

Cannabis and Health

Module 2

Lecture 3: Legalization in States and Countries

Policy Landscape

- Legalization has had majority support in the U.S. since 2013 (Gallup polls)
- Most recent polls indicate 85% support medical cannabis
- 47 states & D.C. now allow some form of medical cannabis
 - Loose Medical
 - Restricted Access
 - Non-THC

State Differences in Legalization

| | <u>Colorado</u> | <u>Washington</u> | <u>Alaska</u> | <u>Oregon</u> |
|-------------------|-------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| Legal Process | Voter initiative; Amendment | Voter initiative; State statute | Voter initiative; State statute | Voter initiative; State statute |
| Date Passed | Nov. 2012 | Nov. 2012 | Nov. 2014 | Nov. 2014 |
| Implemented | Dec. 2012 | Dec. 2012 | Feb. 2015 | July 2015 |
| Retail Opened | Jan. 2014 | July 2014 | Oct. 2016 | Oct. 2016 |
| State Authority | Department of Revenue | Liquor & Cannabis Board | Alcoholic Bev. Control Board | Oregon Liquor Control |
| Req. Residency | None | None | None | None |
| Max Possession | 28.5 g | 28.5 g | 28.5 g | 228 g |
| Max. Cultivation | 6 plants (3 flowering) | Prohibited | 6 plants (3 flowering) | 4 plants flowering |
| Max. Purchase | 28.5 g (7 g for Non-Resident) | 28.5 g | 28.5 g | 7 g |
| Avg. Retail Price | \$242 / oz. | \$233 / oz. | \$298 / oz. | \$210 / oz. |
| Max THC Content | None | None | None | None |

Retail Cannabis Businesses

- States with recreational cannabis have implemented extensive regulation for establishing a retail cannabis business
 - Includes hundreds of pages of regulations and statutes
 - Fees for obtaining a license
- States often suggest that interested parties seek legal counsel before taking steps



Retail Marijuana Business License Application

Requirements for Licensure:

- Section 300 of the [Colorado Retail Marijuana Code; 44-12-300 et. seq. Colorado Revised Statutes \(C.R.S.\)*](#) addresses licensing requirements
- Series R 200 – Licensing and Interests of the [Colorado Code of Regulations \(CCR\) 212-2, Retail Marijuana Rules](#)
- If you intend to own a Colorado Retail Marijuana Business you should also visit our [Marijuana Business Owners and Investors Page](#) to determine what, if any additional applications need to be submitted.

The MED cannot provide legal advice; you may want to seek legal counsel if you have questions regarding an interpretation of the above references.

* This link will take you to an accessible copy of the Colorado Revised Statutes (C.R.S.) hosted by Lexis Nexis

[+ Colorado Retail Marijuana Business License Types Available](#)

Once you have determined that you meet all requirements and your application packet is complete drop it off or have it delivered to the MED Lakewood Office at 1701 Cole Blvd., Suite 300, Lakewood Colorado, 80401 between the hours of 8:00 - 11:00 AM and 1:00 - 4:00 PM, Monday through Friday.

A Complete Application Packet Includes:

- A completed application,
- All necessary supporting documentation, and
- Check* or Money Order for the **full application fee** and made payable to DOR

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Code of Colorado Regulations
Secretary of State
State of Colorado

DEPARTMENT OF REVENUE

Marijuana Enforcement Division

RETAIL MARIJUANA RULES

1 CCR 212-2

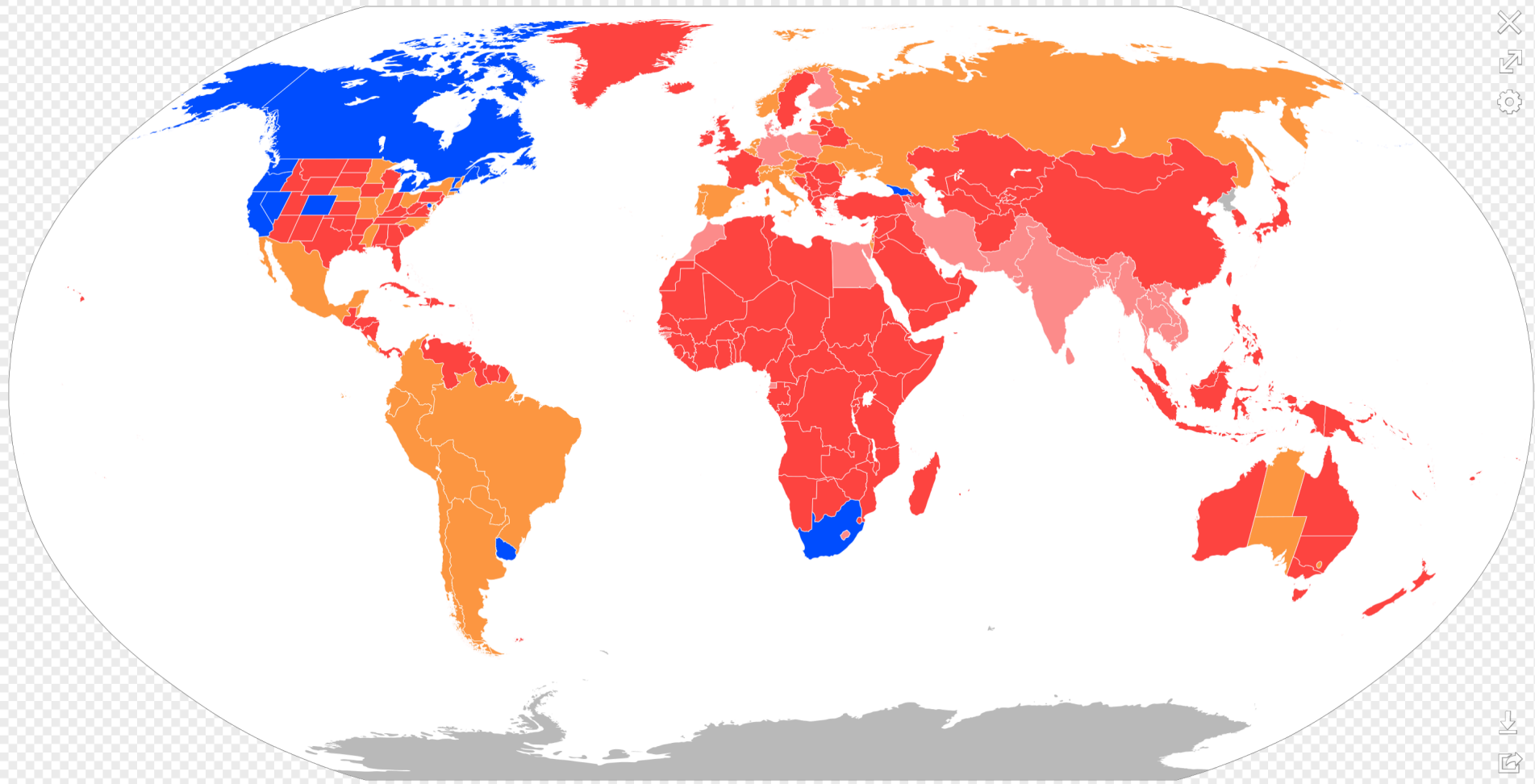
[Editor's Notes follow the text of the rules at the end of this CCR Document.]

R 100 Series – General Applicability

Basis a Purpose – R 102

The statutory authority for this rule is found at subsection 12-43.4-202(2)(b), C.R.S. The purpose of this rule is to clarify that each rule is independent of the others, so that if one is found to be invalid, the remainder will stay in effect. This will give the regulated community confidence in the rules even if one is challenged.

International Cannabis Laws



Legal status of recreational cannabis across the world

| Color | Legal Status |
|------------|------------------------------|
| Blue | Legal |
| Orange | Illegal but decriminalized |
| Light Pink | Illegal but often unenforced |
| Red | Illegal |

See also [countries that](#)

[More details](#)

Image source: <https://www.oregoncannabisretailers.com/blog>

International Cannabis Laws

- Cannabis laws vary widely across countries
 - 4 countries have legalized recreational cannabis
 - Canada, Uruguay, South Africa, and Georgia
 - 33 countries have legalized medicinal cannabis
 - Excluding the U.S. and other countries with partial legalization
 - 8 countries have legalized cultivation of cannabis
 - Canada, Uruguay, South Africa, Chile, Colombia, Jamaica, Sri Lanka, and Vanuatu (a Pacific Island Nation)
- Many other countries have decriminalized cannabis to varying degrees or have taken a lenient approach to law enforcement

Domestic & International Policies on Driving Under the Influence

- Cutoffs vary widely for driving under the influence
 - Colorado and Washington use 5+ ng/ml of THC
 - In Australia, it is illegal to drive with any level of THC in oral fluid or blood samples
 - Some evidence for decreased traffic fatalities with introduction of legalized cannabis
- Valid measures of being under the influence are lacking.
 - THC is metabolized more quickly than alcohol
 - Metabolites are not necessarily an indication of intoxication
 - Tolerance varies widely from person to person

Summary

- Not only do cannabis laws now vary widely from state to state in the U.S.
- Cannabis laws vary dramatically across the world
- Some countries have legalized nationally, some legalized for medical reasons only, some decriminalized, and some with strict laws
- In many parts of the world, laws are evolving