

Adult-Use Marijuana Laws in Montana

Possession of Products

1

As of January 1, 2021, adults 21 and over may possess and use up to one ounce of marijuana with no criminal penalties.

3

Adults may cultivate up to two mature marijuana plants and two seedlings for private use in a private residence, subject to certain restrictions. The plants may not be visible to the public.

2

Marijuana consumption and possession (including medical marijuana) remains prohibited in public and certain other locations.

4

It is prohibited under federal law on all federal lands and waters. Marijuana (except medical marijuana) is prohibited in hospitals and other health care facilities.

Purchasing Products

When will adult-use sales begin in Montana?

Certain medical marijuana licensees will be allowed to also sell adult-use marijuana starting on January 1, 2022.

Will adult-use sales be available for purchase in all Montana counties?

No. In counties where the majority of voters supported Initiative 190 in November 2020, adult-use sales may occur starting in January 2022. In counties where the majority of voters opposed Initiative 190, adult-use marijuana sales will remain prohibited.

Will there be limits on the THC content in adult-use marijuana products?

Yes. The total psychoactive THC of marijuana flower may not exceed 35%. These limits do not apply to sales by licensed medical marijuana providers to medical marijuana cardholders.

Edible adult-use marijuana products: up to 10 mg of THC per serving, up to 100 mg of THC in an entire package.
Topical products: no more than 6% THC, no more than 800 mg of THC per package.
Capsule, transdermal patch or suppository, may contain no more than 100 mg of THC, and no more than 800 mg of THC in an entire package.

Will medical marijuana and recreational marijuana be available at the same business?

Yes. A licensed recreational marijuana provider and licensed medical marijuana dispensary may operate in a shared location. A single entity may also be licensed for both medical and recreational marijuana.



The Cannabis Control Division at the Montana DOR houses both the medical marijuana and adult-use marijuana programs. For more information about either program visit mtrevenue.gov/cannabis

Medical Marijuana Laws in Montana

Purchase, Consumption and Possession

Medicinal Consumers

- Residents 18+ with a medical marijuana card can purchase cannabis from a dispensary, have it delivered by registered providers, or grow their own.
- Those under 18 can get ID cards but must identify a parent/legal guardian as their provider.
- A registered patient who has no provider may possess up to one ounce of usable cannabis as well as 4 mature plants and 12 seedlings.

Providers

- Providers must be Montana residents, obtain business licenses, undergo fingerprinting and criminal background checks.
- A provider or marijuana-infused products provider may possess a “canopy” of 30 square feet for each registered cardholder who has named the person as his or her registered provider.

Dispensaries

- Dispensaries must also be registered and licensed.
- Owners must submit fingerprints and undergo a background check.
- If on leased or rented space, dispensaries must obtain prior authorization from the landlord, at which time they will also have a completed permission form from the landlord.

Qualifying Conditions and Patient Rights

- Cachexia or wasting syndrome
- Cancer
- Chronic pain that is persistent and significantly interferes with daily activities
- Crohn’s disease
- Epilepsy or other intractable seizure disorder
- Glaucoma
- HIV/AIDS
- Intractable nausea or vomiting
- Multiple Sclerosis
- Muscle spasms
- Peripheral neuropathy
- Post-traumatic stress disorder (PTSD)

FDA-Approved Cannabis-based Drugs

1. Marinol (Dronabinol)-Dronabinol is a man-made form of cannabis. Dronabinol is used to treat loss of appetite that causes weight loss in people with AIDS. Dronabinol is also used to treat severe nausea and vomiting caused by cancer chemotherapy.
2. Epidiolex- Epidiolex is pure plant-derived cannabidiol (CBD) and was developed with a concentration on severe, early-onset, treatment-resistant epilepsy syndromes. Epidiolex was developed for the treatment of Dravet syndrome, Lennox-Gastaut syndrome, Tuberous Sclerosis Complex (TSC), and Infantile Spasms (IS).

CAUTION!

Marinol and Epidiolex may be paving the way for future FDA-approved CBD products, but many items on the market right now are unregulated. CBD oils and other items have different dosages and health claims, so even though CBD has the potential to provide relief for a variety of ailments proper research must be done before purchase.

Lab Testing of Medicinal Marijuana

- The state has three laboratories to test medical marijuana. Cannabis is tested for moisture, content potency, contaminants, microbes, heavy metals, pesticides, residual solvents, and mycotoxins.
- Laboratory applicants must provide fingerprints and criminal background checks for owners, the scientific director and employees, proof of permission to operate lab from a landlord or property owner and register and supply badges to all employees. The license fee is \$2,000.