



COLORADO
Department of Revenue
Marijuana Enforcement Division

COLORADO DEPARTMENT OF REVENUE
MARIJUANA ENFORCEMENT DIVISION

To: Dominique Mendiola, Senior Director, Marijuana Enforcement Division

From: Mark Ferrandino, Executive Director/CEO of the Colorado Department of Revenue, State Licensing Authority

Re: **Statement of Adoption** – Adopted Rules, 1 CCR 212-3
Amended Rules, 1 CCR 212-3
New Marijuana Rules, 1 CCR 212-3

Pursuant to the Administrative Procedure Act, Title 24, Article 4, of the Colorado Revised Statutes, I, Mark Ferrandino, Executive Director/CEO of the Colorado Department of Revenue, State Licensing Authority, promulgate the following rules to become effective on December 1, 2022.

Amended Rules

Secretary of State Filing Tracking Number: 2022-00525

Part 1 – GENERAL APPLICABILITY

Rule 1-115 – Definitions

Part 2 – APPLICATIONS AND LICENSES

Rule 2-215 – All Applications Requirements

2-220 – Initial Application Requirements for Regulated Marijuana Businesses

2-225 – Renewal Application Requirements for All Licensees

2-235 – Suitability

2-245 – Change of Controlling Beneficial Owner Application or Notification

2-260 – Changing, Altering, or Modifying Licensed Premises

2-265 – Owner and Employee License: License Requirements, Applications, Qualifications, and Privileges

2-270 – Application Denial and Voluntary Withdrawal

Part 3 – REGULATED MARIJUANA BUSINESS OPERATIONS

Rule 3-205 – Limited Access Areas

3-220 – Security Alarm Systems and Lock Standards

3-225 – Video Surveillance

3-230 – Waste Disposal

3-330 – Cultivation of Regulated Marijuana: Specific Health and Safety Requirements

3-335 – Production of Regulated Marijuana Concentrate and Regulated Marijuana Products: Specific Health and Safety Requirements

3-405 – Identification

3-505 – General Standards for a Regulated Marijuana Business Designated A Responsible Vendor

3-610 – Off-Premises Storage of Regulated Marijuana: All Regulated Marijuana Businesses

3-615 – Regulated Marijuana Delivery Permits

3-805 – Regulated Marijuana Businesses: Inventory Tracking System

3-905 – Business Records Required

3-920 – Regulated Marijuana Business Reporting Requirements

3-1005 – Packaging and Labeling: Minimum Requirements Prior to Transfer to a Regulated Marijuana Business, except to a Regulated Marijuana Testing Facility

3-1010 – Packaging and Labeling: General Requirements Prior to Transfer to a Patient or Consumer

3-1015 – Additional Labeling Requirements Prior to Transfer to a Patient or Consumer

Part 4 – REGULATED MARIJUANA TESTING PROGRAM

Rule 4-105 – Regulated Marijuana Testing Program: Mandatory Testing

- 4-110 – Regulated Marijuana Testing Program: Sampling Procedures
- 4-115 – Regulated Marijuana Testing Program: Sampling and Testing Program
- 4-120 – Regulated Marijuana Testing Program: Contaminant Testing
- 4-121 – Regulated Marijuana Testing Program: Wet Whole Plant Contaminant Testing
- 4-125 – Regulated Marijuana Testing Program: Potency Testing
- 4-135 – Regulated Marijuana Testing Program: Contaminated Product and Failed Test Results and Procedures

Part 5 – MEDICAL MARIJUANA BUSINESS LICENSE TYPES

- Rule 5-105 – Medical Marijuana Store: License Privileges
- 5-110 – Registration of a Primary Medical Marijuana Store
- 5-115 – Medical Marijuana Sales: General Limitations or Prohibited Acts
- 5-125 – Patient Sale Requirements
- 5-205 – Medical Marijuana Cultivation Facility: License Privileges
- 5-235 – Medical Marijuana Cultivation Facility: Ability to Change Designation of Regulated Marijuana
- 5-305 – Medical Marijuana Products Manufacturer: License Privileges
- 5-315 – Medical Marijuana Products Manufacturer: Medical Marijuana Concentrate Production
- 5-335 – Medical Marijuana Products Manufacturer: Ability to Change Designation from Retail Marijuana Concentrate to Medical Marijuana Concentrate.
- 5-405 – Medical Marijuana Testing Facilities: License Privileges
- 5-410 – Medical Marijuana Testing Facilities: General Limitations or Prohibited Acts
- 5-420 – Medical Marijuana Testing Facilities: Personnel
- 5-425 – Medical Marijuana Testing Facilities: Standard Operating Procedure Manual

- 5-430 – Medical Marijuana Testing Facilities: Analytical Processes
- 5-435 – Medical Marijuana Testing Facilities: Proficiency Testing
- 5-440 – Medical Marijuana Testing Facilities: Quality Assurance and Quality Control
- 5-445 – Medical Marijuana Testing Facilities: Chain of Custody
- 5-450 – Medical Marijuana Testing Facilities: Records Retention
- 5-505 – Medical Marijuana Transporter: License Privileges
- 5-510 – Medical Marijuana Transporter: General Limitations or Prohibited Acts
- 5-620 – Medical Marijuana Business Operators: Business Records Required
- 5-710 – Marijuana Research and Development Facility: General Limitations or Prohibited Acts

Part 6 – RETAIL MARIJUANA BUSINESS LICENSE TYPES

- Rule 6-110 – Retail Marijuana Sales: General Limitations or Prohibited Acts
- 6-205 – Retail Marijuana Cultivation Facility: License Privileges
- 6-230 – Retail Marijuana Cultivation Facility: Ability to Change Designation of Regulated Marijuana
- 6-305 – Retail Marijuana Products Manufacturer: License Privileges
- 6-315 – Retail Marijuana Products Manufacturer: Retail Marijuana Concentrate Production
- 6-335 – Retail Marijuana Products Manufacturer: Ability to Change Designation from Retail Marijuana Concentrate to Medical Marijuana Concentrate
- 6-405 – Retail Marijuana Testing Facilities: License Privileges
- 6-410 – Retail Marijuana Testing Facilities: General Limitations or Prohibited Acts
- 6-420 – Retail Marijuana Testing Facilities: Personnel
- 6-425 – Retail Marijuana Testing Facilities: Standard Operating Procedure Manual

- 6-430 – Retail Marijuana Testing Facilities: Analytical Processes
- 6-435 – Retail Marijuana Testing Facilities: Proficiency Testing
- 6-440 – Retail Marijuana Testing Facilities: Quality Assurance and Quality Control
- 6-445 – Retail Marijuana Testing Facilities: Chain of Custody
- 6-450 – Retail Marijuana Testing Facilities: Records Retention
- 6-505 – Retail Marijuana Transporter: License Privileges
- 6-510 – Retail Marijuana Transporter: General Limitations or Prohibited Acts
- 6-620 – Retail Marijuana Business Operators: Business Records Required
- 6-705 – Accelerator Cultivator: License Privileges
- 6-730 – Accelerator Cultivator: Ability to Change Designation of Regulated Marijuana Medical Marijuana
- 6-830 – Accelerator Manufacturer: Ability to Change Designation from Retail Marijuana Concentrate to Medical Marijuana Concentrate
- 6-905 – Licensed Hospitality Businesses: General Provisions
- 6-940 – Marijuana Hospitality Business: Requirements for Mobile Premises
- 6-1110 – Accelerator Store: General Limitations or Prohibited Acts

Part 8 – ENFORCEMENT AND DISCIPLINE

- 8-205 – Disciplinary Process: Non-Summary Suspensions
- 8-210 – Summary Suspensions
- 8-215 – Suspension Process: Regular and Summary Suspensions
- 8-220 – Administrative Hearings
- 8-225 – Administrative Subpoenas
- 8-235 – Penalties

STATEMENTS OF BASIS AND PURPOSE – MARIJUANA RULES, 1 CCR 212-3:

For the Marijuana Rules at 1 CCR 212-3, including but not limited to the following:

2-245, 3-215, 3-225, 3-310, 3-505, 3-610, 3-1015, 5-105, 5-205, 5-235, 5-305, 5-335, 5-405 5-460, 5-505, 6-105, 6-205, 6-230, 6-305, 6-335, 6-405, 6-460, 6-505, 6-730, 6-830

New Permanent Rules

Secretary of State Filing Tracking Number 2022-00525

Part 5 – MEDICAL MARIJUANA BUSINESS LICENSE TYPES

5-460- Medical Marijuana Testing Facilities: Certification Suspension, Recertification, and Request for Hearing

Part 6 – RETAIL MARIJUANA BUSINESS LICENSE TYPES

6-460- Retail Marijuana Testing Facilities: Certification Suspension, Recertification, and Request for Hearing

Mark Ferrandino
Executive Director/CEO
Colorado Department of Revenue
STATE LICENSING AUTHORITY

Date