

Summary of State Marijuana Regulations

Recreational Marijuana

<u>State</u>	California	Oregon	Washington	Colorado	Alaska
Legalization	On-Ballot Proposition 64 – Adult Use of Marijuana Act AUMA (Adults 21 and older)	Measure 91 on November 4, 2014	Initiative 502 in 2012 Recreational Sales began July 8, 2014	Amendment 64 – non- medical November 11, 2012	Measure 2 on November 4, 2014
General Info	Similar to MCRSA - establishes a licensing program for cultivation, manufacturing, testing, retailers, distribution and micro business. (eliminates transporting) Micro-business – small operators can cultivate, distribute, and be a Level 1 manufacturer and retailer.	Regulated by the Oregon Liquor Control Commission Industry Licensing Cannabis Tracking System Marijuana Worker Permits Enforcement of licensed location Must be over 21 to purchase recreational marijuana	Regulated by Washington State Liquor and Cannabis Board Must be 21 to purchase recreational marijuana	Merged Medical and Recreational - first only allowing medical dispensaries to sale recreational Must be 21 to purchase recreational marijuana	Regulated by Alaska's Marijuana Control Board Must be over 21 to purchase recreational marijuana.
Local Control	Yes – Jurisdictions can limit and/or ban commercial aspects of recreational marijuana. However, cannot ban personal cultivation but can regulate indoor and had further restrictions.	Yes, in cities and counties where 55% or more voted against legalization - they can “opt” out. Others less than 55% would have to put the issue on a local ballot. Those cities/counties that have opted out, do not receive a share of the tax revenue generated from marijuana sales.	Can prohibit or designate appropriate zones; however, the State Liquor and Cannabis Board has the final authority to grant or deny a license Local jurisdictions can file objections of a particular location but it's is up to LCB to make decision.	Yes – local governments can restrict or ban the sale of recreational marijuana	Yes; many cities are currently conducting public outreach regarding local regulations.
Tax Rate	\$9.25 for marijuana flowers \$2.75 for marijuana leaves 15% retail excise tax on top of existing CA sales tax. Prop 64 – imposes 15% excise tax on both medical and recreational marijuana	Taxation regulated by Oregon Department of Revenue – Current rate is 25% but will be replaced by rate from 17- 20%. Cities and counties can add up to 3% more	37% current 30% July 2017 25% 2019	2.9% sales tax Local sales tax to 10% retail	\$50 per ounce of marijuana – imposed when marijuana is sold or transferred from marijuana cultivation facility to retail store or marijuana product manufacturing facility.

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Personal Cultivation	6 plants - grown indoors – fully enclosed and secure. Private dwelling or accessory structure on grounds with private residence.	4 plants per household and grown out of public view No registration with Oregon Liquor Control Commission if under 4 plants Must be secured from minors at all times Cannabis odor must be controlled so it is not noticeable in public Cannot sell without license	Illegal – marijuana must be purchased from state licensed retailer	Up to 6 plants per person/no more than 3 flowering No more than 12 total per residence Fully enclosed and locked space – indoors or outdoors Not within 1,000 ft of school No one under 21 should have access to the plants or participate in harvest	Adults over 21 can cultivate up to 6 plants per person with no more than 3 flowering at a time Landlords may restrict if written in the lease Illegal to sale without a license but adults may share up to 1 oz with other adults
Commercial Cultivation	License types are similar to MCRSA. Adds Type 5 licenses for large cultivators of more than 22,000 sf of indoor/outdoor grow areas. The licenses can't be issued until after January 1, 2023.	2- year residency requirement for applicants Must register with the Oregon Liquor Control Commission	Requires state licenses for all sellers, distributors and producers of marijuana. Does not allow a producer or processor to also be a retailer.	Requires state licenses and also must meet local jurisdictions requirements	No groups or collectives are allowed to cultivate large amounts of marijuana
Dispensaries or Retail Stores	Yes, retail stores are included as needing a license – Type 10 (retailer) AUMA adds daycares and youth centers to setback requirements and gives discretion to local authorities to reduce the distance.	Currently, only sold at licensed medical marijuana retail locations. Expect retail licenses for recreational sales by 12/31/16.	Must be 1000 ft. from school, daycare, recreation center, library, public transit center, arcade, Public park No on-site consumption	Must receive a state license. State law limits store hours from 8 – midnight. Local jurisdictions can set restrictions.	No delivery is permitted. Referred to as retail marijuana stores

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State Licensing	<p>Yes, very similar to MCRSA – Licenses for cultivation, manufacturing, testing, dispensing, distribution.</p> <p>Adds microbusiness and large cultivators.</p>	<p>Licensed growers can produce, process and sell their own cannabis at retail locations.</p> <p>Fees are up to \$5,750 depending on the license type.</p> <p>Uses a Cannabis Tracking System - .25 to .45 per tag.</p>	<p>3 Tiers – Marijuana Producer Marijuana Processor Marijuana Retailer</p> <p>Applications fees are \$26 and \$1,062 for renewal for all 3 licenses</p> <p>Not permitted to have all 3 licenses – No vertical integration</p> <p>Caps licensing to 334 recreational stores, distributed according to population</p>	<p>4 types of Retail Marijuana Business Licenses:</p> <ol style="list-style-type: none"> 1. Retail Marijuana Store 2. Retail Marijuana Product Manufacturing 3. Retail Marijuana Cultivation 4. Retail Marijuana Testing Facility. <p>Between \$2,750 to \$14,000 annually with initial deposit of \$5,000.</p> <p>Obtain approval from State first then apply for city/county approval</p>	<p>Must go to State first for licensing before going thru local permitting process.</p> <p>Process includes public noticing, application materials, notification of local governments, and approval from Marijuana Control Board.</p> <p>6 types of marijuana establishment licenses:</p> <ol style="list-style-type: none"> 1. Retail Marijuana Store 2. Standard Cultivation Facility 3. Limited Cultivation Facility 4. Marijuana Product Manufacturing Facility 5. Marijuana Concentrate Manufacturing Facility 6. Testing Facility <p>Application Fees \$1000.00-\$5000 Fingerprinting required. Uses a marijuana inventory tracking system.</p> <p>Operator can have multiple licenses except testing facility – must be independent of all other license types.</p>

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Impacts since Legalization	Not applicable	<p>Increase in drivers under the influence of marijuana</p> <p>Increase in ER visits due to overconsumption</p> <p>Oregon has collected 14.9 million in tax revenue</p>	<p>Increase in the number of drivers testing positive for THC.</p> <p>Decrease in number of low-level marijuana offenses</p> <p>Collected \$83 million in marijuana tax revenues</p>	<p>Since first state to legalize marijuana – brought people to state in search of work in industry which resulted in increase of the homeless population.</p> <p>Increase in drivers under the influence of marijuana</p> <p>Neighboring states have seen increase of marijuana from CO in their states</p>	<p>Alaska is just getting started – first cultivator license was issued in Anchorage in September.</p>
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