

# STATE OF COLORADO

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John W. Hickenlooper  
Governor

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Executive Director

## Colorado Department of Revenue Marijuana Enforcement Division

### Emergency Rules:

#### Revised Rules, Medical Marijuana, 1 CCR 212-1

Rule M 207 – Schedule of Application Fees: Medical Marijuana Businesses

Rule M 208 – Schedule of Business License Fees: Medical Marijuana Businesses

Rule M 209 – Schedule of Business Renewal License Fees: Medical Marijuana Businesses

Rule M 210 – Schedule of Administrative Service Fees: All Licensees

Rule M 235 – Schedule of License Fees: Individuals

Rule M 236 – Schedule of Renewal License Fees: Individuals

### Statement of Emergency Justification and Adoption

Pursuant to sections 24-4-103 and 12-43.3-202, C.R.S., I, Barbara J. Brohl, Executive Director of the Department of Revenue and State Licensing Authority, hereby adopt the aforementioned revised Medical Marijuana Rules, which are attached hereto.

Section 24-4-103(6), C.R.S., authorizes the State Licensing Authority to issue emergency rules if the State Licensing Authority finds that the immediate adoption of the rule is imperatively necessary to comply with a state law or for the preservation of public health, safety, or welfare and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest

I find that the immediate adoption of these revised rules is necessary to comply with the statutory mandates of the Medical Marijuana Code and to properly regulate and control the cultivation, manufacture, distribution, and sale of medical marijuana.

#### Statutory Authority

The statutory authority for these rules is found at subsections 12-43.3-202(1)(b)(I), 12-43.3-202(1)(e), 12-43.3-202(2)(a)(XVI), and 12-43.3-202(2)(a)(XX), C.R.S., and sections 12-43.3-501 and 12-43.3-502, C.R.S.

#### Purpose

The purpose of adopting Rules M 207, M 208, M 209, M 210, M 235, and M 236 on an emergency basis is to update the fee levels in accordance with statutory requirements and the needs of the Marijuana

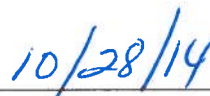
Enforcement Division. Section 12-43.3-501, C.R.S., governs the marijuana cash fund, which includes but is not limited to all funds collected pursuant to both the Medical Code and the Retail Code. The State Licensing Authority is required to adjust such fees to reflect direct and indirect costs of the State Licensing Authority and to avoid exceeding the statutory limit on uncommitted reserves in administrative agency cash funds. The State Licensing Authority must review the fees at least annually.

The State Licensing Authority is adopting these rules on an emergency basis to assure continuity in the regulatory scheme. These rules were adopted as emergency rules on June 30, 2014. The emergency rules expire October 28, 2014. The rules were also adopted as permanent rules on September 30, 2014. The permanent rules, however, will not become effective until October 30, 2014. Accordingly, unless these rules are adopted as emergency rules, there will be a regulatory gap of one day on October 29, 2014.

These emergency rules are effective immediately upon adoption. These emergency rules will remain in effect until replaced by permanent rules on October 30, 2014.



Barbara J. Brohl  
Executive Director  
Colorado Department of Revenue  
State Licensing Authority



Date