

DEPARTMENT OF REVENUE

Marijuana Enforcement Division

COLORADO MARIJUANA RULES

1 CCR 212-3

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Part 2 – Applications and Licenses

2-200 Series – Applications and Licenses Rules

Please Note: As directed by section 44-10-801, C.R.S., the State Licensing Authority and Division must review fees annually to ensure the fees cover the direct and indirect costs of administering the Regulated Marijuana Program. The following revised rules reflect:

(1) Revised fees to reflect the rate of inflation from the previous year. See section 44-10-803(2)(b), C.R.S.; and

(2) Increased initial and renewal application and license fees commensurate with the extended license term of two years.

Basis and Purpose – 2-205

The statutory basis for this rule includes but is not limited to sections 44-10-103, 44-10-202(1)(b), 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(k), 44-10-203(1)(i), 44-10-203(2)(b), 44-10-203(2)(h), 44-10-203(2)(q), 44-10-203(2)(w), 44-10-203(2)(dd)(XII), 44-10-303(2)(b), 44-10-310(7), 44-10-313, 44-10-401, 44-10-801, 44-10-802, 44-10-803, 44-10-1201, 44-10-1202, C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a)(II). The purpose of this rule is to establish fees required for applications, renewals, licenses fees, permits, and other fees required to accompany applications and submissions to the Division.

2-205 – Fees

A. Regulated Marijuana Business Initial Application and License Fees.

1. Levels. The following levels apply to Regulated Marijuana Businesses with direct Controlling Beneficial Owners, which includes but is not limited to natural persons, Owner Entities, Publicly Traded Companies, Trusts, Qualified Institutional Investors and Qualified Private Funds. This does not include indirect Controlling Beneficial Owners of the licensed Regulated Marijuana Business, in accordance with Rules 2-235(A)(2)(a) and 2-235(B)(1)(b). The levels are:
 - a. Level 1: One (1) to four (4) Controlling Beneficial Owners.
 - b. Level 2: Five (5) to nine (9) Controlling Beneficial Owners.
 - c. Level 3: Ten (10) or more Controlling Beneficial Owners.
2. Medical Marijuana Businesses.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
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<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Medical Marijuana Store	<u>Level 1:</u> \$13,530.00	<u>Level 1:</u> \$3,390.00	<u>Level 1:</u> \$16,920.00
	<u>Level 2:</u> \$20,330.00	<u>Level 2:</u> \$5,090.00	<u>Level 2:</u> \$25,420.00
	<u>Level 3:</u> \$27,050.00	<u>Level 3:</u> \$6,770.00	<u>Level 3:</u> \$33,820.00
Medical Marijuana Products Manufacturer	<u>Level 1:</u> \$5,130.00	<u>Level 1:</u> \$1,290.00	<u>Level 1:</u> \$6,420.00
	<u>Level 2:</u> \$7,730.00	<u>Level 2:</u> \$1,940.00	<u>Level 2:</u> \$9,670.00
	<u>Level 3:</u> \$10,250.00	<u>Level 3:</u> \$2,570.00	<u>Level 3:</u> \$12,820.00
Medical Marijuana Cultivation Facility Class 1 (1-500 plants)	<u>Level 1:</u> \$5,130.00	<u>Level 1:</u> \$1,290.00	<u>Level 1:</u> \$6,420.00
	<u>Level 2:</u> \$7,730.00	<u>Level 2:</u> \$1,940.00	<u>Level 2:</u> \$9,670.00
	<u>Level 3:</u> \$10,250.00	<u>Level 3:</u> \$2,570.00	<u>Level 3:</u> \$12,820.00
Medical Marijuana Testing Facility	<u>Level 1:</u> \$5,130.00	<u>Level 1:</u> \$1,290.00	<u>Level 1:</u> \$6,420.00
	<u>Level 2:</u> \$7,730.00	<u>Level 2:</u> \$1,940.00	<u>Level 2:</u> \$9,670.00
	<u>Level 3:</u> \$10,250.00	<u>Level 3:</u> \$2,570.00	<u>Level 3:</u> \$12,820.00
Medical Marijuana Transporter	\$5,800.00	\$1,450.00	\$7,250.00
Medical Marijuana Business Operator	<u>Level 1:</u> \$6,720.00	<u>Level 1:</u> \$1,680.00	<u>Level 1:</u> \$8,400.00
	<u>Level 2:</u> \$10,080.00	<u>Level 2:</u> \$2,520.00	<u>Level 2:</u> \$12,600.00
	<u>Level 3:</u> \$13,440.00	<u>Level 3:</u> \$3,360.00	<u>Level 3:</u> \$16,800.00

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Marijuana Research and Development Facility	<u>Level 1:</u> \$5,130.00	<u>Level 1:</u> \$1,290.00	<u>Level 1:</u> \$6,420.00
	<u>Level 2:</u> \$7,730.00	<u>Level 2:</u> \$1,940.00	<u>Level 2:</u> \$9,670.00
	<u>Level 3:</u> \$10,250.00	<u>Level 3:</u> \$2,570.00	<u>Level 3:</u> \$12,820.00

3. Retail Marijuana Businesses.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Store	\$5,000.00	<u>Level 1:</u> \$6,240.00	State Check <u>Level 1:</u> \$8,740.00
		<u>Level 2:</u> \$11,920.00	<u>Level 2:</u> \$14,420.00
		<u>Level 3:</u> \$17,480.00	<u>Level 3:</u> \$19,980.00
			Local Check \$2,500.00
Retail Marijuana Products Manufacturer	\$5,000.00	<u>Level 1:</u> \$4,880.00	State Check <u>Level 1:</u> \$7,380.00
		<u>Level 2:</u> \$9,820.00	<u>Level 2:</u> \$12,320.00
		<u>Level 3:</u> \$14,740.00	<u>Level 3:</u> \$17,240.00
			Local Check \$2,500.00

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Cultivation Facility Tier 1 (1-1,800 plants)	\$5,000.00	<u>Level 1:</u> \$4,880.00 <u>Level 2:</u> \$9,820.00 <u>Level 3:</u> \$14,740.00	State Check <u>Level 1:</u> \$7,380.00 <u>Level 2:</u> \$12,320.00 <u>Level 3:</u> \$17,240.00 Local Check \$2,500.00
Retail Marijuana Testing Facility	\$2,100.00	<u>Level 1:</u> \$4,200.00 <u>Level 2:</u> \$6,830.00 <u>Level 3:</u> \$9,450.00	State Check <u>Level 1:</u> \$5,250.00 <u>Level 2:</u> \$7,880.00 <u>Level 3:</u> \$10,500.00 Local Check \$1,050.00
Retail Marijuana Transporter	\$1,050.00	\$6,150.00	State Check \$6,675.00 Local Check \$525.00
Retail Marijuana Business Operator	\$2,100.00	<u>Level 1:</u> \$6,200.00 <u>Level 2:</u> \$9,870.00 <u>Level 3:</u> \$13,440.00	State Check <u>Level 1:</u> \$7,250.00 <u>Level 2:</u> \$10,920.00 <u>Level 3:</u> \$14,490.00 Local Check \$1,050.00
Marijuana Hospitality Business	\$2,100.00	\$2,840.00	State Check \$3,890.00 Local Check \$1,050.00

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Hospitality and Sales Business	\$10,500.00	\$5,990.00	State Check \$11,240.00 Local Check \$5,250.00

B. Regulated Marijuana Business Renewal Application and License Renewal Fees.

1. Medical Marijuana Businesses.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Medical Marijuana Store	\$3,870.00	\$970.00	\$4,840.00
Medical Marijuana Products Manufacturer	\$3,870.00	\$970.00	\$4,840.00
Medical Marijuana Cultivation Facility:			
Class 1 (1-500 plants)	\$3,870.00	\$970.00	\$4,840.00
Class 2 (501-1,500 plants)	\$5,630.00	\$1,410.00	\$7,040.00
Class 3 (1,501-3,000 plants)	\$8,320.00	\$2,080.00	\$10,400.00
Expanded Production Management (The amount shown is charged in addition to the Class 3 fee for each class of 3,000 plants over Class 3)	\$1,770.00	\$450.00	\$2,220.00
Medical Marijuana Testing Facility	\$3,870.00	\$970.00	\$4,840.00
Medical Marijuana Transporter	\$5,130.00	\$1,260.00	\$6,390.00
Medical Marijuana Business Operator	\$5,380.00	\$1,350.00	\$6,730.00
Marijuana Research and Development Facility	\$3,870.00	\$970.00	\$4,840.00

2. Retail Marijuana Businesses.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Store	\$3,870.00	\$970.00	\$4,840.00
Retail Marijuana Products Manufacturer	\$3,870.00	\$970.00	\$4,840.00
Retail Marijuana Cultivation Facility:			
Tier 1 (1-1,800 plants)	\$3,870.00	\$970.00	\$4,840.00
Tier 2 (1,801-3,600 plants)	\$5,630.00	\$1,410.00	\$7,040.00
Tier 3 (3,601-6,000 plants)	\$7,230.00	\$1,810.00	\$9,040.00
Tier 4 (6,001-10,200 plants)	\$10,500.00	\$2,630.00	\$13,130.00
Tier 5 (10,201-13,800 plants)	\$14,960.00	\$3,740.00	\$18,700.00
Expanded Production Management (The amount shown is charged in addition to the Tier 5 fee for each additional tier of 3,600 plants over Tier 5)	\$1,770.00	\$450.00	\$2,220.00
Retail Marijuana Testing Facility	\$3,870.00	\$970.00	\$4,840.00
Retail Marijuana Transporter	\$5,130.00	\$1,290.00	\$6,420.00
Retail Marijuana Business Operator	\$5,380.00	\$1,350.00	\$6,730.00
Marijuana Hospitality Business	\$2,190.00	\$550.00	\$2,740.00
Retail Marijuana Hospitality and Sales Business	\$3,870.00	\$970.00	\$4,840.00

- C. Requests for a Finding of Suitability, Owner License and Owner Identification Badge – Initial Application and Renewal Fees.
1. Levels. The fee for Owner Entities corresponds to the number of Controlling Beneficial Owners of the licensed Regulated Marijuana Business created through the Owner Entity, in accordance with Rule 2-235(A)(2)(a).
 2. Requests for Finding of Suitability Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Controlling Beneficial Owner - Natural Person	\$720.00	\$360.00	\$1,080.00
Controlling Beneficial Owner – Natural Person – Social Equity (applies to Applicant seeking to be found suitable as a Social Equity Licensee)	\$720.00	\$360.00	\$1,080.00
Passive Beneficial Owner	\$720.00	\$360.00	\$1080.00
Owner Entity:			
Level 1: One (1) to four (4) Controlling Beneficial Owners and/or Owner Entities	\$1,430.00	\$360.00	\$1,790.00
Level 2: Five (5) to nine (9) Controlling Beneficial Owners and/or Owner Entities	\$2,190.00	\$550.00	\$2,740.00
Level 3: Ten (10) or more Controlling Beneficial Owners and/or Owner Entities	\$2,860.00	\$720.00	\$3,580.00
Controlling Beneficial Owner - Publicly Traded Corporation (PTC)	\$35,120.00	\$8,780.00	\$43,900.00
Controlling Beneficial Owner - Qualified Private Fund – Qualified Institutional Investor	\$7,140.00	\$1,790.00	\$8,930.00
Controlling Beneficial Owner - Trust	\$7,140.00	\$1,790.00	\$8,930.00

3. License Renewal Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Owner Individual Licensees, Passive Beneficial Owners who elect to be found suitable for licensure as an Owner	\$930.00	\$240.00	\$1,170.00
Owner Entity:			
Level 1: One (1) to four (4) Controlling Beneficial Owners and/or Owner Entities	\$930.00	\$240.00	\$1,170.00
Level 2: Five (5) to nine (9) Controlling Beneficial Owners and/or Owner Entities	\$1,390.00	\$350.00	\$1,740.00

Level 3: Ten (10) or more Controlling Beneficial Owners and/or Owner Entities	\$1,850.00	\$470.00	\$2,320.00
Controlling Beneficial Owner – Publicly Traded Corporation (PTC)	\$8,400.00	\$2,100.00	\$10,500.00
Controlling Beneficial Owner – Qualified Private Fund – Qualified Institutional Investor – Trust	\$3,360.00	\$840.00	\$4,200.00

D. Employee License – Initial Fees and Renewal Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Employee License	\$130.00	\$40.00	\$170.00
Conditional Employee License	\$170.00	\$50.00	\$220.00
Employee License Renewal	\$90.00	\$30.00	\$120.00

E. Temporary Appointee Registration – Request for Finding of Suitability Fees and Renewal Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Temporary Appointee Registration (Natural Person)	\$510.00	\$130.00	\$640.00
Temporary Appointee Registration (Entity)	\$1,770.00	\$450.00	\$2,220.00
Temporary Appointee Registration (Natural Person) Renewal	\$510.00	\$130.00	\$640.00
Temporary Appointee Registration (Entity) Renewal	\$1,430.00	\$360.00	\$1,790.00

F. Other Application Fees. The following other fees apply:

1. Permits.

<u>License Type</u>	<u>Total Due at Application</u>
Transition Permit	\$370.00
Delivery Permit	\$11,030.00
Delivery Permit Renewal	\$5,570.00
Centralized Distribution Permit	\$60.00

<u>License Type</u>	<u>Total Due at Application</u>
Off-Premises Storage Facility Permit	\$2,100.00
R&D Co-Location Permit	\$110.00

2. Changes of Ownership - Fees: The following fees apply per a Regulated Marijuana Business License.

<u>License Type</u>	<u>Total Due with Submission</u>
Change of Controlling Beneficial Owner:	
Involving up to four (4) Controlling Beneficial Owners and/or Owner Entities, (i.e. buyers and sellers)	\$2,940.00
Involving five (5) to nine (9) Controlling Beneficial Owners and/or Owner Entities, (i.e. buyers and sellers)	\$5,150.00
Involving ten (10) or more Controlling Beneficial Owners and/or Owner Entities, (i.e. buyers and sellers)	\$6,670.00
Changes Exempt from a Change of Ownership not involving a reallocation	\$1,210.00
Changes Exempt from a Change of Ownership involving a reallocation	\$2,100.00

3. Applications to Modify - Fees. The following fees apply per a Regulated Marijuana Business License.

<u>License Type</u>	<u>Total Due at Application</u>
Request Fee (for Tier Increase / Class Increase)	\$320.00
Change of Trade Name (COTN)	\$110.00
Change of Location (COL)	\$690.00
Security Waiver	\$630.00
Contingency Plan	\$1,370.00

4. Other Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
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<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Reduced Testing Allowance Certification	\$4,200.00	\$0	\$4,200.00
Duplicate Business License	\$60.00	\$0	\$60.00
Duplicate Owner/Employee License	\$30.00	\$0	\$30.00
Reinstatement Fee	\$370.00	\$0	\$370.00
Responsible Vendor Program Provider:			
Responsible Vendor Program Provider Initial Application	\$1,160.00	\$0	\$1,160.00
Duplicate Responsible Vendor Program Provider Certificate	\$60.00	\$0	\$60.00
Responsible Vendor Program Provider Renewal	\$380.00	\$100.00	\$480.00
R&D Project Proposal Fee	\$690.00	\$0	\$690.00
Security Waiver Renewal Fee	\$320.00	\$0	\$320.00

G. When Fees are Due. All fees in this Rule are due at the time the application or request is submitted.

Basis and Purpose – 2-206

The statutory basis for this rule includes but is not limited to sections 44-10-103, 44-10-202(1)(b), 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(k), 44-10-203(1)(i), 44-10-203(2)(b), 44-10-203(2)(h), 44-10-203(2)(q), 44-10-203(2)(w), 44-10-203(2)(dd)(XII), 44-10-303(2)(b), 44-10-308(5); 44-10-310(7), 44-10-313, 44-10-401, 44-10-801, 44-10-802, 44-10-803, 44-10-1201, 44-10-1202, C.R.S. The purpose of this rule is to establish fees required for applications, renewals, licenses fees, permits, and other fees required to accompany applications and submissions to the Division by Social Equity Licensees.

2-206 – Social Equity Fees

A. When Reduced Fees Apply. Reduced fees apply to Licensees who have been found suitable as a Social Equity Licensee pursuant to Rule 2-220(C) under the following circumstances:

1. The first Owner Entity initial finding of suitability application submitted by the Social Equity Licensee;
2. The first and second initial Regulated Marijuana Business License applications submitted by the Licensee;
3. The first and second initial delivery permit applications submitted by the Licensee (if applicable);
4. The first renewal after July 1, 2023 of any two Regulated Marijuana Business Licenses issued;

5. The first renewal after July 1, 2023 of any two delivery permits issued;
6. The first renewal after July 1, 2023 of one Owner Entity License issued; and
7. The first renewal after July 1, 2023 of one Owner License issued.

B. Finding of Suitability Requests and Owner License Renewals.

1. Finding of Suitability Requests Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Controlling Beneficial Owner – Natural Person – Social Equity (applies to Applicant seeking to be found suitable as a Social Equity Licensee)	\$720.00	\$360.00	\$1,080.00
Controlling Beneficial Owner – Owner Entity	\$340.00	\$90.00	\$430.00

2. Controlling Beneficial Owner License Renewal Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Controlling Beneficial Owner Licensees, including Passive Beneficial Owners electing to be subject to licensure	\$260.00	\$70.00	\$330.00
Controlling Beneficial Owner – Owner Entity	\$260.00	\$70.00	\$330.00

C. Retail Marijuana Business – Initial and Renewal Application and License Fees.

1. Initial Application and License Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Store	\$0	\$2,840.00	\$2,840.00
Retail Marijuana Products Manufacturer	\$0	\$2,520.00	\$2,520.00
Retail Marijuana Cultivation Facility – Tier 1	\$0	\$2,520.00	\$2,520.00
Retail Marijuana Testing Facility	\$0	\$1,370.00	\$1,370.00
Retail Marijuana Transporter	\$0	\$1,680.00	\$1,680.00
Retail Marijuana Business Operator	\$0	\$1,790.00	\$1,790.00
Marijuana Hospitality Business	\$0	\$950.00	\$950.00
Retail Marijuana Hospitality and Sales Business	\$0	\$2,840.00	\$2,840.00

2. Renewal Application and License Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Retail Marijuana Store	\$1,010.00	\$260.00	\$1,270.00
Retail Marijuana Products Manufacturer	\$1,010.00	\$260.00	\$1,270.00
Retail Marijuana Cultivation Facility:			
Tier 1 (1 - 1,800 Plants)	\$1,010.00	\$260.00	\$1,270.00
Tier 2 (1,801 – 3,600 Plants)	\$1,430.00	\$360.00	\$1,790.00
Tier 3 (3,601 – 6,000 Plants)	\$1,850.00	\$470.00	\$2,320.00
Tier 4 (6,001 – 10,200 Plants)	\$2,610.00	\$660.00	\$3,270.00
Tier 5 (10,201 – 13,800 Plants)	\$3,780.00	\$950.00	\$4,730.00
Expanded Production Management (The amount shown is charged in addition to the Tier 5 fee for each additional 3,600 plants after Tier 5)	\$420.00	\$110.00	\$530.00
Retail Marijuana Testing Facility	\$1,010.00	\$260.00	\$1,270.00
Retail Marijuana Transporter (every 2 years)	\$1,310.00	\$330.00	\$1,640.00
Retail Marijuana Business Operator	\$1,350.00	\$340.00	\$1,690.00
Marijuana Hospitality Business	\$590.00	\$150.00	\$740.00
Retail Marijuana Hospitality and Sales Business	\$1,010.00	\$260.00	\$1,270.00

D. Medical Marijuana Business – Initial and Renewal Application and License Fees.

1. Initial Application and License Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Medical Marijuana Store	\$3,360.00	\$840.00	\$4,200.00
Medical Marijuana Products Manufacturer	\$1,260.00	\$320.00	\$1,580.00
Medical Marijuana Cultivation Facility – Class 1	\$1,260.00	\$320.00	\$1,580.00
Medical Marijuana Testing Facility	\$1,260.00	\$320.00	\$1,580.00
Medical Marijuana Transporter	\$1,470.00	\$370.00	\$1,840.00

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Medical Marijuana Business Operator	\$1,680.00	\$420.00	\$2,100.00
Marijuana Research and Development Facility	\$1,260.00	\$320.00	\$1,580.00

2. Renewal Application and License Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Medical Marijuana Store	\$1,010.00	\$260.00	\$1,270.00
Medical Marijuana Products Manufacturer	\$1,010.00	\$260.00	\$1,270.00
Medical Marijuana Cultivation Facility:			
Class 1	\$1,010.00	\$260.00	\$1,270.00
Class 2	\$1,430.00	\$360.00	\$1,790.00
Class 3	\$2,100.00	\$530.00	\$2,630.00
Expanded Production Management (The amount shown is charged in addition to the Class 3 fee for each class of 3,000 plants over Class 3)	\$420.00	\$110.00	\$530.00
Medical Marijuana Testing Facility	\$1,010.00	\$260.00	\$1,270.00
Medical Marijuana Transporter	\$1,310.00	\$330.00	\$1,640.00
Medical Marijuana Business Operator	\$1,350.00	\$340.00	\$1,690.00
Marijuana Research and Development Facility	\$1,010.00	\$260.00	\$1,270.00

E. Delivery Permit Fees.

<u>License Type</u>	<u>Application Fee</u>	<u>License Fee</u>	<u>Total Due at Application</u>
Delivery Permit	\$2,730.00	\$0	\$2,730.00
Delivery Permit Renewal	\$1,370.00	\$0	\$1,370.00

F. When Fees are Due. All fees in this Rule are due at the time the application or request is submitted.