



Marijuana Policy Project
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“We change laws.”

Colorado and Washington’s New Approaches to Marijuana Policy

An overview of each state’s framework for regulating marijuana similarly to alcohol

	Age Limit	Personal Possession, Cultivation, and Purchase Limits	Businesses Allowed and Restrictions on Numbers of Each (if any)	Licensing Timeline	Oversight Agency
Colo.	21 and older	<p>Possession: One ounce; plus, at the grow location, marijuana from the adult’s six plants</p> <p>Cultivation: Six marijuana plants (three mature)</p> <p>Purchase: One ounce per transaction for residents; a quarter ounce for non-residents</p>	<p>Cultivation facilities, product manufacturers, testing labs, and retail stores.</p> <p>There are no statewide restrictions on the numbers of licenses issued per business type, but localities may restrict their numbers or ban them entirely.</p>	<p>Medical marijuana business licensees began applying for business licenses on October 1, 2013. Others cannot apply until July 1, 2014. Retail stores should be open in select cities on January 1, 2014.</p>	<p>Department of Revenue, Marijuana Enforcement Division</p>
Wash.	21 and older	<p>Possession: Up to an ounce of marijuana, 16 ounces of marijuana-infused solids, and 72 ounces of marijuana-infused liquids</p> <p>Home cultivation: Not allowed</p> <p>Purchase: Transaction limits mirror possession limits</p>	<p>Marijuana producers (growers), processors, and retailers.</p> <p>Retailer licenses will be limited to 334 statewide. The rules do not include set limits on the number of producers and processors, but they limit the total square feet of cultivation to two million.</p>	<p>Applications will initially only be accepted during a 30-day window beginning November 18, 2013. The board may reopen the application window at its discretion.</p>	<p>Washington State Liquor Control Board</p>

Detailed summaries of the two programs are available at mpp.org/co and mpp.org/wa.

	Tracking and Security	Testing and Labeling	Tax Rate	Local Role	How Licensees Are Determined
Colo.	Licensed entities must use “seed-to-sale” tracking to prevent diversion. Specific security and video systems must be installed, and the businesses must abide by specific alarm and lock standards.	Marijuana and marijuana products that have been tested for potency and contaminants must be labeled with the results; if they were not tested, they must state that fact. Additionally, certain warning labels are required on all retail marijuana.	Current state and local sales and use taxes apply to all retail sales. Voters approved a 15% excise tax and a separate 10% special sales tax in November 2013.	Cities and counties are allowed to prohibit marijuana establishments or to limit their number. They may also enact ordinances restricting the time, place, and manner of businesses.	Initially, only state-licensed medical marijuana businesses may apply. Any qualified business will be licensed, unless the locality has limited the number of businesses. If it has done so, the department will decide whom to license, considering the locality’s preference when doing so.
Wash.	Licensed entities must use “seed-to-sale” tracking to prevent diversion. Specific security systems are required, including perimeter alarms and video systems.	Certain analytic tests must be performed on marijuana and the various marijuana products. For example, usable marijuana must be tested for moisture content, potency, foreign matter, and microbes.	25% excise tax on wholesale sales to processors; 25% excise tax on wholesale sales to retailers; and a 25% tax on the retail sale price.	Localities are notified when the board receives an application for licensure. They have 20 days to give their advice, which is given “substantial weight” by the board when they make their decision to grant a license.	If there are more qualified applicants in a city or county than are allotted, they will be selected by lottery.