

Regulation of the Montana Cannabis Industry



Introduction:

This information & presentation is brought to you by the Cannabis Control Division (CCD) at the Montana Department of Revenue.

Thank you for allowing us the opportunity to present today.

Today's Agenda:

CCD's Mission and Vision	Cannabis Inspection Regions
A Brief History of Cannabis Legalization in Montana	Cannabis Education for All!
Montana's Green & Red Counties	DOR's Legal Department & CCD
Duties of CCD – Licensing of Individuals, Workers, and Businesses	Cannabis Sales and Taxes
Duties of CCD – Administration, Enforcement, and Regulation	CCD – Cannabis Resources
Cannabis Inspections – Types	Questions ?s: CCD Contact Information

CCD - Our Mission & Vision:

Mission -

Our mission is to ensure the health and safety of all Montanans through fair administration, education, and enforcement of the Montana Marijuana Regulation and Taxation Act (MMRT).

Vision -

Develop a good faith partnership between the State of Montana and stakeholders by establishing rules and policies that provide interested consumers with access to a regulated industry while diminishing an unregulated, untested illicit market.

CCD - Our Guidelines:

Montana Code Annotated (MCA), Chapter 16, Title 12:



Dictated by the Montana Legislature

Administrative Rules of Montana (ARM), Rule Chapter 42.39:



*Implemented by CCD, in conjunction with internal
& external stakeholders*

A Brief History of Cannabis in Montana:



...it's never a straight path!

Adult-Use Cannabis Legalization in Montana – Timetable

2004:

Medical cannabis is legalized in Montana.

Under the purview of Montana DPHHS.



NOV 2020:

I-190 or Initiative I-190

57% of Montanans said YES.



Jan. 1st, 2021:

Adults may possess & use up to 1 oz of cannabis.

March 29th, 2021:

MT HB 701 was introduced into the House & signed by Gov. Gianforte on 5/18/21.

Cannabis Legalization in Montana – Adult-Use



January 1, 2022:

Adult-use cannabis sales are permitted in some Montana counties.

Not all Montana dispensaries are permitted to sell adult-use cannabis.

Montana's Green & Red Counties:

Green Counties:

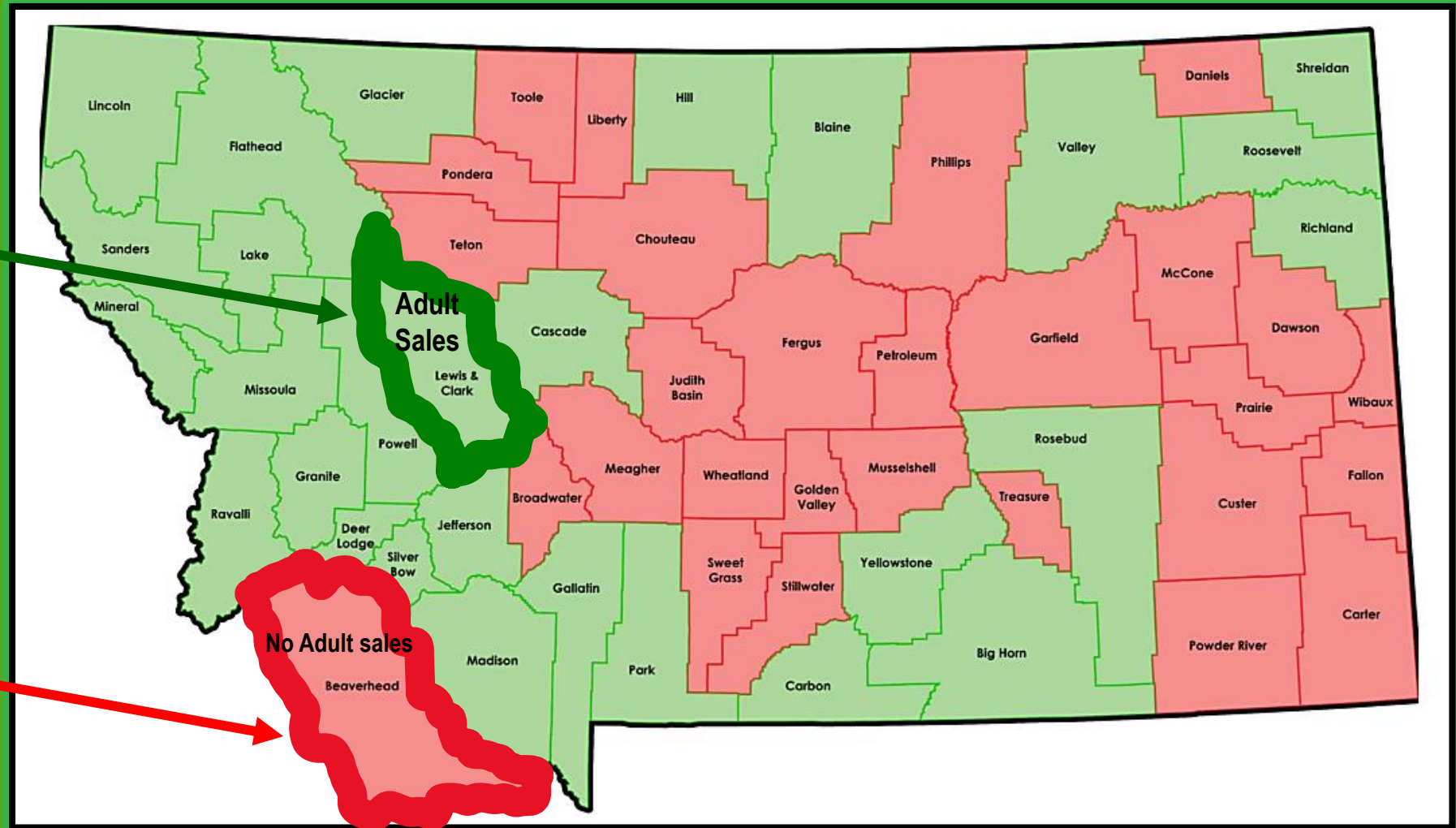
Voted YES to
I-190

Adult cannabis
sales are permitted
within their
jurisdiction.

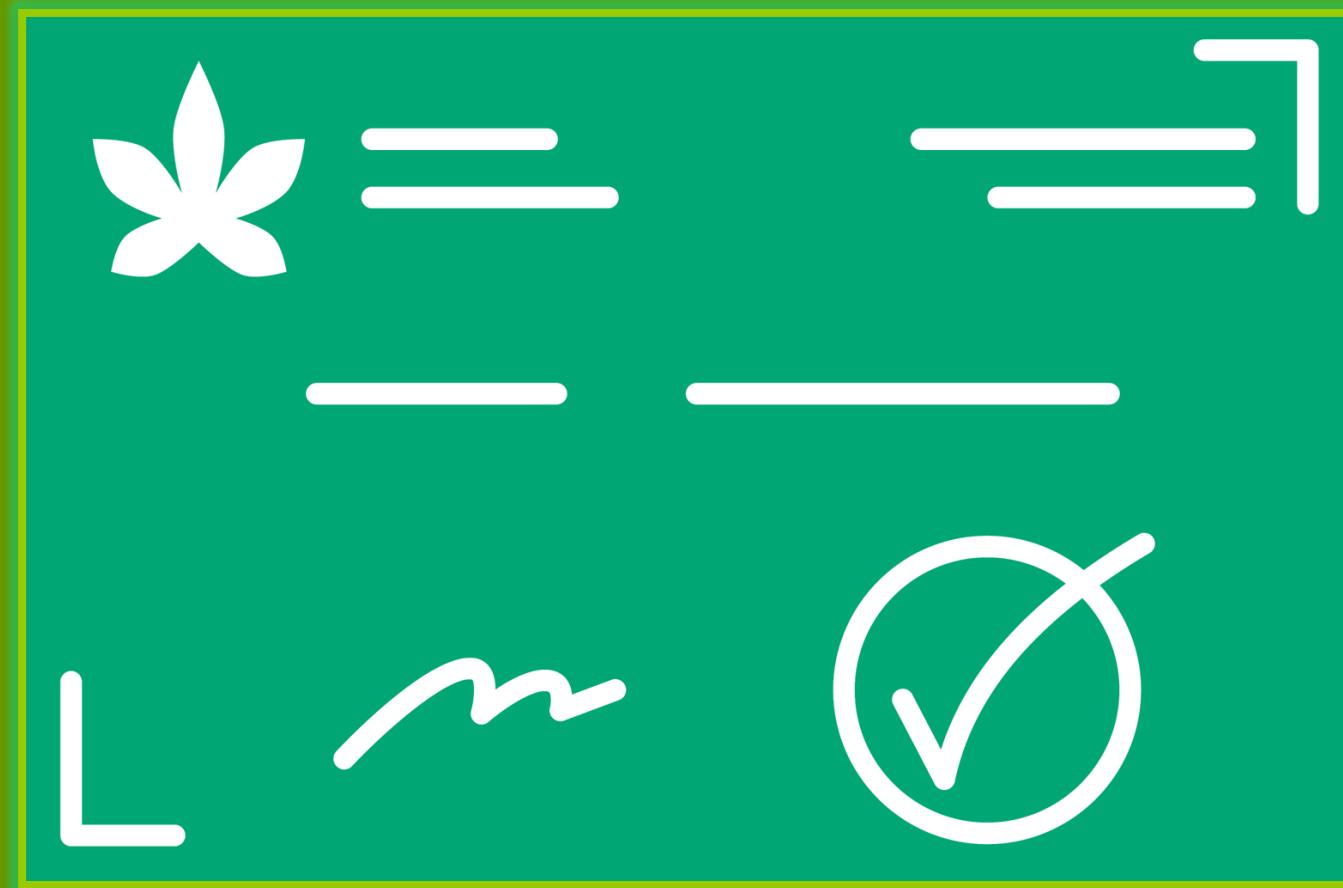
Red Counties:

Voted NO to
I-190

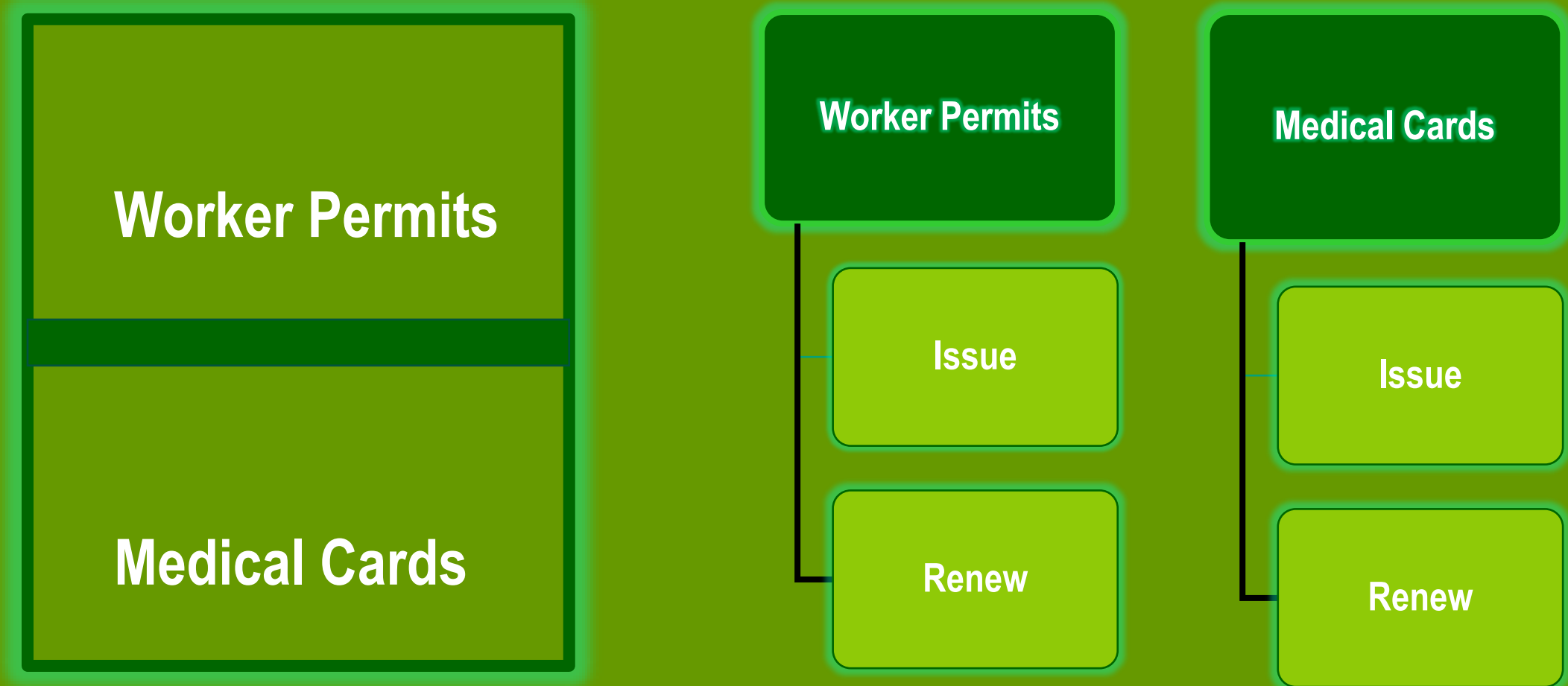
Adult cannabis
sales are
prohibited within
their jurisdiction.



CCD – Cannabis Licensing – Individuals, Workers, and Businesses:



Duties of the Division:



Duties of the Division:

**Self-Cultivation
Approval
(or Caregiver):**



**No sales of
personal
marijuana are
permitted.**



Montana Cannabis Worker Permits – Annual Requirements:

**-18+
-Current
Photo ID**

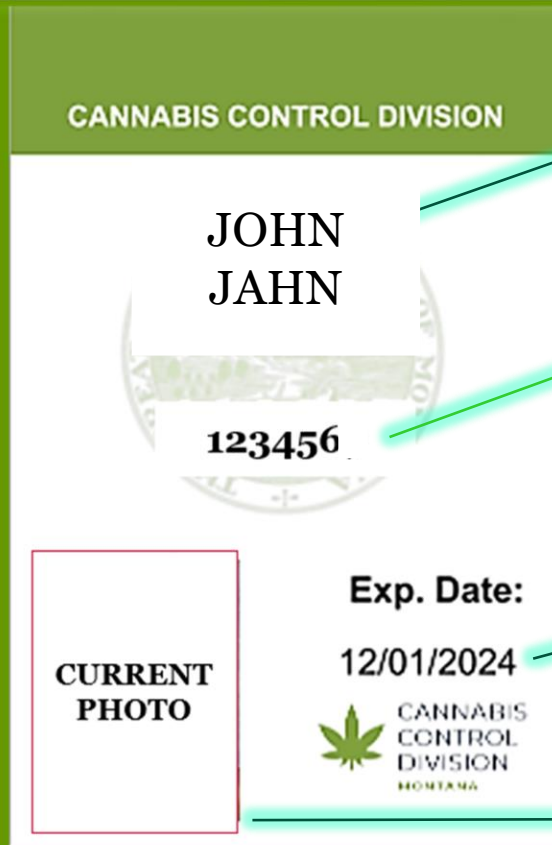


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graph LR; A["-18+  
-Current  
Photo ID"] --> B["-Annual  
training  
required  
per MCA  
16-12-226"]; B --> C["-Online  
application  
with all  
required  
materials;  
fee"]
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**-Annual
training
required
per MCA
16-12-226**

**-Online
application
with all
required
materials;
fee**

Sample – Valid Montana Cannabis Worker Permit:



First Name & Last Name

Worker Permit ID #, issued by CCD

Expiration Date – Valid for 1 year

Current Photo of Worker

Montana Cannabis Worker Permits – By the Numbers:



**Roughly 5,600 active
worker permits.**

**Permits must
be worn/displayed
while working.**

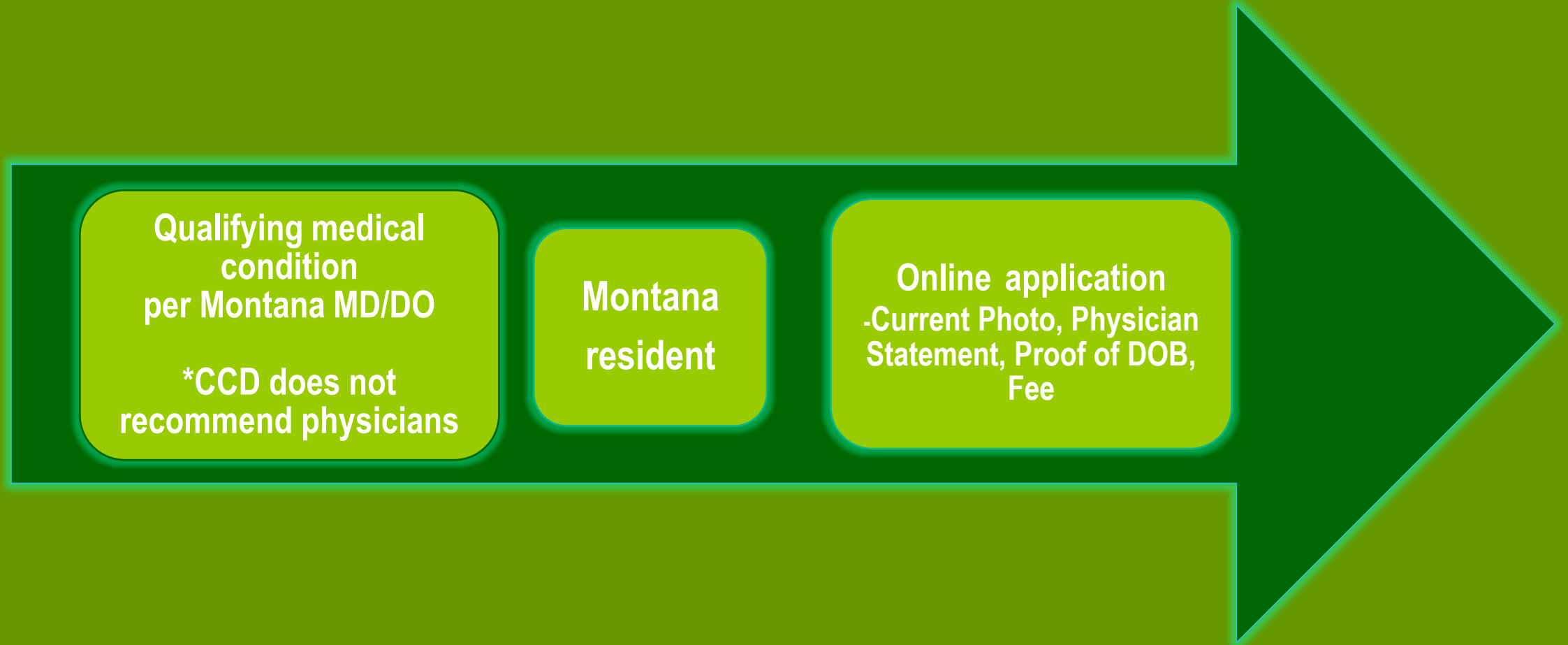
Cannabis Medical Cards – Annual Requirements:

Qualifying medical
condition
per Montana MD/DO

*CCD does not
recommend physicians

Montana
resident

Online application
-Current Photo, Physician
Statement, Proof of DOB,
Fee



Sample – Montana Medical Cannabis Card:

MEDICAL MARIJUANA PROVIDER

Card valid for use at licensed marijuana dispensaries.

Daily Purchase Limit: 1 ounces of flower (or equivalent)
Monthly Purchase Limit: 5 ounces of flower (or equivalent)

***Note:**

**Patients may petition their physician
for up to 8 oz of marijuana in a rolling
30-day period.**

REGISTERED CARDHOLDER

JANE SMITH
100 WEST WAY
HELENA, MT 59602-7471

Card Number: 000000

DOB: 03/01/1981

Issue Date: XX/XX/XXXX

Exp. Date: XX/XX/XXXX

**Photo of
Cardholder**



Montana Medical Cannabis Cards – By the Numbers:



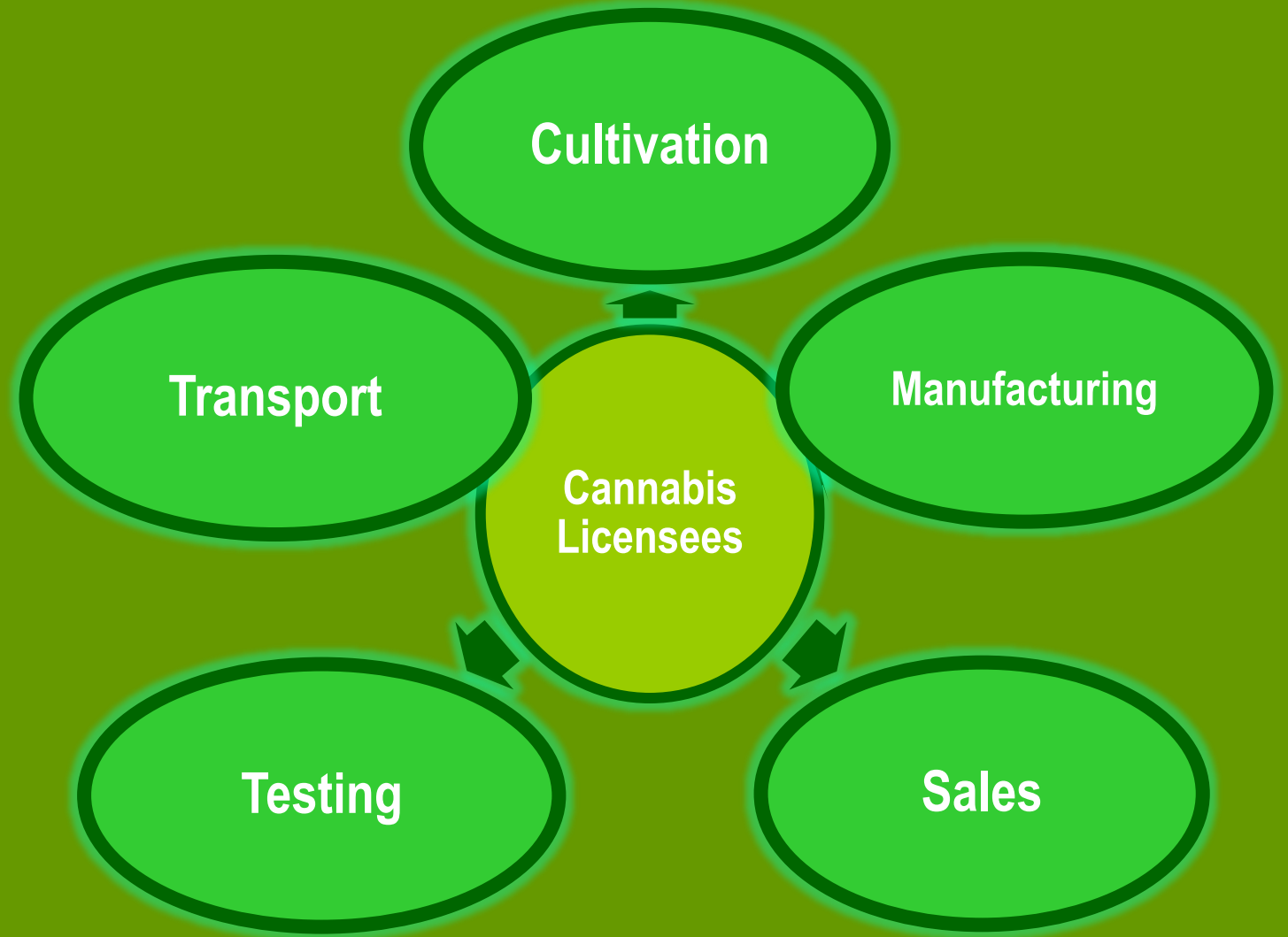
There are approximately 16,000 active medical cards in the state.

Medical cards must be presented when purchasing medical cannabis from a licensed dispensary.

CCD – Administration, Enforcement, and Regulation:



Duties of the Division:



Duties of the Division, Metrc

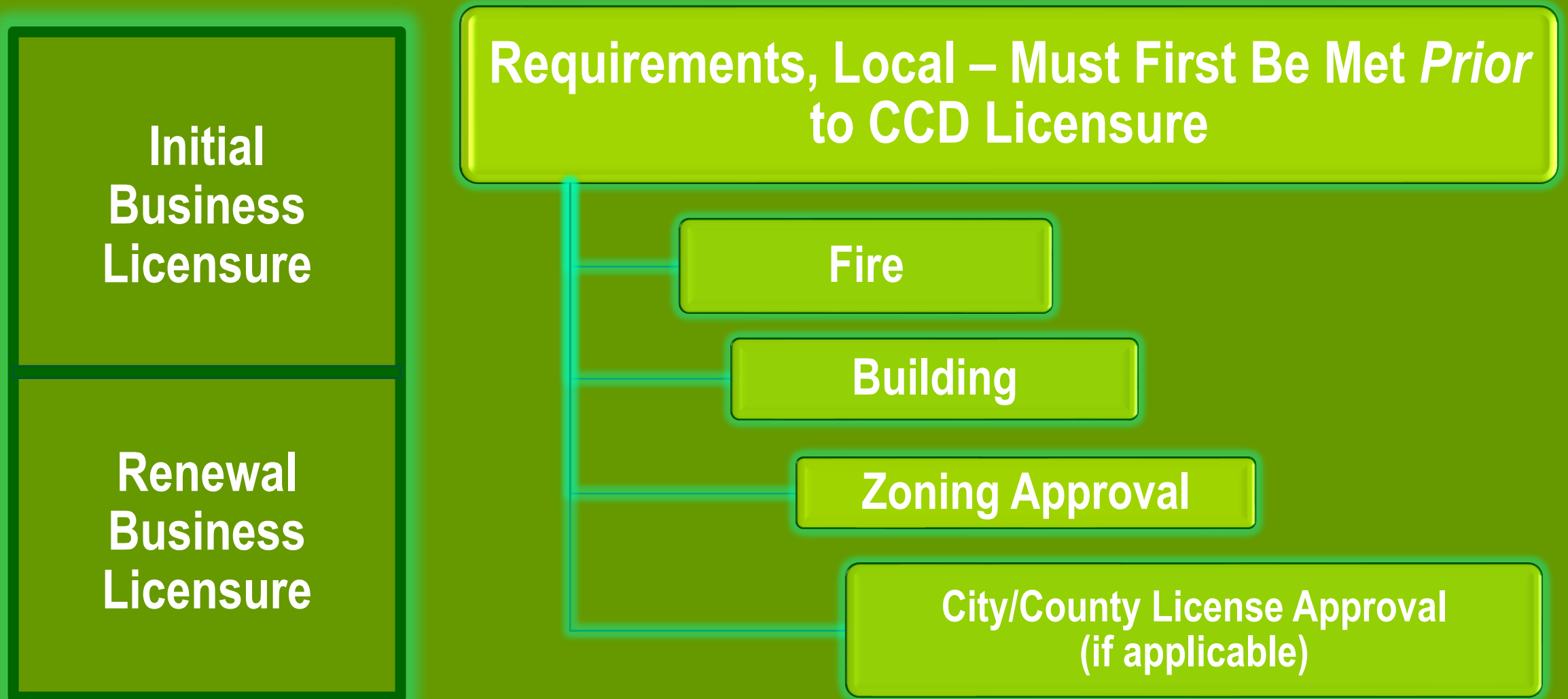
-The Seed-to-Sale Tracking System:

- All Montana licensees are required to use this tracking system. Each marijuana item is assigned a unique identification tag.



- This system tracks from seed to the final stage, when sold at a dispensary.
- Licensees must audit their inventory; enter sales in real-time.

Duties of the Division – Cannabis Business Licensure:



Duties of the Division – Cannabis Business Licensure, Continued:

**Initial
Business
Licensure**

**Renewal
Business
Licensure**

Ownership Verification:

**License
Ownership**

**Property Owner(s)
of Premises**

**Acceptable Funding
Sources**

CCD - Cannabis Inspections



Duties of the Division:

Inspections



Initial
Licensure

Renewal
Licensure

Announced
Inspections

Unannounced
Inspections

Complaint
Driven

Compliance
Verification

Internal
Training

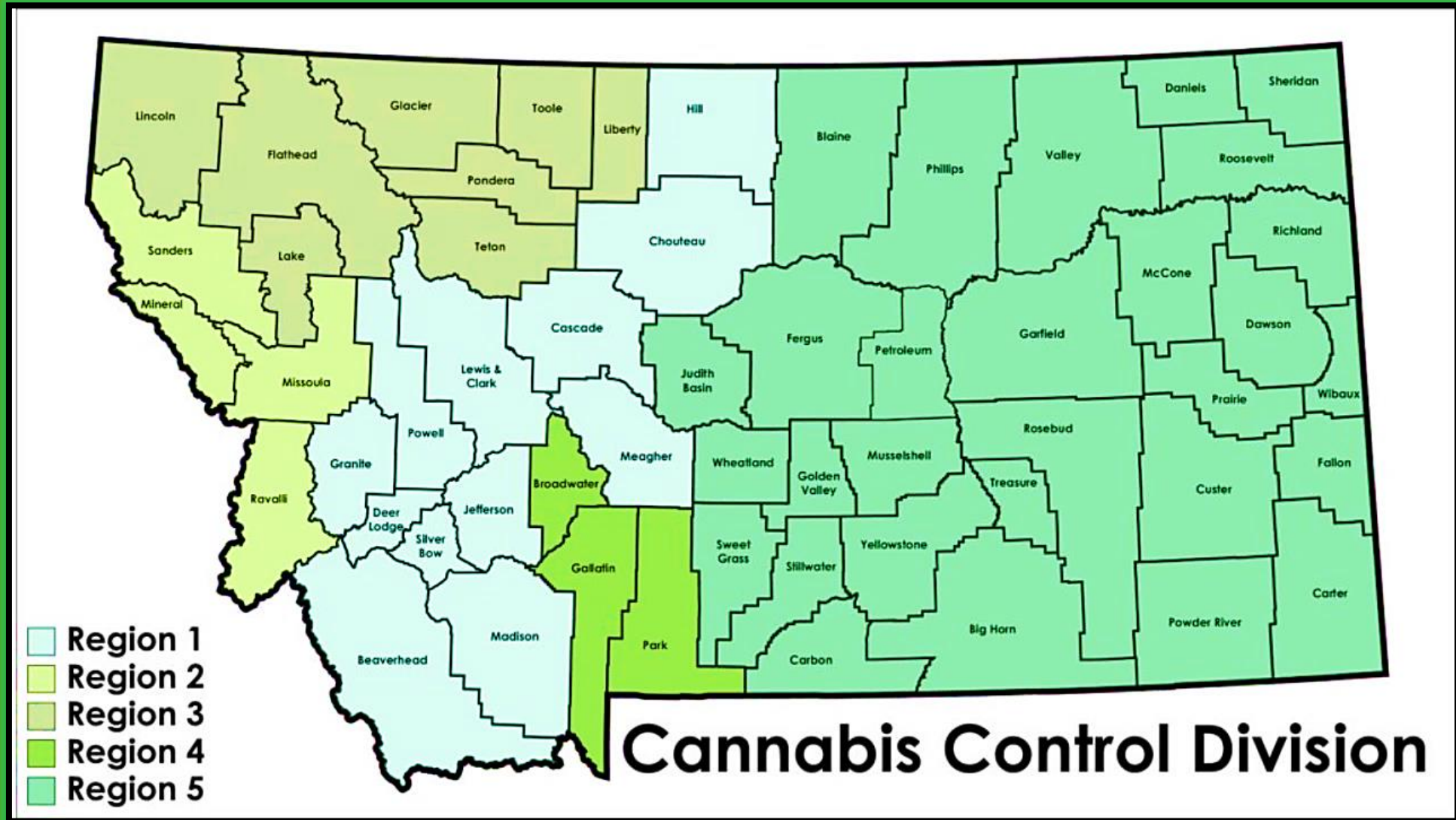
Synthetic
Marijuana

CCD – Hotline Reporting:

- **Individuals may submit a report:**
 - Per [MCA 16-12-125](#), an individual shall provide their name, street address, and phone number.
 - The Cannabis Control Division shall provide a copy of the complaint to the licensee that is the subject of the complaint but will redact the name, address, and phone number of the individual making the complaint.
 - The Cannabis Control Division may contact the individual making the complaint for further information if needed.



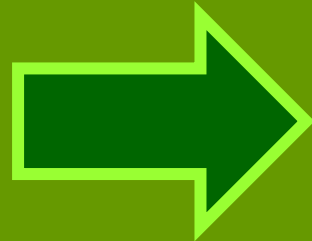
CCD Inspections – By Region:



CCD – Cannabis Education:



Duties of the Division – Cannabis Education:



Licensees

**General
Public**

**Law
Enforcement**

**Local &
state fire
authorities**

**Other
Local/State
Agencies**

**Internal
Training**

**Montana
producers,
retailers
(synthetics)**

**Review of Packaging
and Labeling
– Ultimate Sale**

CCD - Marijuana Labeling and Packaging:

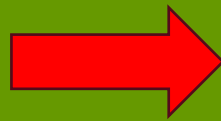


Montana's Marijuana Labeling Rules – Required Statements & Symbols, Marijuana Flower & Marijuana Individual Products:

Must be verbatim:

- This product has been tested and meets the requirements of the state of Montana.
- Keep out of reach of children and pets.
- This product may be addictive.
- This product may have intoxicating effects.
- Do not drive while under the influence of marijuana.
- Ingested products also require the following statement:
 - The intoxicating effects of this product may be delayed by two or more hours.

The Montana universal marijuana symbol




Child-Resistant Exit Packages – Requirements:

- Child-resistant documentation (CFR 1700.20) & 3 verbatim statements, verbatim per [MCA 16-12-215](#):
 - "WARNING: Consumption of marijuana may cause anxiety, agitation, paranoia, psychosis, and cannabinoid hyperemesis."
 - WARNING: Consumption of marijuana by pregnant women may result in fetal injury and low birth weight.
 - WARNING: Consumption of marijuana by nursing mothers may result in infant hyperactivity and poor cognitive function."

Duties of the Division – Education Website:

Education Programs

- Education Program
- Worker Permit Required Training 
- Facts about Ingested, Marijuana-Infused Products
- Concentrate Facts 101 **NEW**
- CCD Wallet Card **NEW**
- Hemp and Marijuana
- Know Before You Grow – Self-Cultivation and Self-Storage
- Know Before You Go – Personal Marijuana Possession on Montana's Roads
- Know Before You Stow – Safe Marijuana Storage
- Legal is Legit
- Marijuana and The Entourage Effect
- Marijuana Measurements & Sizes **NEW**
- Medical Cardholder: Summary Sheet **NEW**
- Speaking to Your Medical Provider Before Consuming Marijuana & Marijuana Products
- What to look for to ensure you visit a licensed Montana dispensary
- Newsletter Archive
- Adult Consumer – Summary Sheet **NEW**

Duties of the Division - Legal:



Working with
DOR's Legal
Department



Civil Fines –
Licensees

License
Suspension

License
Revocation

Compliance
Verification

Montana - Cannabis Sales & Cannabis Taxes:



Cannabis Taxes:

Oversight performed by another division within the Department of Revenue rather than CCD.

For more information on Cannabis Taxation, please contact the department's miscellaneous tax unit:

Phone [\(406\) 444-6900](tel:(406)444-6900)

Email DORBitBTU@mt.gov

Montana – Cannabis Tax Rates, State and County:



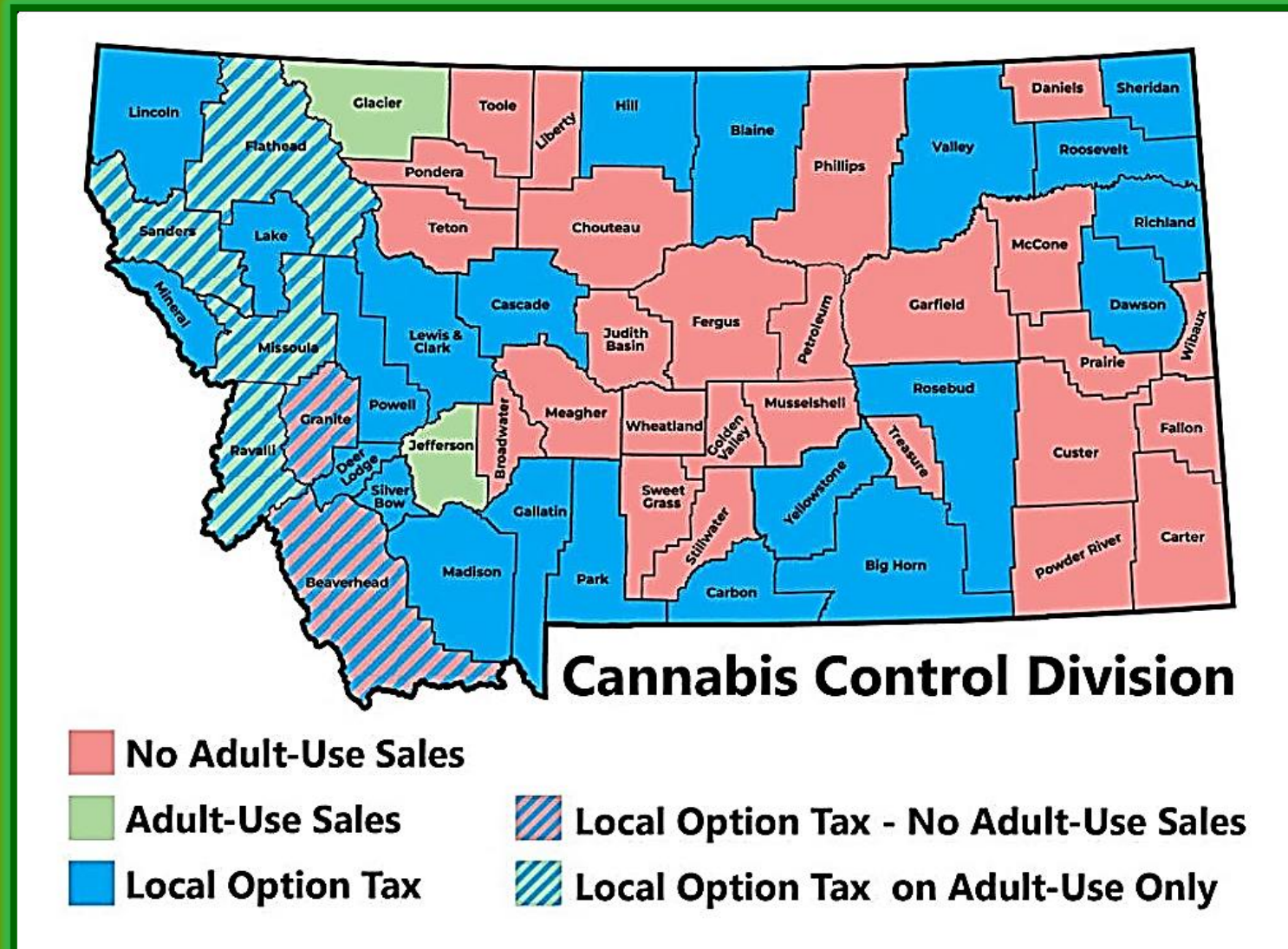
State Tax Rate – Set by the Montana Legislature:

4% - medical cannabis , 20% - adult cannabis

Local option excise tax – county:

Up to 3% on adult use, medical use, or both.

Montana Map – County Tax Rates:



Montana's Estimated Cannabis Sales – January 2022 to March 2024:

January 2022 to March 2024 Estimated Sales

Medical \$ 167,318,797

Adult-Use \$532,539,591

Total \$699,858,388



Montana's Estimated Cannabis Taxes – January 2022 to March 2024:

January 2022 to March 2024 Estimated Taxes

Medical	\$ 6,692,752
Adult-Use	\$106,507,918
Total	\$113,200,670



CCD – Cannabis Resources:

- **CCD – General Website:** <https://mtrevenue.gov/cannabis/worker-permits/#GeneralInformation>
- **CCD Hotline:** <https://mtrevenue.gov/cannabis/montana-cannabis-control-division-complaint-form/>
- **CCD Monthly Newsletter:** <https://public.govdelivery.com/accounts/MTDOR/subscriber/new>
- **Cannabis Sales Reports:** <https://mtrevenue.gov/cannabis-sales-reports/>
- **CCD Worker Permit Education and Information:** <https://mtrevenue.gov/cannabis/worker-permits/#GeneralInformation>
- **Law Enforcement Page:** <https://mtrevenue.gov/cannabis/law-enforcement/>
- **Licensed Premises List –** <https://mtrevenue.gov/cannabis/>
- **Synthetic Marijuana Hotline:** <https://mtrevenue.gov/cannabis/montana-synthetic-marijuana-complaint-form/>
- **Synthetic Marijuana Information:** <https://mtrevenue.gov/cannabis/education/synthetic-marijuana-product-changes/>

Questions?



**CANNABIS
CONTROL
DIVISION**
MONTANA

We're available Monday through Friday, 9:00 a.m. to 4:00 p.m.

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