

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 partial set of draft regulations that are set forth following this notice and are also at the Colorado Department of Revenue, Marijuana Enforcement Division's website at: <https://www.colorado.gov/pacific/enforcement/2016-med-rulemaking>

STATUTORY AUTHORITY FOR RULEMAKING

The State Licensing Authority promulgates these regulations pursuant to the authority granted in the Medical Code, the Retail 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

A portion of the proposed rules are posted on the Colorado Department of Revenue, Marijuana Enforcement Division's website at: <https://www.colorado.gov/pacific/enforcement/2016-med-rulemaking>. The proposed rules will be posted no later than 5:00 p.m. on Friday, April 8, 2016. Other relevant information regarding this rulemaking also will be posted on the Division's website. In addition, the proposed rules attached to this Notice are 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 may not be exhaustive. For specific information and language concerning the proposed changes, please refer to the draft regulations that are set forth with this notice, at the Colorado Department of Revenue, Marijuana Enforcement Division'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 attached draft rules are only intended to provide interested persons with the initial proposed drafts of some of the permanent rules. The rules may be amended prior to, or after, the rulemaking hearing.

RULES TO BE AMENDED OR ADOPTED PURSUANT TO THE MEDICAL CODE

M 200 Series – (Re-named) Licensing and Interests

- M 207 – Schedule of Application Fees: Medical Marijuana Businesses
- M 208 – Schedule of Business License Fees: Medical Marijuana Businesses
- M 209 – Schedule of Business Renewal License Fees: Medical Marijuana Businesses
- M 210 – Schedule of Licensing Administrative Service Fees: All Licensees

- M 231.5 – Qualifications for Permitted Economic Interests: Individuals
- M 235 – Schedule of License Fees: Individuals
- M 236 – Schedule of Renewal Fees: Individuals

*Other rules related to licensing and interests may be adopted or amended

Any other rules necessary to implement the Medical Code may be amended or adopted.

RULES TO BE AMENDED OR ADOPTED PURSUANT TO THE RETAIL CODE

R 200 Series – (Re-named) Licensing and Interests

- R 207 – Schedule of Application Fees: Retail Marijuana Establishments
- R 208 – Schedule of Business License Fees: Retail Marijuana Establishments
- R 209 – Schedule of Business License Renewal Fees: Retail Marijuana Establishments
- R 210 – Schedule of Licensing Administrative Service Fees: All Licensees
- R 231.5 – Qualifications for Permitted Economic Interests: Individuals
- R 234 – Schedule of License Fees: Individuals
- R 235 – Schedule of Renewal Fees: Individuals

*Other rules governing licensing may be adopted or amended.

Any other rules necessary to implement the Retail Code may be adopted or amended.

RULEMAKING RECORD AND PUBLIC PARTICIPATION

1. Official Rulemaking Record. The official record for purposes of the rulemaking hearing on April 15, 2016 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 March 25 2016, so that the State Licensing Authority can review comments prior to the rulemaking hearing. Written comments will also be accepted after that date. The deadline to submit written comments is 5:00 P.M. on Friday, April 15, 2016.

The State Licensing Authority will accept all written comments but strongly encourages written comments to be submitted on the Marijuana Enforcement Division Suggested Revision to Rules Form (Rule Form). A copy of the form is attached to this notice. The form may also be found at <https://www.colorado.gov/pacific/enforcement/2016-med-rulemaking>.

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

Marijuana Enforcement Division
Re: Rules
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: April 15, 2016
Time: 9:00 a.m. – 10:30 a.m.
Place: Colorado Division of Gaming
17301 W. Colfax Ave., #135
Golden, CO 80401

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 Authority 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 Cindy Perkins at Cindy.Perkins@state.co.us no later than April 1, 2016.

Dated this 11th day of March, 2016.

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



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