



COLORADO
Department of Revenue
Marijuana Enforcement Division

COLORADO DEPARTMENT OF REVENUE
MARIJUANA ENFORCEMENT DIVISION

To: Dominique Mendiola, Senior Director, Marijuana Enforcement Division

From: Heidi Humphreys, 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, Heidi Humphreys, Executive Director/CEO of the Colorado Department of Revenue, State Licensing Authority, promulgate the following rules to become effective on January 8, 2024.

Amended Rules

Secretary of State Filing Tracking Number: 2023-00602

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

2-275 - Temporary Appointee Registrations for Court Appointees

2-280 - Controlling Beneficial Owners that are Persons Prohibited, Unsuitable, Revoked, or Suspended; At Least One Controlling Beneficial Owner Holding a Valid Owner License Required; and Prohibited Third-Party Acts

Part 3 – REGULATED MARIJUANA BUSINESS OPERATIONS

Rule 3-110 - Regulated Marijuana Businesses: General Restrictions

3-205 – Limited Access Areas

3-215 Regulated Marijuana Businesses: Shared Licensed Premises and Operational Separation

3-225 – Video Surveillance

3-305 - Local Safety Inspections

3-320 - Contaminated Product

3-325 - Prohibited Chemicals

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

3-336 - Recall of Regulated Marijuana

3-605 - Transport and Storage

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

3-810 - Minimum Tracking Requirements

3-825 - Medical Marijuana Testing Facilities and Retail Marijuana Testing Facilities Specific Tracking Requirements

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

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

3-1025 - Packaging and Labeling: Minimum Requirements for Test Batch Transfers to a Regulated Marijuana Testing Facility

3-1105 - Accelerator Program Participation and Privileges

3-1110 - Accelerator Shared Premises

3-1115 - Accelerator Separate Premises

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

5-205 - Medical Marijuana Cultivation Facility: License Privileges

5-215 - Medical Marijuana Cultivation Facility: Testing

5-235 – Medical Marijuana Cultivation Facility: Ability to Change Designation of Regulated Marijuana

- 5-305 – Medical Marijuana Products Manufacturer: License Privileges
- 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
- 5-415 - Medical Marijuana Testing Facilities: Certification Requirements
- 5-420 – Medical Marijuana Testing Facilities: Personnel
- 5-430 – Medical Marijuana Testing Facilities: Analytical Processes
- 5-435 – Medical Marijuana Testing Facilities: Proficiency Testing
- 5-445 – Medical Marijuana Testing Facilities: Chain of Custody
- 5-455 - Notification of Medical Marijuana Business
- 5-510 – Medical Marijuana Transporter: General Limitations or Prohibited Acts
- 5-705 - Marijuana Research and Development Facilities: License Privileges
- 5-725 - Marijuana Research and Development Facility: Testing

Part 6 – RETAIL MARIJUANA BUSINESS LICENSE TYPES

- Rule 6-105 - Retail Marijuana Store: License Privileges
- 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
- 6-405 – Retail Marijuana Testing Facilities: License Privileges
- 6-410 – Retail Marijuana Testing Facilities: General Limitations or Prohibited Acts

- 6-415 - Retail Marijuana Testing Facilities: Certification Requirements
- 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
- 6-455 - Notification of Retail Marijuana Business
- 6-510 - Retail Marijuana Transporter: General Limitations or Prohibited Acts
- 6-705 – Accelerator Cultivator: License Privileges
- 6-730 – Accelerator Cultivator: Ability to Change Designation of Regulated Marijuana Medical Marijuana
- 6-805 - Accelerator Manufacturer: License Privileges
- 6-905 - Licensed Hospitality Businesses: General Provisions
- 6-925 - Retail Marijuana Hospitality and Sales Businesses: Additional License Privileges and Restrictions
- 6-930 - Retail Marijuana Hospitality and Sales Businesses: General Limitations and Prohibited Acts
- 6-940 – Marijuana Hospitality Business: Requirements for Mobile Premises
- 6-1105 - Accelerator Store: License Privileges
- 6-1110 – Accelerator Store: General Limitations or Prohibited Acts

Part 8 – ENFORCEMENT AND DISCIPLINE

- Rule 8-110 - Requirement for Inspections and Investigations, Searches, Administrative Holds, Voluntary Surrenders
- 8-220 – Administrative Hearings

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:

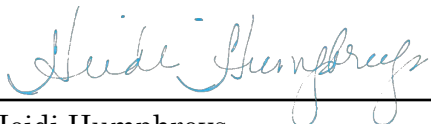
2-225, 3-320, 3-805, 3-900, 3-1015, 5-230, 5-445, 5-460, 6-230, 6-445, 6-925, 6-926, 8-110, 8-220

New Permanent Rules

Secretary of State Filing Tracking Number 2023-00602

Part 6 – RETAIL MARIJUANA BUSINESS LICENSE TYPES

6-926 - Retail Marijuana Hospitality and Sales Businesses: Spa Businesses



Heidi Humphreys
Executive Director/CEO
Colorado Department of Revenue
STATE LICENSING AUTHORITY

November 9, 2023

Date