ/CBON/1251592984795>.

Please print, complete and save Form DR 2477 as a separate document and then submit the Form via e-mail. Written comments and completed Forms DR 2477 may be emailed to: Corrie.Martinez@state.co.us. In addition, you may submit completed Forms DR 2477 to:

Colorado Department of Revenue  
Marijuana Enforcement Division  
Attn: Corrie Martinez - Rulemaking Public Comments  
455 Sherman Street, Suite 390  
Denver, CO 80203

Written comments will be accepted at the rulemaking hearing.

3. Oral Comments. In its discretion, the State Licensing Authority may also afford interested parties an opportunity to make brief oral presentations at the rulemaking hearing.

**\*The State Licensing Authority strongly encourages written comments \***

If allowed, oral presentations will likely be limited to two minutes or less per person. Individuals will not be allowed to cede their time to another person (for instance, one person speaking on behalf of five people will not be given ten minutes to speak). Organized groups of individuals are urged to identify one spokesperson and to be concise. The State Licensing Authority encourages interested parties to avoid duplicating previously-submitted material and testimony.

## HEARING SCHEDULE

Date: September 2, 2014  
Time: 8:00 a.m. – 5:00 p.m.  
Place: Old Supreme Court Chambers  
State Capitol Building, Room 220  
200 E. Colfax Ave., Denver, CO, 80203

Location of the rulemaking hearing will also be posted on the Department of Revenue's website and the Secretary of State's website.

The hearing may be continued at such place and time as the State Licensing Authority may announce.

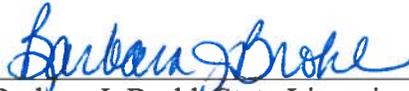
The State Licensing shall deliberate upon the evidence, testimony and written submissions presented at this hearing, as well as any related matters properly submitted before the hearing

record is closed. Pursuant to said hearing, in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the State Licensing Authority will adopt such rules and regulations as in its judgment the record may justify.

If you are an individual with a disability who needs a reasonable accommodation in order to participate in this rulemaking hearing, please contact Corrie Martinez at Corrie.Martinez@state.co.us no later than August 25, 2014 of your request.

Dated this 31<sup>st</sup> day of July, 2014.

THE COLORADO DEPARTMENT OF REVENUE,  
STATE LICENSING AUTHORITY,  
MARIJUANA ENFORCEMENT DIVISION



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Barbara J. Brohl, State Licensing Authority  
Colorado Department of Revenue