



National Survey on Marijuana Laws and Regulations

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Joshua Horn

Partner

Fox Rothschild LLP

215.299.2184

jhorn@foxrothschild.com

Nicholas Casiello, Jr.

Partner

Fox Rothschild LLP

609.572.2234

ncasiello@foxrothschild.com

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This survey has been provided by the Fox Rothschild [Cannabis Practice](#) as a quick reference to relevant laws and statutes governing marijuana usage in the United States.

Legalized cannabis – for medical or recreational purposes – is a rapidly expanding industry in the United States, with various states, including California, Colorado, Delaware, Illinois, Maryland, Nevada, New Jersey, New York, Pennsylvania and Washington, as well as the District of Columbia, regulating its use. Navigating the various state compliance regulations – while the consumption of marijuana, regardless of its intended use, is still prohibited at the federal level – can be a daunting task.

Fox attorneys are experienced in counseling legalized cannabis growers, distributors, processors, investors and others, including those supplying ancillary products and services, operating in this highly regulated industry. We represent clients in the formation of business entities and creation of operational plans and shareholder agreements; real estate and land use planning; acquisition of cultivation and dispensary licenses; preparation and filing of forms required by various states; compliance with relevant state regulations; and assistance with U.S. Department of Treasury issues for banking and financial services clients engaged in the industry, and more. We have also advised clients on Illinois' Compassionate Use of Medical Cannabis Pilot Program Act as well as similar laws in other states where the product is legalized and regulated.

About Fox Rothschild

Fox Rothschild LLP is a national law firm ranked in the Am Law 100 that delivers strategic and practical solutions for clients ranging from family-run businesses to multinational corporations.

Home to 750 attorneys in 22 offices coast to coast, Fox offers clients a team of accomplished professionals who have honed their legal skills in government and industry, who appreciate the fluctuating nature of today's competitive business environment and who excel at crafting the legal solutions that match our clients' goals.

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State	General Info	Applicants and Registered Organizations	Laws and Regulations
All States	Legal Information by State and Federal Law LawAtlas – Medical Marijuana National Conference of State Legislatures – State Medical Marijuana Laws		
Alabama	N/A	UAB's Department of Neurology is the sole legal source for production and distribution of CBD oil under SB174.	<p>Laws:</p> <ul style="list-style-type: none"> • SB174 (2014) “Carly’s Law” § § Signed 3/20/2014 • AL ST § 13A-12-214.2 <p>Pending Bills/Legislation:</p> <ul style="list-style-type: none"> • SB115 • HB61

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Alaska	Marijuana Retail License FAQs	N/A – Application Form	<p>Marijuana Statutes and Regulations</p> <p>Laws:</p> <ul style="list-style-type: none"> AS §§ 17.37.010, <i>et seq.</i> “Medical Uses of Marijuana” AS §§ 17.38.010, <i>et seq.</i> “The Regulation of Marijuana” <ul style="list-style-type: none"> See AS § 17.38.200 Marijuana establishment registrations. <p>Regulations:</p> <ul style="list-style-type: none"> 3 AAC 306, <i>et seq.</i> “Marijuana Control”
Arizona	<p>Medical Marijuana Program</p> <p>Dispensary Information</p>	<p>“Unless you are a registered qualifying patient who is not authorized to cultivate marijuana plants for medical use, the Department cannot provide you with a list of dispensaries. The Arizona Medical Marijuana Act, A.R.S. § 36-2810 (A.), states that information received and records kept by the Department for the purposes of administering the Act, including “the physical addresses of nonprofit medical marijuana dispensaries,” are confidential. However, A.R.S. § 36-2804.04(C) requires the Department to provide a list of</p>	<p>Medical Marijuana Rules and Statutes</p> <p>Laws:</p> <ul style="list-style-type: none"> A.R.S. 36-2801, <i>et seq.</i> “Arizona Medical Marijuana Act” <p>Regulations:</p> <ul style="list-style-type: none"> 9 A.A.C. 17 (R9-17-101, <i>et seq.</i>)

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Arizona		registered dispensaries to a qualifying patient who is not authorized to cultivate marijuana plants when issuing the qualifying patient's registry identification card." – From the FAQs – Dispensary	
Arkansas	N/A	N/A	N/A
California	Medical Marijuana Program	"The California Department of Public Health's MMP does not have jurisdiction over medical marijuana cooperatives, dispensaries or collectives. For questions related to these areas, please contact your local city or county business licensing office." – Per the MMP website	<p>Laws:</p> <ul style="list-style-type: none"> • Senate Bill No. 837 • Senate Bill 420 • Compassionate Use Act/ Prop. 215 • Assembly Bill 243 • Assembly Bill 266 • Senate Bill 643 • California Assembly Bill 1300 • California Assembly Bill 2650 • CA BUS & PROF §§ 19300, <i>et seq.</i> – Medical Marijuana Regulation and Safety Act <p>Regulations:</p> <ul style="list-style-type: none"> • Health and Safety Code
Colorado	Application and Licensing – Marijuana Enforcement Medical Marijuana Business	Current Licensees (Medical and Retail)	Laws: Constitution, Statutes and Regulations – Marijuana Enforcement

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Colorado	Application Process Retail Marijuana Business Application Process		<p>Laws:</p> <ul style="list-style-type: none"> CO ST §§ 12-43.3-101, <i>et seq.</i> – Colorado Medical Marijuana Code CO ST §§ 12-43.4-101, <i>et seq.</i> – Retail Marijuana Code <p>Regulations:</p> <ul style="list-style-type: none"> 1 CCR 212-1 – Rules Regarding the Sales, Manufacturing and Dispensing of Medical Marijuana 1 CCR 212-2 – Retail Marijuana Code 5 CCR 1006-2 – Medical Use of Marijuana
Connecticut	Medical Marijuana Program	Connecticut Medical Marijuana Dispensary Facilities Medical Marijuana Dispensary Facility License Application Process	<p>Medical Marijuana Laws and Regulations</p> <p>Laws:</p> <ul style="list-style-type: none"> An Act Concerning the Palliative Use of Marijuana: House Bill No. 5389 <p>Regulations:</p> <ul style="list-style-type: none"> Regulation of the Department of Consumer Protection Concerning Palliative Use of Marijuana Regulation Classifying Marijuana as Schedule II Drug

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Delaware	Medical Marijuana Program	Medical Marijuana Compassion Centers Medical Marijuana Program – Compassion Center Proposals	Medical Marijuana Act Legislative Actions Medical Marijuana Act Regulations Laws: <ul style="list-style-type: none"> DE ST TI 16 §§ 4901A, <i>et seq.</i> Regulations: <ul style="list-style-type: none"> 16 DE Admin. Code 4470 State of Delaware Medical Marijuana Code
District of Columbia	Medical Marijuana Program Dispensary Applications and Info Cultivation Centers Applications and Info	Monthly Reports list all operational Cultivation Centers and Dispensaries.	Laws and Regulations Laws: <ul style="list-style-type: none"> DC CODE §§ 7-1671.01, <i>et seq.</i> Regulations: <ul style="list-style-type: none"> Final Regulations 22C DCMR
Florida	Compassionate Use Program	Low-THC Dispensing Organizations (28 Applicants, 5 approved). Redacted applications submitted and scorecards for applicants.	Laws: <ul style="list-style-type: none"> Compassionate Medical Cannabis Act of 2014 FL ST 381.986 Regulations: <ul style="list-style-type: none"> Compassionate Use All Rulemaking

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Georgia	N/A	N/A	<p>Laws:</p> <ul style="list-style-type: none"> • Haleigh's Hope Act (passed/effective April 2015)
Hawaii	Medical Marijuana Program	List of Dispensary Applicants	<p>Laws:</p> <ul style="list-style-type: none"> • Act 228 SLH 2000 – Hawaii’s Initial Medical Use of Marijuana Law • Act 178 SLH 2013 – Makes several changes to the current law (such as: “adequate supply” of medical marijuana changes to 7 plants, regardless of maturity; useable marijuana changes to 4 oz.; increase in registration fees from \$25 to \$35; and other changes) please read Act 178 for more information. • Act 241 SLH 2015 – Hawaii’s Dispensary Law that paves the way for the establishment of dispensaries in Hawaii and also amends other existing laws with respect to the medical use of marijuana. • Act 242 SLH 2015 – Adds nondiscriminatory language to existing laws as it may pertain to the medical use

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Hawaii			<p>of marijuana.</p> <ul style="list-style-type: none"> • HRS 329 – Hawaii’s Uniformed Controlled Substances Act (see part IX – Medical Use of Marijuana). • HRS 329 – part IX Hawaii’s Medical Marijuana Registry Law • HRS 329D – Hawaii’s Medical Marijuana Dispensary Law • HRS 328J – Hawaii’s Smoke Free Law – all of which are directly applicable to smoking or vaping marijuana. • HI ST §§ 329-121, <i>et seq.</i> – Part IX: Medical Use of Marijuana • HI ST §§ 329D-1, <i>et seq.</i> – Medical Marijuana Dispensary System <p>Regulations:</p> <ul style="list-style-type: none"> • Chapter 11-160, HAR – DOH Administrative Rules for the medical use of marijuana.
Idaho	N/A	N/A	N/A
Illinois	Medical Cannabis Pilot Program	List of Licensed Dispensaries	<p>Laws:</p> <ul style="list-style-type: none"> • Compassionate Use of Medical Cannabis Pilot Program Act

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Illinois			<ul style="list-style-type: none"> IL ST CH 410 §§ 130/1, <i>et seq.</i> <p>Regulations:</p> <p><i>Department of Public Health:</i></p> <ul style="list-style-type: none"> Emergency Rule for SB2636 – Updated 12/23/14 Final Rule <p><i>Department of Revenue:</i></p> <ul style="list-style-type: none"> Cultivators' Privilege Tax Income Tax Surcharge on Medical Cannabis Retailers' Occupation Tax <p><i>Department of Financial and Professional Regulation:</i></p> <ul style="list-style-type: none"> Final Rule Emergency Rule <p><i>Department of Agriculture:</i></p> <ul style="list-style-type: none"> Final Rule Emergency Rule
Indiana	N/A	N/A	N/A
Iowa	N/A	N/A	<p>Law:</p> <ul style="list-style-type: none"> SF 2360 (2014) <p>Regulations:</p> <ul style="list-style-type: none"> Administrative Rules (2015)
Kansas	N/A	N/A	N/A

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Kentucky	N/A	N/A	<p>"Clara Madeline Gilliam Act"</p> <ul style="list-style-type: none"> Amends KRS 218A.010 to exempt from the definition of "marijuana" drugs used in FDA-approved studies or compassionate use programs and the substance cannabidiol when recommended by a physician practicing at a state research hospital.
Louisiana	N/A	N/A	<p>Law:</p> <ul style="list-style-type: none"> RS 40:1046
Maine	Maine Medical Use of Marijuana	<p>Maine Medical Marijuana Dispensaries</p> <p>Winning Applicant Info</p> <p>Scoring Sheet</p> <p>Caregivers</p>	<p>Laws:</p> <ul style="list-style-type: none"> MMMP Statute (Title 22, Ch. 558-C) <p>Regulations:</p> <ul style="list-style-type: none"> MMMP Rules (10-144 CMR, Ch. 122)
Maryland	Maryland Medical Cannabis Commission	Growers and Processors Awarded Stage One License Pre-Approvals	<p>Law and Regulations</p> <p>Laws:</p> <ul style="list-style-type: none"> Compilation of Medical Cannabis Law <p>Regulations:</p> <ul style="list-style-type: none"> Natalie Laprade Medical Cannabis Commission

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Massachusetts	Medical Use of Marijuana Program	Registered Marijuana Dispensaries Currently Dispensing Marijuana for Medical Use Applications and Materials Submitted by Dispensary Applicants in 2015 Current Status of Registered Marijuana Dispensaries	Laws and Regulations Laws: <ul style="list-style-type: none"> An Act for the Humanitarian Medical Use of Marijuana Regulations: <ul style="list-style-type: none"> 105 CMR 725.000 – Implementation of an Act for the Humanitarian Medical Use of Marijuana
Michigan	LARA – Michigan Medical Marihuana Program	<p>Dispensaries are banned under Michigan law per <i>State v. McQueen</i>, 493 Mich. 135 (2013)</p> <p>Forms for patients at link in "General Info."</p>	Laws: <ul style="list-style-type: none"> Michigan Medical Marihuana Act Public Act 514 of 2012 (HB 4834) Public Act 512 of 2012 (HB 4851) MA ST 333.26421 – 333.26430 Regulations: <ul style="list-style-type: none"> Medical Marihuana Rules – Effective January 15, 2015 Michigan Medical Marihuana R 333.101 - 333.133
Minnesota	About the Medical Cannabis Program	Registered Manufacturers: <ol style="list-style-type: none"> Minnesota Medical Solutions (application) Leafline Labs (application) 	Medical Cannabis Laws and Rulemaking Laws: <ul style="list-style-type: none"> Minnesota Session Laws 2014, CHAPTER 311--S.F.No. 2470 –

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Minnesota		Medical Cannabis Manufacturers/Laboratories (including select applications of other manufacturers) Manufacturer Selection Process Scoring Medical Cannabis Independent Laboratory Application Process and Forms Cannabis Patient Center Locations	<p>Law that established the state's broad medical cannabis policy.</p> <ul style="list-style-type: none"> Minnesota Session Laws 2015, CHAPTER 74-H.F.No. 1792 – Changes to provisions governing receivership of nursing homes or certified boarding care homes; changing medical cannabis provisions. <p>Regulations:</p> <ul style="list-style-type: none"> Minnesota Medical Cannabis Rules, Chapter 4770 – Rules pertaining to the medical cannabis program, including patient registry, patients, caregivers, health care practitioners and manufacturers.
Mississippi	N/A	N/A	<p>Laws:</p> <ul style="list-style-type: none"> HB1231
Missouri	N/A	N/A	<p>Laws:</p> <ul style="list-style-type: none"> HB 2238 (2014)
Montana	Montana Marijuana Program	No dispensaries or caregivers allowed.	<p>Laws:</p> <ul style="list-style-type: none"> Montana Voter Initiative I-148 Montana Senate Bill 423 Montana Marijuana Act

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Montana		Application Forms	Regulations: <ul style="list-style-type: none"> Montana Marijuana Program Rules
Nebraska	N/A	N/A	
Nevada	Medical Marijuana	<p>Applications not publicly available.</p> <p>Medical marijuana establishments with final certificates as of March 21, 2016:</p> <ul style="list-style-type: none"> Clark County: <ul style="list-style-type: none"> 5 laboratories; 26 cultivation facilities; 11 production facilities; 19 dispensaries Nye County: <ul style="list-style-type: none"> 3 cultivation facilities; 1 dispensary Washoe County: <ul style="list-style-type: none"> 2 laboratories; 9 cultivation facilities; 7 production facilities; 3 dispensaries See the 2014 Medical Marijuana Establishment Application. <p>Subscribe to the MM Listserv to be notified of upcoming application filing periods.</p> <ul style="list-style-type: none"> Click here to subscribe 	Laws: <ul style="list-style-type: none"> NRS 453A – Medical Use of Marijuana Regulations: <ul style="list-style-type: none"> NAC 453A – Medical Use of Marijuana

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Nevada		<p>or unsubscribe.</p> <p>Provisional Certificates awarded in November 2014 – Scores and Rankings:</p> <ul style="list-style-type: none"> • Cultivation Facilities • Dispensaries • Independent Testing Laboratories • Production Facilities 	
New Hampshire	Therapeutic Cannabis Program	<p>Four Alternative Treatment Centers:</p> <ul style="list-style-type: none"> • Prime Alternative Treatment Centers of NH, Inc., with a dispensary located in Merrimack. • Sanctuary ATC, with a dispensary located in Plymouth. • Temescal Wellness, Inc., with dispensaries located in Dover and Lebanon. 	<p>Laws:</p> <ul style="list-style-type: none"> • RSA 126-X Use of Cannabis for Therapeutic Purposes <p>Regulations:</p> <ul style="list-style-type: none"> • Administrative Rules – He-C 400 Therapeutic Cannabis Program
New Jersey	Medicinal Marijuana Program	<p>Not accepting applications for Alternative Treatment Centers (ATCs).</p> <p>Current ATCs:</p> <ul style="list-style-type: none"> • Compassionate Care Foundation, Inc. 	<p>Laws:</p> <ul style="list-style-type: none"> • NJ Compassionate Use Medicinal Marijuana Act • CUMMA Amendments • NJ ST 24:6l-1, <i>et seq.</i>

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New Jersey		<p>100 Century Drive Egg Harbor Twp., NJ (609) 277-7547</p> <ul style="list-style-type: none"> • Greenleaf Compassion Center 395 Bloomfield Ave Montclair, NJ 07042 (973) 337-5670 • Garden State Dispensary (Formally Compassionate Care Centers of America Foundation, Inc.) 950 U.S. Highway 1 North Woodbridge, NJ 07095 (848) 999-2005 • Breakwater Alternative Treatment Center 2 Corporate Drive Cranbury, NJ 08512 (732) 703-7300 • Foundation Harmony Location Pending (201) 840-5800 • Compassionate Sciences, Inc. 111 Coolidge Avenue Bellmawr, NJ 08031 (856) 933-8700 	<p>Regulations:</p> <ul style="list-style-type: none"> • Final Program Rules <p>See also:</p> <ul style="list-style-type: none"> • NJAC § 13:35-7A.1, <i>et seq.</i> – Board of Medical Examiners' Rules • NJAC § 13:45A-33.1, <i>et seq.</i> – Division of Consumer Affairs' Rules
New Mexico	Medical Cannabis Program	The Licensed Non-Profit Producers (LNPP) application period is closed. New Mexico Department of Health	<p>Laws:</p> <ul style="list-style-type: none"> • Lynn and Erin Compassionate Use Act

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New Mexico		<p>(NMDOH) is not accepting applications from businesses interested in producing and distributing medical cannabis.</p> <p>Medical Cannabis List of Licensed Nonprofit Producers</p> <p>Applications:</p> <ul style="list-style-type: none"> • Medical Cannabis Patient Application • Medical Cannabis Caregiver Application • Medical Cannabis Personal Production Application 	<p>Rules and Regulations:</p> <ul style="list-style-type: none"> • NMAC 7.34.2 – Medical cannabis advisory board responsibilities and duties. • NMAC 7.34.3 – Medical cannabis registry identification cards. • NMAC 7.34.4 – Medical cannabis licensing requirements for producers, couriers, manufacturers and laboratories. <p>A brief overview of participant responsibilities and protections are found in the Medical Cannabis Law Enforcement Fact Sheet.</p>
New York	<p>Medical Marijuana Program</p> <p>Medical Marijuana Program Applications:</p> <ul style="list-style-type: none"> • Instructions, Forms, Completed Applications • Evaluation Process and Scores 	<p>Registered Organizations: Licenses granted to 5 of 43 applications</p> <p>All Applications</p>	<p>Laws:</p> <ul style="list-style-type: none"> • AB 6357 (2014) – Signed into law 07/05/2014 • AB 7060 (2015) expedited access – Signed into law 11/11/2015 • NY PUB HEALTH §§ 3360, <i>et seq.</i> <p>Regulations:</p> <ul style="list-style-type: none"> • 10 NYCRR 1004.1, et seq.

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North Carolina	N/A	N/A	Laws: <ul style="list-style-type: none"> HB 1220 – Hope 4 Haley and Friends HB 766 – Amend CBD Oil Statute
North Dakota	N/A	N/A	N/A
Ohio	HB 523	N/A	Laws: <ul style="list-style-type: none"> HB 523 Regulations: <ul style="list-style-type: none"> No regulations as of June 27, 2016.
Oklahoma	N/A	N/A	Laws: <ul style="list-style-type: none"> HB 2154 – Katie and Cayman's Law
Oregon	Oregon Medical Marijuana Program (OMMP)	Directory of Dispensaries Dispensary Application and Instructions New Patient Applications	Medical Marijuana: Oregon Administrative Rules (OAR) 333-008 Cannabis Regulation: Oregon Revised Statutes (ORS) 475B Recreational use of marijuana is governed by Control and Regulation of Marijuana Act 475B.005 through 475B.395. Oregon Medical Marijuana Act begins at 475B.400.

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Pennsylvania	Growers and Processors Temporary Regulations	N/A	Signed into Law April 2016 – Act No. 16 Growers and Processors Temporary Regulations
Rhode Island	Medical Marijuana Program	<p>Three Compassion Centers Licensed (selected from 18 applications):</p> <ul style="list-style-type: none"> • Thomas C. Slater – proposal changes here • Greenleaf Compassion Center – original application here and proposal changes here • Summit Medical Compassion Center <p>Application for Open Period in March 2010.</p> <p>Application modified in October 2010 when no qualified applicants found. Changes described here.</p> <p>Original 15 Applications were rejected.</p>	<p>Laws:</p> <ul style="list-style-type: none"> • The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act <p>Regulations:</p> <ul style="list-style-type: none"> • Rules and Regulations Related to the Medical Marijuana Program [R21-28.6-MMP] • Rules and Regulations for the Licensure and Discipline of Physicians [R5-37-MD/DO] • Rules and Regulations Pertaining to Medical Orders for Life Sustaining Treatment [R23-4.11-MOLST] • Rules and Regulations Pertaining to the Medical Examiner System • Rules and Regulations Pertaining to Immunization, Testing and Health Screening for Health Care Workers [R23-17-HCW]
South Carolina	N/A	N/A	“Julian's Law”

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South Dakota	N/A	N/A	Pending Bills: <ul style="list-style-type: none"> SB171 SB167
Tennessee	N/A	N/A	SB 2531 (2014) Amended by SB 280 (2015)
Texas	Compassionate Use Program	Licensing and Registration "DPS will license at least three dispensing organizations by Sept. 1, 2017. The license will authorize each organization to cultivate, process and dispense low-THC cannabis to prescribed patients."	Laws: <ul style="list-style-type: none"> Compassionate Use Act (SB339) Regulations: <ul style="list-style-type: none"> Compassionate Use Program Administrative Rules
Utah	Hemp Extract Registry	N/A	Laws: <ul style="list-style-type: none"> Hemp Extract Registration Act Regulations: <ul style="list-style-type: none"> Hemp Extract Registration Rules
Vermont	Vermont Marijuana Registry	Four Dispensaries Licensed: <ul style="list-style-type: none"> Champlain Valley Dispensary, Inc. Grassroots Vermont (GRVT), formerly Rutland County Organics (RCO) Vermont Patients Alliance Southern Vermont Wellness 	Laws: <ul style="list-style-type: none"> Vermont Statute – Title 18: Health, Chapter 86: Therapeutic Use of Cannabis Regulations: <ul style="list-style-type: none"> Rules Regulating Cannabis for Symptom Relief

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Vermont		Dispensary application from open period ending September 2013.	
Virginia	N/A	N/A	<p>Laws:</p> <ul style="list-style-type: none"> • SB701 - Pending - Waiting on Governor's Signature • HB1445
Washington	<p>Medical Marijuana</p> <p>Recreational Marijuana</p>	<p>Retail Marijuana Licensing</p> <p>Marijuana License Applications BLS – Marijuana Licenses</p> <p>Frequently Requested Lists – "Marijuana License Applicants"</p>	<p>Laws:</p> <p><i>Product compliance, database, consultant, scheduling and patient access</i></p> <ul style="list-style-type: none"> • 2SSB 5052 – Cannabis Patient Protection Act • Chapter 69.51A RCW – Medical Cannabis • Chapter 69.50 RCW – Uniform Controlled Substances Act • Initiative 692 – Medical Use of Marijuana Act Information Summary: Patient Access to Medical Marijuana in Washington State <p><i>Growing, producing/processing and retail stores</i></p> <ul style="list-style-type: none"> • I-502 – Marijuana Retail Stores • Chapter 314-55 WAC – Marijuana Licenses, Application Process, Requirements and Reporting

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Washington			<i>Taxes</i> <ul style="list-style-type: none"> • HB 2136 – Marijuana Tax Reform • Temporary sales and use tax exemptions for medical marijuana from collective gardens (effective until 7/1/16)
West Virginia	N/A	N/A	N/A
Wisconsin	N/A	N/A	Wisconsin 2013 Act 267 (2014)
Wyoming	N/A	N/A	Passed Laws: <ul style="list-style-type: none"> • HB 32 – Hemp Extract Regulation