

Comparison of States with Legalized Marijuana

	Colorado	Washington	Oregon	Alaska
Authorization for retail marijuana	<p>“Amendment 64” ballot initiative passed; Nov. 6, 2012. Governor established Amendment 64 Implementation Task Force; Dec. 2012. General Assembly passed three bills based on TF recommendations; May 28, 2013. State adopted admin. rules; Sept. 9, 2013</p>	<p>“Initiative 502” ballot initiative passed; Nov. 6, 2012. State adopted admin. rules; Oct. 16, 2013</p>	<p>“Measure 91” ballot initiative passed; Nov. 4, 2014. Legislation enacted to allow medical dispensaries to sell recreational marijuana on interim basis; July 2015. Draft temporary admin. rules issued for commercial establishments; Oct. 2015</p>	<p>“Measure 2” ballot initiative passed; Nov. 4, 2014. State adopted emergency admin. rules; Feb. 24, 2015. State adopted permanent admin. rules; Nov. 20, 2015</p>
Personal possession of marijuana for adults 21 years of age or older	<p>One ounce may be carried on the person; six plants, of which three or fewer may be mature; any marijuana harvested from the plants may be kept in location where it was grown</p>	<p>One ounce</p>	<p>One ounce may be carried on the person; four plants per household; eight ounces produced by the plants per household</p>	<p>One ounce; six plants, of which three or fewer may be mature; four ounces produced by the plants per household and kept where the plants are kept</p>

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Personal cultivation of marijuana for adults 21 years of age or older	Enclosed, locked space that is not open or public	No	Location where plants are not subject to public view	Location where plants are not subject to public view; reasonable precautions to secure plants from unauthorized access
Personal possession of marijuana products for adults 21 years of age or older	Use weight of marijuana in product to determine	Use weight of marijuana in product to determine	Not more than 16 ounces in solid form or 72 ounces in liquid form of homemade marijuana product per household	Use weight of marijuana in product to determine
Legal personal (unlicensed) transfer, sale, and purchase for adults 21 years of age or older	Transfer of one ounce or less without remuneration	No	Transfer of one ounce or less without remuneration	Purchase one ounce or less; transfer without remuneration one ounce or less and up to six immature plants

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Legal personal purchase from licensed marijuana establishment	Residents – one ounce; nonresidents – one-quarter ounce in a single transaction per day. Can mix and match flowers, edible products, wax, etc. as long as aggregate does not exceed limit (using conversion table). Began Jan. 1, 2014	Up to one ounce, including 16 ounces of product in solid form or 72 ounces in liquid form or any variation as long as aggregate does not exceed limit. No residency limitations. Began July 8, 2014	Oct. 15, 2015–Dec. 31, 2016, a person may purchase up to one-quarter ounce marijuana, four immature plants, and no limit of seeds from a licensed medical dispensary. This provision will sunset at the end of 2016, once commercial retailers are expected to be operating. Regulations for these establishments is pending	First licenses expected to be issued May 2016
Homemade marijuana extracts ¹	Prohibited	Prohibited	Prohibited	NA
Public consumption	Prohibited	Prohibited	Prohibited	Prohibited

¹ A product obtained by separating resins from marijuana by solvent extraction, using a solvent such as butane, hexane, isopropyl alcohol, ethanol, or carbon dioxide. Does not include extraction by vegetable glycerin.

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Penalties for underage possession; attempt to procure; furnishing to a person who is underage	Yes	Yes	Yes	Yes
Drugged driving provisions	Reasonable inference of intoxication at 5ng THC/ml of blood	Per se intoxication at 5ng THC/ml of blood	Drug recognition Experts. Report due to General Assembly	
Regulatory body for commercial marijuana	Marijuana Enforcement Division, Department of Revenue	Liquor and Cannabis Board	Liquor Control Commission	Marijuana Control Board
Types of commercial marijuana licenses	Cultivator; manufacturer; store; testing facility	Producer; processor; retailer; researcher	Grower; wholesaler; processor; retailer (expected late 2016)	Cultivator; manufacturer; retail/cafe; testing facility. Must begin accepting applications by Feb. 24, 2016 and expected to begin issuing by May 23, 2016

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Applicant criteria	Resident two years prior to application; criminal history check and restrictions; good moral character; may not be financed by someone who would not meet these criteria	Resident six months prior to application; criminal and administrative violation history check and restrictions; full financier investigation	Resident two years prior to application; criminal history check and restrictions; good moral character; may not be financed by someone who would not meet these criteria	Resident; criminal and administrative violation history check
Local authority to regulate commercial marijuana establishments	Time, place, and manner restrictions. If local authority wishes to prohibit such establishments, must be approved by local ballot	Time, place, and manner restrictions. Issue of local authority to ban is somewhat unclear and has been subject of litigation. In 2015, a state law was enacted to prevent towns that ban such establishments from receiving marijuana revenue	Time, place, and manner restrictions. If local authority wishes to prohibit such establishments, must be approved by local ballot, unless the town voted against 91, in which case the ban may be authorized through an ordinance	Time, place, and manner restrictions. Establishments may be prohibited through voter initiative

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Taxes	15% excise tax on wholesale marijuana; 10% retail marijuana sales tax; 2.9% regular sales tax; any local sales tax.	37% retail sales tax.	25% retail sales tax until end of 2016; afterward 17%. Local govs. may adopt local sales tax up to 3%.	\$50 per ounce excise tax at wholesale level.