SCG Legal

Are We Going To Pot?: Legal Issues Arising from Cannabis Industry Growth

Tom Downey
tdowney@irelandstapleton.com
303-628-3639

Colorado Marijuana Law

I. Legal Ethics (Since 2014)
   A. CO Attorney may provide legal advice. Must advise of Federal illegality and ramifications
   B. US District Court Colorado - Specifically carved out Marijuana Rule

II. History/Status
   A. 2000 Medical Marijuana (Ballot Initiative)
      i. Personal and caregiver - 6 plants for self & up to 5 others
      ii. No enabling legislation for commercial medicinal structure
   B. 2010 – State licensing structure
      i. Dispensaries, Infused Production Manufacturers, Grow Facilities
      ii. Owners and Employees
   C. 2014 (Nov 2012 Vote) Recreational Marijuana
      i. Decriminalize low dose possession
      ii. Legalize Industrial Hemp
      iii. Legalize and regulate recreational marijuana
      iv. Require testing and testing labs
      v. Seed to sale tracking system
   D. 2015
      i. Packaging, labelling, portion size, stamping/symbols
   E. Tax 2017
      i. Out of state ownership allowed
      ii. Royalty agreements allowed