

HOUSE BILL NO. HB0209

Regulation of marijuana.

Sponsored by: Representative(s) Olsen, Baker, Barlow,
Brown, Burt, Connolly, Provenza, Romero-
Martinez, Sweeney, Western, Yin and
Zwonitzer and Senator(s) Case and Rothfuss

A BILL

for

1 AN ACT relating to food and drugs; establishing licensing
2 requirements and procedures for the production, testing and
3 sale of marijuana; generally providing for the regulation
4 of marijuana-related activities; prohibiting discrimination
5 based on marijuana activities; specifying private rights to
6 prohibit activities involving marijuana; providing for the
7 local regulation of marijuana as specified; establishing
8 offenses and civil penalties for the possession of
9 specified amounts of marijuana and marijuana products;
10 amending criminal penalties for the possession of marijuana
11 as specified; establishing additional offenses related to
12 marijuana; imposing taxes on marijuana and providing for
13 the distribution of tax revenues; defining terms; making

1 conforming amendments; repealing obsolete provisions;
2 requiring rulemaking; and providing for effective dates.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 11-52-101 through 11-52-616 and
7 39-24-101 through 39-24-110 are created to read:

8

9

CHAPTER 52

10

MARIJUANA

11

12

ARTICLE 1

13

GENERAL PROVISIONS

14

15 **11-52-101. Definitions.**

16

17 (a) As used in this chapter:

18

19 (i) "Child-resistant" means packaging or
20 containers of a product that is specially designed or
21 constructed to be significantly difficult for a typical
22 child under five (5) years of age to open but not to be
23 significantly difficult for a typical adult to open and

1 reseal and, for products intended for multiple uses or that
2 contains multiple servings, is resealable;

3

4 (ii) "Cultivation" or "cultivate" means the
5 planting, propagation, growing, harvesting, drying, curing,
6 grading, trimming or other similar processing of marijuana
7 for use or sale. "Cultivation" or "cultivate" does not
8 include manufacturing or testing;

9

10 (iii) "Edible marijuana product" means a
11 marijuana product intended to be consumed orally, including
12 any type of food, drink or pill containing marijuana or
13 marijuana concentrate;

14

15 (iv) "Licensed premises" means the premises
16 specified in a license to operate a marijuana establishment
17 within which the licensee is authorized under this chapter
18 and the regulations adopted under this chapter to
19 cultivate, manufacture, test or sell retail marijuana or
20 retail marijuana products;

21

22 (v) "Licensee" means a person licensed under
23 this chapter to operate a marijuana establishment;

1

2 (vi) "Local license" means a license issued by a
3 city, town or county pursuant to W.S. 11-52-301 that
4 permits a person to operate a marijuana establishment in
5 the city, town or county;

6

7 (vii) "Manufacturing" or "manufacture" means the
8 production of marijuana products or the blending, infusing,
9 compounding or other preparation of marijuana and marijuana
10 products, including marijuana extraction or preparation by
11 means of chemical synthesis. "Manufacturing" or
12 "manufacture" does not include cultivation or cultivating;

13

14 (viii) "Marijuana" means all parts of the plant
15 of the genus Cannabis, whether growing or not; the seed
16 thereof; the resin extracted from any part of the plant;
17 and every compound, manufacture, salt, derivative, mixture
18 or preparation of the plant, its seeds or resin.
19 "Marijuana" does not include:

20

21 (A) The mature stalks of the plant, fiber
22 produced from the stalks, oil or cake made from the seeds
23 of the plant, any other compound, manufacture, salt,

1 derivative, mixture or preparation of the mature stalks
2 (except the resin extracted therefrom), fiber, oil or cake,
3 or the sterilized seed of the plant which is incapable of
4 germination;

5

6 (B) Any oily extract containing one (1) or
7 more cannabinoids unless the extract contains not greater
8 than twelve percent (12%) of THC by weight;

9

10 (C) Hemp or hemp product as defined in W.S.
11 11-51-101(a)(iii).

12

13 (ix) "Marijuana concentrate" means marijuana
14 that has undergone a process to concentrate one (1) or more
15 active cannabinoids to increase the marijuana's potency.
16 For purposes of this chapter, resin from granular trichomes
17 from a marijuana plant is marijuana concentrate;

18

19 (x) "Marijuana cultivation facility" means a
20 facility licensed under this chapter to:

21

22 (A) Purchase marijuana plants and seeds
23 from other marijuana cultivation facilities;

1

2 (B) Cultivate, label and package marijuana;

3

4 (C) Transfer possession of retail marijuana
5 to marijuana secure transporters;

6

7 (D) Sell marijuana to marijuana
8 manufacturing facilities, retail marijuana stores and other
9 marijuana cultivation facilities;

10

11 (E) Sell marijuana plants and seeds to
12 other marijuana cultivation facilities and immature
13 marijuana plants and seedlings to retail marijuana stores.

14

15 (xi) "Marijuana establishment" means a marijuana
16 cultivation facility, a marijuana testing facility, a
17 marijuana manufacturing facility, a marijuana secure
18 transporter, a retail marijuana store or a marijuana
19 microbusiness;

20

21 (xii) "Marijuana manufacturing facility" means a
22 facility licensed under this chapter to:

23

1 (A) Purchase marijuana from a marijuana
2 cultivation facility or another marijuana manufacturing
3 facility;

4

5 (B) Manufacture, label and package
6 marijuana and marijuana products;

7

8 (C) Transfer possession of retail marijuana
9 and retail marijuana products to marijuana secure
10 transporters;

11

12 (D) Sell marijuana and marijuana products
13 to marijuana stores and to other marijuana manufacturing
14 facilities.

15

16 (xiii) "Marijuana microbusiness" means a
17 facility licensed under this chapter to:

18

19 (A) Cultivate not greater than one hundred
20 fifty (150) marijuana plants at any one (1) time;

21

1 (B) Prepare, manufacture, label and package
2 marijuana and marijuana products obtained from those
3 plants;

4

5 (C) Sell specified amounts of marijuana and
6 marijuana products.

7

8 (xiv) "Marijuana paraphernalia" means all
9 equipment, products and materials of any kind that are
10 either designed for use or are intended for use in
11 planting, propagating, cultivating, growing, harvesting,
12 manufacturing, compounding, converting, producing,
13 processing, preparing, testing, analyzing, packaging,
14 repackaging, storing, containing, concealing, ingesting,
15 inhaling marijuana or otherwise introducing marijuana into
16 the human body;

17

18 (xv) "Marijuana products" means products that
19 are composed of marijuana and other ingredients and are
20 intended for use or consumption, including edible products,
21 ointments and tinctures;

22

1 (xvi) "Marijuana secure transporter" means a
2 person licensed under this chapter to obtain marijuana from
3 a marijuana establishment and transport the marijuana to
4 another marijuana establishment;

5

6 (xvii) "Marijuana testing facility" means a
7 facility licensed under this chapter to develop, research
8 and test marijuana, marijuana products and other
9 substances;

10

11 (xviii) "Non-retail marijuana" means marijuana
12 that is not cultivated, manufactured or sold by a licensed
13 marijuana establishment;

14

15 (xix) "Non-retail marijuana products" means
16 marijuana products that are not manufactured or sold by a
17 licensed marijuana establishment;

18

19 (xx) "Retail marijuana" means marijuana that is
20 cultivated, manufactured and sold by a licensed marijuana
21 establishment or that is cultivated or manufactured by a
22 person pursuant to W.S. 11-52-502;

23

1 (xxi) "Retail marijuana products" means
2 marijuana products that are manufactured and sold by a
3 licensed marijuana establishment or that are manufactured
4 by a person pursuant to W.S. 11-52-502;

5

6 (xxii) "Retail marijuana store" means a facility
7 licensed under this chapter to:

8

9 (A) Purchase marijuana, immature marijuana
10 plants and seedlings from a marijuana cultivation facility;

11

12 (B) Purchase marijuana and marijuana
13 products from a marijuana manufacturing facility;

14

15 (C) Receive possession of retail marijuana
16 and retail marijuana products from marijuana secure
17 transporters;

18

19 (D) Sell retail marijuana, retail marijuana
20 products, immature marijuana plants and seedlings to
21 consumers.

22

1 (xxiii) "State license" means a license issued
2 by the department that permits a person to operate a
3 marijuana establishment;

4

5 (xxiv) "Testing" or "test" means the research
6 and analysis of marijuana, marijuana products or other
7 substances for contaminants, potency and safety;

8

9 (xxv) "THC" means tetrahydrocannabinol, the
10 psychoactive component of the cannabis plant, with the
11 scientific name trans-delta 9-tetrahydrocannabinol.

12

13 **11-52-102. Department of agriculture; powers and**
14 **duties; subpoenas; failure to obey.**

15

16 (a) The board shall:

17

18 (i) Promulgate rules in accordance with the
19 Wyoming Administrative Procedure Act and W.S. 11-52-103 to
20 further the requirements of this act;

21

1 (ii) Grant, suspend and revoke state licenses
2 for the cultivation, manufacture, transportation, sale and
3 testing of retail marijuana and retail marijuana products;
4

5 (iii) Assess and collect civil penalties for
6 violations of this chapter and regulations promulgated
7 under this chapter;
8

9 (iv) Employ personnel and contract with advisors
10 and consultants as necessary to adequately perform the
11 duties required under this chapter;
12

13 (v) Hold not less than four (4) public meetings
14 during each calendar year for the purpose of hearing
15 complaints and receiving the views of the public with
16 respect to the administration of this chapter;
17

18 (vi) Not later than November 1 of each year,
19 submit an annual report to the governor and the legislature
20 with the following information:
21

22 (A) The number of state licenses issued and
23 currently active for each category of license;

1

2 (B) Demographic information concerning the
3 licensees;

4

5 (C) A description of enforcement and
6 disciplinary actions taken against licensees;

7

8 (D) In coordination with the department of
9 revenue, a statement of revenues and expenses of the
10 department related to the implementation, administration
11 and enforcement of this chapter.

12

13 (vii) Perform any and all acts necessary to
14 carry out the purposes of this chapter.

15

16 (b) The director or the board, with respect to
17 matters within their respective jurisdictions, may:

18

19 (i) Conduct hearings, obtain information and
20 make studies and investigations under this chapter, or as
21 necessary to assist in prescribing any rules, regulations,
22 orders or amendment of orders or in the administration and

1 enforcement of this chapter and regulations and orders
2 hereunder;

3

4 (ii) Require any person who is engaged as a
5 producer, processor or handler of any marijuana product to
6 furnish any information under oath, affirmation or
7 otherwise, to make and keep records and other documents and
8 to make reports, and require any person to permit the
9 inspection and copying of records and other documents;

10

11 (iii) Administer oaths and affirmations and
12 whenever necessary, subpoena any person to appear and
13 testify or to appear and produce all books, documents,
14 papers and records at any designated place as necessary to
15 administer this chapter.

16

17 (c) In case of refusal to obey a subpoena served upon
18 any person, the district court for any county in which the
19 person is found or resides or transacts business, upon
20 application by the director or the board, may issue an
21 order requiring the person to appear and give testimony or
22 to appear and produce documents or both. Any failure to

1 obey the order of the court may be punished by the court as
2 a contempt.

3

4 (d) All retail marijuana and retail marijuana
5 products offered for sale in Wyoming in accordance with
6 this chapter and with title 39, chapter 24 of the Wyoming
7 statutes shall have affixed a stamp, imprint or impression
8 on each package of retail marijuana or a retail marijuana
9 product. The department shall promulgate rules for
10 requiring all retail marijuana store and microbusiness
11 licensees selling retail marijuana or retail marijuana
12 products to procure and affix stamps, imprints or
13 impressions on each package of retail marijuana or retail
14 marijuana product. The department shall obtain suitable
15 stamps for use as required by this section. The department
16 may sell the stamps to licensees at a cost not to exceed
17 the administrative costs of administering this subsection.
18 The department shall keep accurate records of all stamps
19 provided to licensees. The department may authorize
20 licensees to use department approved metering machines to
21 affix imprints or impressions in lieu of affixing stamps.
22 The machine shall be sealed by the department and used
23 pursuant to rules and regulations of the department. The

1 department shall inspect and read each metering machine at
2 least once a month or may approve and appoint a bank within
3 Wyoming of the licensee's choice to act as setting agent
4 pursuant to rules and regulations of the department. No
5 licensee shall sell or transfer any stamps issued under
6 this subsection. The department shall refund any unused
7 and uncanceled stamps presented by a licensee.

8

9 **11-52-103. Rules and regulations.**

10

11 (a) The board shall adopt rules to:

12

13 (i) Develop forms, applications and licenses as
14 are necessary to administer this chapter;

15

16 (ii) Prescribe procedures for issuing, renewing,
17 suspending and revoking a state license;

18

19 (iii) Provide a schedule of application,
20 licensing and renewal fees for marijuana establishments in
21 amounts necessary to ensure that, to the extent
22 practicable, the total amount generated from the fees
23 approximates the direct and indirect costs incurred by the

1 board and department in carrying out the duties of this
2 chapter;

3

4 (iv) Establish requirements for all licensees
5 under this chapter for the form, content and retention of
6 all records and accounts;

7

8 (v) Ensure compliance with the provisions of
9 this chapter by requiring inspections of all licensees at a
10 frequency that the board determines;

11

12 (vi) Regulate the outdoor cultivation of
13 marijuana by a marijuana cultivation facility licensee,
14 including security requirements to include lighting,
15 physical security and alarm requirements, provided that any
16 rules promulgated under this paragraph shall not prohibit
17 the cultivation of marijuana in a greenhouse or outdoors;

18

19 (vii) Establish requirements for securely
20 transporting marijuana between marijuana establishments;

21

22 (viii) Establish sanitary standards for retail
23 marijuana produce preparation;

1

2 (ix) Establish a testing program for retail
3 marijuana and retail marijuana products pursuant to W.S.
4 11-52-401;

5

6 (x) Establish requirements for health and safety
7 warning labels to be placed on retail marijuana and retail
8 marijuana products to be sold or offered for sale by a
9 licensee to a consumer in accordance with this chapter;

10

11 (xi) Establish reasonable restrictions on
12 outdoor advertising of retail marijuana and retail
13 marijuana products to ensure that advertising does not
14 encourage or otherwise promote the use or consumption of
15 retail marijuana or retail marijuana products by persons
16 under twenty-one (21) years of age;

17

18 (xii) Require retail marijuana store licensees
19 to file an appeal from any hearing decision rendered within
20 thirty (30) days of the date the notice of decision is
21 sent.

22

1 (b) The board shall not adopt regulations that
2 establish a limit on the number of any type of state
3 licenses that may be granted or that require a customer to
4 provide a retail marijuana store with identifying
5 information other than identification necessary to
6 determine the customer's age.

7

8 (c) The board may promulgate:

9

10 (i) Rules for the issuance of additional types
11 or classes of state licenses to operate marijuana-related
12 businesses, including licenses that authorize only limited
13 cultivation, manufacture, transportation, delivery,
14 storage, sale or purchase of marijuana;

15

16 (ii) Rules for the issuance of state licenses
17 that authorize the consumption of retail marijuana or
18 retail marijuana products at special events in limited
19 areas and for a limited time;

20

21 (iii) Rules for the issuance of state licenses
22 that authorize cultivation for purposes of propagation or
23 to facilitate scientific research or education;

1

2 (iv) Any other rules that are reasonably
3 necessary to regulate marijuana and marijuana products in
4 accordance with this chapter.

5

6 **11-52-104. Seed-to-sale tracking system.**

7

8 To ensure that no retail marijuana grown or processed by a
9 marijuana establishment is sold or otherwise transferred
10 except by a retail marijuana store or as otherwise
11 authorized by law, the board shall develop and maintain a
12 seed-to-sale tracking system that tracks retail marijuana
13 from either the seed or immature plant stage until the
14 retail marijuana or retail marijuana product is sold to a
15 customer at a retail marijuana store.

16

17 **11-52-105. Prohibition or regulation of retail**
18 **marijuana and retail marijuana products on private**
19 **property.**

20

21 No person shall be prohibited from prohibiting or otherwise
22 regulating the cultivation, manufacture, testing,
23 distribution, sale, display or consumption of retail

1 marijuana or retail marijuana products on property that the
2 person owns, occupies or manages.

3

4

ARTICLE 2

5

LICENSE ADMINISTRATION

6

7 **11-52-201. Licensing; general application**
8 **requirements.**

9

10 (a) An applicant for a state license to operate a
11 marijuana establishment shall submit an application to the
12 board on a form established by the board. An applicant
13 shall pay any fees the board requires pursuant to this
14 chapter or to rules promulgated under W.S.
15 11-52-103(a)(iii). Except as otherwise provided in this
16 section, every officer, director, manager and general
17 partner of a business entity that applies under this
18 section shall comply with the provisions of this section.

19

20 (b) Each applicant shall disclose in or include with
21 the application the names and addresses of each person
22 applying or participating in the application for a license
23 and any business entities that have a direct or indirect

1 financial interest in the state license that is sought,
2 including the nature and extent of any financial interest
3 the person or business entity has in any other license
4 applied for or issued under this chapter.

5

6 (c) Each applicant shall:

7

8 (i) Be at least twenty-one (21) years of age. If
9 a business entity is applying, each officer, director,
10 manager and general partner of the business entity shall be
11 at least twenty-one (21) years of age;

12

13 (ii) Not have had a license, permit, certificate
14 or other government-issued authorization issued in another
15 jurisdiction allowing the cultivation, manufacture, testing
16 or sale of marijuana or marijuana products which was
17 revoked by that jurisdiction;

18

19 (iii) Submit fingerprints and personal
20 descriptive information to the board as required by rule of
21 the board; and

22

1 (iv) Affirm under penalty of perjury that all of
2 the information contained in the application is true and
3 correct.

4

5 (d) Any person who knowingly makes a false statement
6 to the board for purposes of obtaining a license under this
7 chapter shall be guilty of false swearing in violation of
8 W.S. 6-5-303(c). The board shall revoke the license of a
9 licensee if, subsequent to the issuance of a license, the
10 board determines that the licensee knowingly or recklessly
11 made a false statement of material fact to the board in
12 applying for the license.

13

14 (e) Upon receipt of a complete application and any
15 required fees, the board shall:

16

17 (i) Forward a copy of the application to the
18 city, town or county where the applicant intends to
19 establish a marijuana establishment in accordance with W.S.
20 11-52-102;

21

22 (ii) Determine whether the applicant and the
23 premises where the marijuana establishment is to be located

1 qualify for a license and satisfy the requirements of this
2 chapter; and

3

4 (iii) Within thirty (30) days of receipt of the
5 application, issue the appropriate license or send the
6 applicant notice of denial of the application with the
7 specific reasons why the board did not approve the
8 application.

9

10 **11-52-202. Notice to localities.**

11

12 (a) Upon receiving an application for a license, the
13 board shall notify the governing body of the city, town or
14 county where each marijuana establishment is proposed to be
15 located by notifying the chief law enforcement officer,
16 town attorney and county attorney. Not later than thirty
17 (30) days after receipt of notice under this subsection,
18 the county and city or town shall notify the board whether
19 the proposed marijuana establishment is in compliance with
20 any ordinance or resolution adopted by the city, town or
21 county pursuant to W.S. 11-52-301 and in effect at the time
22 of the application and shall submit any other objections to
23 the granting of the license.

1

2 (b) A city, town or county that has limited through
3 ordinance or resolution the number of marijuana
4 establishments that may be licensed in accordance with W.S.
5 11-52-301 and that receives notices under subsection (a) of
6 this section of a number of applicants that is more than
7 the city's, town's or county's limit shall select which
8 applications to forward to the board for approval through a
9 competitive process that results in the selection of
10 applicants who are best suited to operate in compliance of
11 the provisions of this chapter.

12

13 **11-52-203. Multiple licenses; exceptions.**

14

15 (a) As used in this section, "interest" means an
16 equity ownership interest, a partial equity ownership
17 interest or any other type of financial interest, including
18 an investor or serving in a management position.

19

20 (b) Except as otherwise provided in this section, a
21 person may possess one (1) or more of a marijuana
22 cultivation facility license, a marijuana manufacturing
23 facility license, a marijuana secure transporter license or

1 a retail marijuana store license. No licensee who has
2 received one (1) or more of the licenses specified in
3 subsection (c) of this section shall receive any of the
4 licenses specified in this subsection.

5

6 (c) No licensee who has received one (1) or more of
7 the licenses specified in subsection (b) of this section
8 shall be issued a marijuana testing facility license or a
9 marijuana microbusiness license or have any interest in an
10 entity that has one (1) or more of the licenses specified
11 in this subsection.

12

13 (d) No person shall receive or have any interest in
14 more than five (5) marijuana cultivation facility licenses
15 or in more than one (1) marijuana microbusiness license.

16

17 **11-52-204. Separate licenses; posting; exception.**

18

19 (a) Each license granted by the board to an applicant
20 under this chapter is separate and distinct from any other
21 license the board issues to the same applicant.

22

1 (b) Each license granted by the board under this
2 chapter shall designate the place where the business of the
3 licensee will be carried out.

4

5 (c) Each licensee shall post the license in a
6 location that is conspicuous to the public at the place
7 where the licensee carries out the business for which the
8 license is granted.

9

10 (d) The privileges conferred by a license granted by
11 the board shall continue until the last day of the twelfth
12 month next ensuing or until the last day of the designated
13 month and year of expiration, whichever is later. The board
14 may terminate a license before its expiration for any cause
15 for which the board may refuse to grant a license under
16 W.S. 11-52-206 or by operation of law, voluntary surrender
17 or order of the board.

18

19 (e) The board may grant licenses for one (1) year or
20 for multiple years, not to exceed three (3) years. The
21 board shall determine qualifications and criteria for
22 multi-year licenses, provided that any fees charged for any
23 license shall be nonrefundable.

1

2 **11-52-205. Maintaining possession of premises.**

3

4 Each license shall at all times maintain possession of the
5 licensed premises of the marijuana establishment that the
6 licensee is licensed to operate, whether pursuant to a
7 lease, rental agreement or other arrangement for possession
8 of the premises or by virtue of ownership. The board shall
9 revoke the license of any licensee who fails to maintain
10 possession of the licensed premises.

11

12 **11-52-206. Licenses; grounds for denial.**

13

14 (a) The board shall deny an application for a license
15 if the board has reasonable cause to believe that:

16

17 (i) The applicant or any officer, manager,
18 director or general partner of a business entity that
19 applies:

20

21 (A) Is not twenty-one (21) years of age or
22 older;

23

1 (B) Is not a resident of Wyoming;

2

3 (C) Is not a person of good moral character
4 and repute;

5

6 (D) Is not the legitimate owner of the
7 business proposed to be licensed or has not disclosed all
8 persons having an ownership interest in the business;

9

10 (E) Has not demonstrated sufficient
11 financial responsibility as required by rule of the board
12 to meet the requirements of the business proposed to be
13 licensed;

14

15 (F) Has misrepresented a material fact in
16 applying for a license;

17

18 (G) Has defrauded or attempted to defraud
19 the board or any other governmental entity by making or
20 filing any record, report, document or tax return required
21 by law that is fraudulent or contains a false statement in
22 violation of W.S. 6-5-303(c); or

23

1 (H) Is a member or employee of the board or
2 the department.

3

4 (ii) The premises that the applicant will
5 occupy:

6

7 (A) Does not conform to the requirements of
8 the city, town or county in which the premises are located
9 or to the requirements established by the board;

10

11 (B) Is so located that granting a license
12 and operation thereunder would result in violations of this
13 chapter or board regulations or of the laws of Wyoming;

14

15 (C) Is located near a church, hospital,
16 school, higher education institution, playground or other
17 similar recreational area or a facility of any governmental
18 entity in Wyoming such that the operation of the marijuana
19 establishment would adversely affect or interfere with the
20 normal, orderly conduct of the entity specified in this
21 subparagraph; or

22

1 (D) Is located in an area zoned exclusively
2 for residential use or is within one thousand (1,000) feet
3 of any school facility.

4

5 (iii) Issuing the license would violate any law
6 that warrants denial of the application;

7

8 (iv) The board is not authorized under this
9 chapter to issue the license.

10

11 (b) The board shall refuse to grant any license to
12 any member or employee of the board or department or to any
13 corporation or other business entity in which the member or
14 employee of the board is a stockholder or has any other
15 economic interest.

16

17 (c) An applicant who is a public member as defined by
18 W.S. 9-13-102(a)(xiii) or a public official as defined by
19 W.S. 9-13-102(a)(xiv) shall disclose his position on any
20 application submitted under this chapter and shall state
21 his full economic interests in any business entity that is
22 seeking an application under this chapter.

23

1 **11-52-207. Denial of application; hearing; procedure.**

2

3 The final decision of the board to issue, suspend or revoke
4 a license or deny an application shall be subject to
5 judicial review in accordance with the Wyoming
6 Administrative Procedure Act.

7

8 **11-52-208. Suspension and revocation of licenses.**

9

10 (a) The board shall suspend or revoke any license if
11 it has reasonable cause to believe that:

12

13 (i) The licensee or, if the licensee is a
14 business entity, any officer, director, manager or general
15 partner:

16

17 (A) Has misrepresented a material fact in
18 its application for the license;

19

20 (B) Is or has been convicted of any felony
21 or any law applicable to the cultivation, manufacture, sale
22 or testing of marijuana or marijuana products before July
23 1, 2021;

1

2 (C) Has violated any prohibition of this
3 chapter;

4

5 (D) Has violated or refused to comply with
6 any regulation of the board or any condition or restriction
7 of the license;

8

9 (E) Is not or ceases to be the legitimate
10 owner of the marijuana establishment for which the license
11 was issued;

12

13 (F) Has maintained the marijuana
14 establishment in an unsanitary condition;

15

16 (G) Has allowed any person to consume upon
17 the licensed premises any marijuana or marijuana products
18 except as provided under this chapter;

19

20 (H) Has defrauded or attempted to defraud
21 the board or any other governmental entity by making or
22 filing any record, report, document or tax return required

1 by law that is fraudulent or contains a false statement in
2 violation of W.S. 6-5-303(c); or

3

4 (J) Has, upon the licensed premises:

5

6 (I) Illegally possessed, distributed,
7 sold or used or has knowingly allowed any employee or other
8 person to illegally possess, distribute, sell or use
9 controlled substances as defined by state and federal law;

10

11 (II) Laundered money in violation of
12 law; or

13

14 (III) Conspired to commit any offense
15 related to controlled substances in violation of title 6 of
16 the Wyoming statutes or of the Wyoming Controlled
17 Substances Act of 1971.

18

19 (ii) The premises or marijuana establishment
20 that the licensee occupies or operates does not conform to
21 the requirements of any local governmental entity or has
22 been established as a nuisance in accordance with W.S.
23 6-6-201 through 6-6-209.

1

2 **11-52-209. Suspension and revocation of licenses;**
3 **civil action; administrative and judicial proceedings;**
4 **disposition of marijuana and marijuana products.**

5

6 (a) An action to revoke any license issued under this
7 chapter may be brought in the name of the state of Wyoming
8 by the attorney general, any county attorney or the
9 licensing authority for the reason that the licensee or
10 permittee has violated this chapter.

11

12 (b) Actions to revoke licenses are civil actions and
13 shall be tried before the court without a jury. The
14 revocation proceedings shall be in accordance with the
15 Wyoming Rules of Civil Procedure, and the trial and all
16 other matters to come before the court shall have a
17 priority upon the court calendar. If, upon trial, it
18 appears that the license of the licensee should be revoked,
19 the court shall enter its order accordingly. The court may
20 revoke the license upon proof that the intent and purpose
21 of this chapter has been violated. The fact that no
22 criminal proceeding has been instituted or that no law with
23 sanctions has been violated is not a defense to the action.

1 Upon the application of the state and upon a showing to the
2 satisfaction of the court that there are probable grounds
3 for believing the licensee's license should be revoked, the
4 court may issue an order suspending a license during the
5 pendency of an action for its revocation and no bond shall
6 be required as a condition to the issuance of the
7 suspension order. Appeal from the final district court
8 decision may be taken according to the Wyoming Rules of
9 Appellate Procedure, but the order of revocation shall
10 remain in effect pending a decision by the appellate court.

11

12 (c) The provisions of this section are cumulative and
13 shall not be construed as preventing the board from
14 revoking a license in any case authorized by law.

15

16 (d) The board may revoke any license issued under
17 this chapter for violation of any of the rules and
18 regulations promulgated by the board pursuant to this
19 chapter or for violation of any of the provisions of this
20 chapter. Before suspension or final revocation of a license
21 under this chapter the board shall issue at least two (2)
22 written notices of the intent to revoke or suspend the
23 license to the licensee. The notices shall be provided at

1 least one (1) week apart and the final notice shall be
2 provided at least thirty (30) days before any suspension or
3 revocation. The notice shall identify the violation
4 warranting revocation or suspension of the license, the
5 date when it will be suspended or revoked and the ability
6 to appeal and to continue to operate as provided in this
7 subsection. Unless the board orders otherwise, a licensee
8 may continue to operate under the license pending a
9 contested case hearing under the Wyoming Administrative
10 Procedure Act regarding the license suspension or
11 revocation. A request for a contested case hearing shall be
12 filed not more than thirty (30) days following the date the
13 notice is provided under this subsection. The decision
14 rendered at the contested case hearing shall be subject to
15 judicial review under W.S. 16-3-114 except that the review
16 shall not operate to stay a revocation or suspension order
17 of the board during the pendency of the district court
18 proceeding or during a later appeal to the supreme court.
19 Should the license or permit of a licensee expire during
20 the pendency of a contested case hearing or in any of the
21 courts of this state, no new or renewal license shall be
22 granted to the licensee or any other person pending the
23 outcome of the appeal.

1

2 (e) Upon the final revocation of a license, all
3 marijuana and marijuana products in the possession of the
4 licensee shall be delivered to the board and shall be
5 disposed of at the direction of the board.

6

7 **11-52-210. Marijuana cultivation facility license.**

8

9 (a) The board may issue a marijuana cultivation
10 facility license to any applicant or licensee to:

11

12 (i) Purchase marijuana plants and seeds from
13 other marijuana cultivation facilities;

14

15 (ii) Cultivate, label and package retail
16 marijuana on premises approved by the board;

17

18 (iii) Transfer possession of its retail
19 marijuana to marijuana secure transporters;

20

21 (iv) Sell retail marijuana to marijuana
22 manufacturing facilities, retail marijuana stores and other
23 marijuana cultivation facilities;

1

2 (v) Sell marijuana plants and seeds to other
3 marijuana cultivation facilities and immature marijuana
4 plants to retail marijuana stores.

5

6 (b) No person issued a license under this section
7 shall cultivate more than two thousand (2,000) marijuana
8 plants at any one (1) time.

9

10 (c) A marijuana cultivation facility licensee shall
11 comply with the provisions of W.S. 11-52-104.

12

13 **11-52-211. Marijuana manufacturing facility license.**

14

15 (a) The board may issue a marijuana manufacturing
16 facility license to any applicant or licensee to:

17

18 (i) Purchase retail marijuana from a marijuana
19 cultivation facility or another marijuana manufacturing
20 facility;

21

1 (ii) Manufacture, label and package retail
2 marijuana and retail marijuana products on premises
3 approved by the board;

4

5 (iii) Transfer possession of retail marijuana
6 and retail marijuana products to marijuana secure
7 transporters;

8

9 (iv) Sell retail marijuana and retail marijuana
10 products to retail marijuana stores and to other marijuana
11 manufacturing facilities.

12

13 (b) Retail marijuana products shall be prepared at a
14 marijuana manufacturing facility on premises and with
15 equipment that is used exclusively for the manufacture and
16 preparation of retail marijuana and retail marijuana
17 products.

18

19 (c) A marijuana manufacturing facility licensee shall
20 comply with the provisions of W.S. 11-52-104.

21

22 **11-52-212. Marijuana secure transporter license.**

23

1 (a) The board may issue a marijuana secure
2 transporter license to any applicant or licensee to obtain
3 retail marijuana or retail marijuana products from a
4 marijuana establishment and transport those products to
5 another marijuana establishment.

6

7 (b) Each marijuana secure transporter licensee shall
8 comply with W.S. 11-52-104 and shall track the retail
9 marijuana and retail marijuana products that it receives
10 and delivers to another marijuana establishment.

11

12 **11-52-213. Marijuana testing facility license.**

13

14 (a) The board may issue a marijuana testing facility
15 license to any applicant or licensee to develop, research
16 and test retail marijuana, retail marijuana products and
17 other substances for that facility, another licensee under
18 this chapter or another person who intends to use the
19 marijuana or marijuana product for personal use as
20 authorized by W.S. 11-52-502.

21

22 (b) Nothing in this chapter shall prohibit a
23 marijuana testing facility from developing, researching or

1 testing other substances that are not marijuana for that
2 facility or for another person.

3

4 (c) Each licensee under this section shall obtain and
5 maintain accreditation pursuant to standard ISO/IEC 17025
6 of the International Organization for Standardization
7 ("ISO") or other comparable accreditation standard required
8 by the board.

9

10 (d) Each marijuana testing facility licensee shall
11 comply with W.S. 11-52-104 and shall track all marijuana
12 and marijuana products it receives from another licensee
13 for testing purposes until those products are delivered,
14 transferred or destroyed.

15

16 (e) No person with an interest in a marijuana testing
17 facility shall have any interest in a marijuana cultivation
18 facility, a marijuana manufacturing facility, a marijuana
19 secure transporter, a retail marijuana store or a marijuana
20 microbusiness. No person with an interest in any marijuana
21 cultivation facility, marijuana manufacturing facility,
22 marijuana secure transporter, retail marijuana store or

1 marijuana microbusiness shall have an interest in a
2 marijuana testing facility.

3

4 **11-52-214. Retail marijuana store license.**

5

6 (a) The board may issue a retail marijuana store
7 license to any applicant or licensee to:

8

9 (i) Purchase retail marijuana, immature
10 marijuana plants and seedlings from a marijuana cultivation
11 facility;

12

13 (ii) Purchase retail marijuana and retail
14 marijuana products from a marijuana manufacturing facility;

15

16 (iii) Receive possession of retail marijuana and
17 retail marijuana products from marijuana secure
18 transporters;

19

20 (iv) Sell retail marijuana, retail marijuana
21 products, immature marijuana plants, flowering marijuana
22 plants and seedlings to consumers on premises approved by
23 the board.

1

2 (b) Retail marijuana stores shall be operated in
3 accordance with the following:

4

5 (i) No person under twenty-one (21) years of age
6 shall be permitted to make a purchase in a retail marijuana
7 store;

8

9 (ii) Retail marijuana, retail marijuana
10 products, immature marijuana plants, flowering marijuana
11 plants and seedlings shall be sold to consumers only;

12

13 (iii) Retail marijuana, retail marijuana
14 products, immature marijuana plants, flowering marijuana
15 plants and seedlings to be sold in a retail marijuana store
16 shall be cultivated or manufactured in Wyoming;

17

18 (iv) A retail marijuana store shall not be
19 permitted to sell more than the following during a single
20 transaction to any one (1) person:

21

22 (A) Two and one-half (2 1/2) ounces of
23 retail marijuana;

1

2 (B) Sixteen (16) ounces of solid marijuana
3 product;

4

5 (C) Seventy-two (72) ounces of liquid
6 marijuana product;

7

8 (D) Twelve (12) immature marijuana plants;
9 or

10

11 (E) Six (6) flowering marijuana plants.

12

13 (c) A retail marijuana store may sell:

14

15 (i) An unlimited number of seedlings to one (1)
16 person during a single transaction;

17

18 (ii) Any other consumable or nonconsumable
19 products that it is otherwise permitted by law to sell,
20 excluding tobacco and alcohol.

21

22 (d) A retail marijuana store shall not:

23

1 (i) Give away any retail marijuana, retail
2 marijuana products, immature marijuana plants, flowering
3 marijuana plants or seedlings;

4

5 (ii) Sell retail marijuana, retail marijuana
6 products, immature marijuana plants, flowering marijuana
7 plants or seedlings to any person when at the time of the
8 sale the retail marijuana store has reason to believe that
9 the person to whom the sale would be made is intoxicated.

10

11 (e) Each retail marijuana store licensee shall comply
12 with W.S. 11-52-104 and shall track all marijuana and
13 marijuana products that are delivered to the store until
14 those products are sold to a consumer, transferred to a
15 marijuana secure transporter, delivered to a marijuana
16 testing facility or are destroyed.

17

18 **11-52-215. Marijuana microbusiness license.**

19

20 (a) The board may issue a marijuana microbusiness
21 license to any applicant or licensee to:

22

1 (i) Cultivate not greater than one hundred fifty
2 (150) marijuana plants at any one (1) time on premises
3 approved by the board;

4

5 (ii) Manufacture, prepare and package retail
6 marijuana and retail marijuana products produced from the
7 plants on the approved premises;

8

9 (iii) Sell retail marijuana and retail marijuana
10 products on the approved premises provided that the retail
11 marijuana and retail marijuana products are cultivated or
12 manufactured in Wyoming.

13

14 **11-52-216. Privileges of licenses; liability for**
15 **violations of law.**

16

17 Employees and agents of licensees may sell marijuana and
18 marijuana products under the licensee's license. A licensee
19 shall be held liable for any violation of this chapter or
20 any regulation that an employee or agent commits in
21 connection with their employment with the licensee.

22

1 **11-52-217. Use or consumption of marijuana or**
2 **marijuana products on licensee's premises by licensee,**
3 **agent or employee.**

4
5 No licensee, agent or employee of the licensee shall use or
6 consume marijuana or marijuana products on the premises of
7 the licensee except for sampling for quality control
8 purposes as provided by rule of the board.

9

10

ARTICLE 3

11

LOCAL REGULATION OF MARIJUANA PRODUCTS

12

13 **11-52-301. Local regulation of marijuana**
14 **establishments generally; civil penalty.**

15

16 (a) The qualified voters of a city, town or county
17 may petition the governing body for enactment of an
18 ordinance or resolution completely prohibiting the
19 establishment or operation of one (1) or more types of
20 marijuana businesses or establishments licensed under this
21 chapter or limiting the number and type of marijuana
22 businesses or establishments licensed under this chapter.
23 The petition shall be signed by qualified voters in the

1 city, town or county equal in number to not less than ten
2 percent (10%) of the number of registered voters in the
3 city, town or county as of January 1 of the current year.

4

5 (b) A city, town or county that authorizes or permits
6 the establishment or operation of one (1) or more of the
7 types of businesses licensed under this chapter may enact
8 an ordinance or resolution providing licensing requirements
9 applicable to marijuana establishments within the city's,
10 town's or county's boundaries, including a local license
11 requirement, local license fee schedule for fees to defray
12 administrative and enforcement costs. No fee established
13 under this subsection shall exceed five thousand dollars
14 (\$5,000.00) per year.

15

16 (c) A city, town or county may provide by ordinance
17 or resolution a civil penalty for the violation of any
18 local ordinance or resolution, provided that no civil
19 penalty enacted shall exceed five hundred dollars (\$500.00)
20 per violation.

21

22 (d) Nothing in this chapter shall be construed to
23 supersede or limit the authority of a city, town or county

1 to adopt and enforce local ordinances or resolutions to
2 regulate businesses licensed under this chapter, including
3 local zoning and land use requirements, business license
4 requirements and prohibitions on the establishment and
5 operation of marijuana establishments.

6

7 (e) Nothing in this section shall be construed to
8 authorize a county to supersede or limit the actions a city
9 or town lawfully takes under this article.

10

11 **11-52-302. Use or consumption of marijuana on**
12 **premises of licensed retail marijuana store.**

13

14 (a) A city, town or county may permit the use or
15 consumption of marijuana or marijuana products at special
16 events in limited areas for a limited time if:

17

18 (i) Access to the area where marijuana or
19 marijuana product use or consumption is allowed is
20 restricted to persons age twenty-one (21) and older;

21

1 (ii) Marijuana or marijuana product use or
2 consumption is not visible from any public place or
3 non-restricted area by age; and

4

5 (iii) The sale or consumption of alcohol or
6 tobacco is not permitted on the premises.

7

8 **11-52-303. Local regulation; prohibitions.**

9

10 (a) No city, town or county shall:

11

12 (i) Restrict the transportation of retail
13 marijuana or retail marijuana products through the city,
14 town or county;

15

16 (ii) Adopt any ordinance, resolution or
17 regulation that conflicts with the provisions of this
18 chapter or any regulations promulgated by the board.

19

20

ARTICLE 4

21

HEALTH AND SAFETY REQUIREMENTS

22

23 **11-52-401. Regulations for marijuana testing.**

1

2 (a) Subject to W.S. 11-52-402, the board shall
3 establish a testing program for marijuana and marijuana
4 products that requires a licensee to submit a
5 representative sample of retail marijuana or retail
6 marijuana products before being sold or distributed to a
7 consumer or another licensee. The sample shall not exceed
8 ten percent (10%) of the total harvest or batch and shall
9 be submitted to a licensed marijuana testing facility to
10 ensure that the retail marijuana or retail marijuana
11 product does not exceed the maximum level of allowable
12 contamination for any contaminant that is injurious to
13 health and for which testing is required to ensure correct
14 labeling.

15

16 (b) The board shall adopt rules to:

17

18 (i) Establish a testing program pursuant to this
19 section;

20

21 (ii) Establish acceptable testing and research
22 practices, including rules for testing practices, methods
23 and standards, quality control analysis, equipment

1 certification and calibration, marijuana testing facility
2 recordkeeping, documentation and business practices,
3 disposal of used, unused and waste retail marijuana and
4 retail marijuana products and the reporting of test
5 results;

6

7 (iii) Identify the types of contaminants that
8 are injurious to health for which retail marijuana and
9 retail marijuana products shall be tested under this
10 article;

11

12 (iv) Specify the maximum level of allowable
13 contamination for each contaminant.

14

15 **11-52-402. Mandatory testing; scope; recordkeeping;**
16 **notice; required destruction.**

17

18 (a) A licensee shall not sell or distribute retail
19 marijuana or retail marijuana products to a consumer or
20 another licensee without submitting a representative sample
21 of the retail marijuana or retail marijuana product for
22 testing as required under this article.

23

1 (b) Testing of retail marijuana and retail marijuana
2 products shall include testing of the final or completed
3 form of the retail marijuana and retail marijuana product
4 for:

5

6 (i) Residual solvents, poisons and toxins;

7

8 (ii) Harmful chemicals;

9

10 (iii) Dangerous molds and mildew;

11

12 (iv) Harmful microbes, including Escherichia
13 coli and salmonella;

14

15 (v) Pesticides, fungicides and insecticides;

16

17 (vi) THC potency, homogeneity and cannabinoid
18 profiles to ensure correct product labeling.

19

20 (c) Each licensee shall maintain a record of all
21 testing required under this section, including a
22 description of the retail marijuana or retail marijuana

1 product submitted for testing, the identity of the
2 marijuana testing facility and the results of the testing.

3

4 (d) A marijuana testing facility that tests retail
5 marijuana or retail marijuana products that exceeds the
6 maximum level of allowable contamination for any
7 contaminant or that is injurious to health shall
8 immediately quarantine and document the retail marijuana or
9 retail marijuana product and shall notify the board not
10 later than thirty (30) days after completing the testing. A
11 testing facility shall properly destroy the quarantined
12 retail marijuana or retail marijuana product upon direction
13 from the board and after the time to challenge testing
14 results has expired or after resolution of any challenge to
15 the testing results.

16

17 (e) A marijuana testing facility is not required to
18 notify the board of the results of any test conducted on
19 retail marijuana or a retail marijuana product at the
20 direction of:

21

22 (i) A licensee pursuant to this section and the
23 testing demonstrates that the marijuana or marijuana

1 product does not exceed the maximum level of allowable
2 contamination for any contaminant that is injurious to
3 health and for which testing is required;

4

5 (ii) A licensee for research and development
6 purposes only, provided that the licensee notifies the
7 marijuana testing facility before the testing that the
8 testing is for research and development only; or

9

10 (iii) A person who is not a licensee.

11

12 (f) Notwithstanding the requirements of this section,
13 a licensee may sell or furnish to a consumer or another
14 licensee retail marijuana or a retail marijuana product
15 that the licensee has not submitted for testing required by
16 this section if the retail marijuana or retail marijuana
17 product meets all of the following requirements:

18

19 (i) The retail marijuana or retail marijuana
20 product has previously undergone testing in accordance with
21 this article at the direction of another licensee and did
22 not exceed the maximum level of allowable contamination for

1 any contaminant that is injurious to health and for which
2 testing is required;

3

4 (ii) The mandatory testing process and the test
5 results for the retail marijuana or retail marijuana
6 product are documented in accordance with the requirements
7 of this article and any rules promulgated under this
8 article;

9

10 (iii) Tracking from immature marijuana plant to
11 the point of retail sale has been maintained for the retail
12 marijuana or retail marijuana product and transfers to
13 another licensee or to a consumer can be easily identified;
14 and

15

16 (iv) Since the performance of the testing under
17 paragraph (i) of this subsection, the retail marijuana or
18 retail marijuana product has not undergone any further
19 processing, alteration or manufacturing.

20

21 (g) Licensees shall destroy harvested batches of
22 retail marijuana or batches of retail marijuana product
23 whose testing samples indicate noncompliance with the

1 standards established in this article unless remedial
2 measures can bring the retail marijuana or retail marijuana
3 products into compliance with the requirements of this
4 article to the board's satisfaction.

5

6 **11-52-403. Labeling and packaging requirements;**
7 **prohibitions.**

8

9 (a) Retail marijuana and retail marijuana products to
10 be sold or offered for sale by a licensee to a consumer in
11 accordance with this chapter shall be labeled with the
12 following:

13

14 (i) Identification of the type of marijuana or
15 marijuana product and the date of cultivation,
16 manufacturing and packaging;

17

18 (ii) The license numbers of the marijuana
19 cultivation facility, marijuana manufacturing facility and
20 the retail marijuana store where the retail marijuana or
21 retail marijuana product was cultivated, manufactured and
22 offered for sale;

23

1 (iii) A statement of the net weight of the
2 retail marijuana or retail marijuana product;

3

4 (iv) Information concerning:

5

6 (A) Pharmacologically active ingredients,
7 including THC, cannabidiol and other cannabinoid content;

8

9 (B) The THC and other cannabinoid amount in
10 milligrams per serving, the total servings per package and
11 the THC and other cannabinoid amount in milligrams for the
12 total package; and

13

14 (C) The potency of the THC and other
15 cannabinoid content.

16

17 (v) Information on gases, solvents and chemicals
18 used in marijuana extraction, if applicable;

19

20 (vi) Instructions on usage;

21

1 (vii) For retail marijuana products, a list of
2 ingredients and possible allergens and a recommended use by
3 date or expiration date;

4

5 (viii) For edible retail marijuana products, a
6 nutritional fact panel;

7

8 (ix) The following statements, prominently
9 displayed in bold capital letters and in a clear and
10 legible fashion: "Warning: this package contains marijuana.
11 Keep out of reach of children and animals. Marijuana and
12 marijuana products may only be possessed or consumed by
13 persons age 21 and older. Marijuana use while pregnant or
14 breastfeeding may be harmful. Consumption of marijuana
15 impairs your ability to drive and operate machinery, and
16 doing so may be illegal. Please use extreme caution.";

17

18 (x) Any other information required by rule of
19 the board.

20

21 (b) Retail marijuana and retail marijuana products to
22 be sold or offered for sale by a licensee in accordance
23 with this chapter shall:

1

2 (i) Be prepackaged or placed in child-resistant
3 packaging;

4

5 (ii) For multi-serving liquid marijuana
6 products, include an integral measurement component;

7

8 (iii) Comply with any other requirements imposed
9 by rule of the board.

10

11 (c) Retail marijuana and retail marijuana products to
12 be sold or offered for sale by a licensee in accordance
13 with this chapter shall not be:

14

15 (i) Labeled or packaged in violation of a
16 federal trademark law or regulation;

17

18 (ii) Labeled or packaged in a manner that is
19 specifically designed to appeal to persons under twenty-one
20 (21) years of age;

21

22 (iii) Labeled or packaged in a manner that
23 obscures identifying information on the label;

1

2 (iv) Labeled or packaged using a false or
3 misleading label;

4

5 (v) Sold or offered for sale using a label or
6 packaging that depicts a human, animal or fruit;

7

8 (vi) Labeled or packaged in violation of any
9 other board rule pertaining to packaging or labeling.

10

11 **11-52-404. Advertising and marketing restrictions.**

12

13 (a) As used in this section:

14

15 (i) "Advertisement" means as defined by W.S.
16 35-7-110(a)(i) and includes all representations
17 disseminated for the purpose of inducing sales of retail
18 marijuana or retail marijuana products;

19

20 (ii) "Health-related statement" means any
21 statement related to health and includes statements of a
22 curative or therapeutic nature that, expressly or by
23 implication, suggest a relationship between the consumption

1 of retail marijuana or retail marijuana products and health
2 benefits or effects on health;

3

4 (iii) "Market" or "marketing" means any act or
5 process of promoting or selling retail marijuana or retail
6 marijuana products, including point-of-sale advertising and
7 development of products specifically designed to appeal to
8 certain demographics.

9

10 (b) No person shall advertise in or send any
11 advertising material into Wyoming about or concerning
12 retail marijuana or retail marijuana products other than
13 those that may be legally manufactured in Wyoming under the
14 provisions of this chapter.

15

16 (c) Advertising or marketing used by or on behalf of
17 a licensee shall:

18

19 (i) Accurately and legibly identify the licensee
20 responsible for its content by adding, at a minimum, the
21 licensee's license number;

22

23 (ii) Not be misleading, deceptive or false;

1

2 (iii) Not have a high likelihood of reaching and
3 not be designed to appeal particularly to persons under
4 twenty-one (21) years of age;

5

6 (iv) Comply with any other advertising rule of
7 the board.

8

9 (d) Any advertising or marketing involving direct,
10 individualized communication or dialogue controlled by the
11 licensee shall utilize a method of age affirmation to
12 verify that the recipient is at least twenty-one (21) years
13 of age before engaging in that communication or dialogue.
14 For purposes of this subsection, the method of age
15 affirmation may include user confirmation, birthdate
16 disclosure or any other similar registration method.

17

18 (e) No licensee shall give away any amount of retail
19 marijuana, retail marijuana products or marijuana
20 accessories as part of a business promotion or any other
21 commercial activity.

22

1 (f) No licensee shall include on the label of any
2 retail marijuana or retail marijuana product or publish or
3 disseminate advertising containing any health-related
4 statement that is untrue or tends to create a misleading
5 impression as to the effects on health of marijuana
6 consumption.

7

8 (g) All outdoor advertising of retail marijuana or
9 retail marijuana products shall comply with the following:

10

11 (i) No outdoor retail marijuana or retail
12 marijuana product advertising shall be placed within one
13 thousand (1,000) linear feet of a church or other place of
14 religious worship, any school facility, any facility of an
15 institution of higher education, any playground or
16 recreational facility or a dwelling used for residential
17 use. If an advertisement is displayed and a facility
18 specified in this paragraph is constructed or opened to
19 where the advertisement would violate this paragraph, the
20 licensee shall remove the advertisement not later than one
21 (1) year after the opening of the facility or the
22 expiration of any lease or contract for the advertisement,
23 whichever is sooner;

1

2 (ii) The board may grant a permit authorizing a
3 variance from the distance requirements of this subsection
4 upon a finding that the placement of retail marijuana or
5 retail marijuana product advertising on a sign will not
6 unduly expose persons under twenty-one (21) years of age to
7 marijuana and marijuana product advertising;

8

9 (iii) The outdoor advertising distance
10 requirements contained in this section shall not apply to
11 signs placed by licensees upon the property on which the
12 licensed premises is located, provided that the signs are
13 in compliance with any local ordinances or resolutions;

14

15 (iv) Nothing in this section shall be construed
16 to authorize billboard signs containing retail marijuana or
17 retail marijuana product advertising on property zoned
18 agricultural or residential or on any unzoned property;

19

20 (v) Nothing in this section shall be construed
21 to authorize new billboard signs containing retail
22 marijuana or retail marijuana product advertising that
23 would otherwise be prohibited by law;

1

2 (vi) All lawfully erected outdoor retail
3 marijuana or retail marijuana product signs shall comply
4 with the provisions of this chapter and any applicable
5 rules of the state transportation commission if the signs
6 are located on the right-of-way of a public highway.

7

8 (h) The provisions of this section shall not apply or
9 be construed to apply to any noncommercial speech.

10

11 **11-52-405. Health and safety requirements for edible**
12 **marijuana products; regulations.**

13

14 (a) In addition to all other applicable provisions of
15 this chapter, solid marijuana products to be sold or
16 offered for sale by a licensee to a consumer shall:

17

18 (i) Be manufactured in a manner that results in
19 the cannabinoid content within the product being homogenous
20 throughout the product or throughout each element of the
21 product that has a cannabinoid content;

22

1 (ii) Be manufactured in a manner that results in
2 the amount of marijuana concentrate within the product
3 being homogenous throughout the product or throughout each
4 element of the product that contains marijuana concentrate;

5

6 (iii) Have a universal symbol stamped or
7 embossed on each serving of the product;

8

9 (iv) Not contain more than one hundred (100)
10 milligrams of THC per serving of the product and shall not
11 contain more than one hundred (100) milligrams of THC per
12 package of the product;

13

14 (v) Not contain additives or contaminants that
15 are toxic or harmful to human beings, specifically designed
16 to make the product more addictive, misleading to consumers
17 or specifically designed to make the product appeal
18 particularly to consumers under twenty-one (21) years of
19 age;

20

21 (vi) Not involve the addition of marijuana to a
22 trademarked food or drink product, except when the
23 trademarked product is used as a component of or an

1 ingredient in the edible retail marijuana product and the
2 product is not advertised or described for sale as
3 containing the trademarked product and the written consent
4 of the trademark holder is obtained.

5

6 (b) The board shall adopt any rules for labeling,
7 packaging and other health and safety provisions that it
8 deems necessary to ensure the safe sale of retail marijuana
9 and retail marijuana products. The board shall adopt rules
10 for:

11

12 (i) Health and safety standards for the
13 cultivation of marijuana, the manufacture of marijuana and
14 the packaging and labeling of retail marijuana;

15

16 (ii) Requirements for storage, warehousing and
17 transportation of retail marijuana and retail marijuana
18 products by licensees;

19

20 (iii) Sanitary standards for marijuana
21 establishments, including sanitary standards for the
22 manufacture of retail marijuana and retail marijuana
23 products.

1

2

ARTICLE 5

3

PERMITTED AND LIMITED PRACTICES

4

5 **11-52-501. Possession of retail marijuana;**
6 **limitations; civil penalty.**

7

8 (a) Except as otherwise provided in this chapter and
9 notwithstanding any other provision of law, no person
10 twenty-one (21) years of age or older shall possess outside
11 of his residence more than:

12

13 (i) Three (3) ounces of retail marijuana or
14 retail marijuana products that is flower;

15

16 (ii) Sixteen (16) ounces of retail marijuana or
17 retail marijuana products that is solid product;

18

19 (iii) Seventy-two (72) ounces of retail
20 marijuana or retail marijuana products that is liquid
21 product;

22

1 (iv) Thirty (30) grams of retail marijuana or
2 retail marijuana products in the form of marijuana
3 concentrate.

4

5 **11-52-502. Home cultivation, storage and manufacture**
6 **of marijuana; prohibitions.**

7

8 (a) Except as otherwise provided in this chapter and
9 notwithstanding any other provision of law, a person
10 twenty-one (21) years of age or older may lawfully for
11 personal consumption and not for sale:

12

13 (i) Cultivate up to twelve (12) mature flowering
14 female marijuana plants for personal use within the
15 person's residence, provided that not more than twelve (12)
16 total mature flowering female plants shall be cultivated or
17 stored upon the person's residence at any one (1) time;

18

19 (ii) Possess, store and manufacture not more
20 than sixteen (16) ounces of retail marijuana and retail
21 marijuana products within the person's residence in
22 addition to the amount of marijuana plants specified in
23 paragraph (i) of this subsection, provided that any amount

1 more than two and one-half (2 1/2) ounces shall be stored
2 in a container or area with locks or other security devices
3 that restrict access to the container or area.

4

5 **11-52-503. Possession and sale of marijuana**
6 **paraphernalia.**

7

8 Except as otherwise provided in this chapter and
9 notwithstanding any other provision of law, a person
10 twenty-one (21) years of age or older may possess, use,
11 sell, distribute or manufacture marijuana paraphernalia,
12 provided that the sale or distribution of marijuana
13 paraphernalia shall be only to persons age twenty-one (21)
14 or older.

15

16 **11-52-504. Civil penalty; law enforcement;**
17 **affirmative defense; conditions.**

18

19 (a) Any person who violates a provision of this
20 article shall be subject to a civil penalty of not more
21 than:

22

23 (i) Fifty dollars (\$50.00) for a first offense;

1

2 (ii) One hundred dollars (\$100.00) for a second
3 offense;

4

5 (iii) Two hundred fifty dollars (\$250.00) for a
6 third or subsequent offense.

7

8 (b) All duly authorized peace officers, correctional
9 officers and probation and parole agents as defined in W.S.
10 7-13-401, while investigating violations of this article
11 and article 6 of this chapter in performance of their
12 official duties, shall be immune from prosecution as
13 provided in W.S. 35-7-1043.

14

15 (c) It shall be an affirmative defense to the
16 imposition of the civil penalties under this section if the
17 person:

18

19 (i) Seeks or obtains in good faith emergency
20 medical attention for himself if he is experiencing an
21 overdose, or if he seeks medical attention for another
22 person, by contemporaneously reporting the overdose to a
23 peace officer, firefighter or emergency medical personnel;

1

2 (ii) Remains at the scene of an overdose or at
3 any alternative location to which he or the person
4 requiring emergency medical attention has been transported
5 until a peace officer responds to the report of an
6 overdose; and

7

8 (iii) Identifies himself to the peace officer
9 who responds to the report of an overdose and, if
10 requested, substantially cooperates in any investigation of
11 any criminal offense reasonably related to the controlled
12 substance, alcohol or combination of substances that
13 resulted in an overdose.

14

15 (d) Any evidence for an offense specified in this
16 section that was obtained as a result of the person seeking
17 emergency medical attention for himself or another shall
18 not be used against that person in any action.

19

20 (e) Any person found liable for violating a provision
21 of this article shall be required to undergo a substance
22 abuse assessment as defined by W.S. 7-13-1301(a)(v).

23

1 **11-52-505. Possession or distribution of marijuana**
2 **for medical purposes permitted; interaction with provisions**
3 **for hemp products.**

4

5 (a) Nothing in this chapter shall be construed to
6 prohibit or penalize:

7

8 (i) The possession of marijuana or THC when that
9 possession occurs pursuant to a valid recommendation issued
10 by a medical doctor in the course of his professional
11 practice for treatment or to alleviate the symptoms of any
12 diagnosed condition or disease determined by the doctor to
13 benefit from the use of such substances;

14

15 (ii) The dispensing or distributing of marijuana
16 or THC for medical purposes by a medical doctor when
17 occurring in the course of his professional practice for
18 treatment or to alleviate the symptoms of any diagnosed
19 condition or disease determined by the doctor to benefit
20 from the use of those substances;

21

22 (iii) The dispensing or distributing of
23 marijuana or THC by a pharmacist to any person who holds a

1 valid recommendation of a medical doctor issued in the
2 course of the doctor's professional practice for treatment
3 or to alleviate the symptoms of any diagnosed condition or
4 disease determined by the doctor to benefit from the use of
5 such substances.

6

7 (b) Nothing in this chapter shall be construed to
8 prohibit or penalize any conduct that is permitted under
9 chapter 51 of this title.

10

11

ARTICLE 6

12

PROHIBITED PRACTICES AND PENALTIES

13

14 **11-52-601. Possession or cultivation of retail**
15 **marijuana by persons under twenty-one prohibited; penalty.**

16

17 (a) No person under twenty-one (21) years of age
18 shall knowingly or intentionally possess retail marijuana
19 or retail marijuana products. For purposes of this section,
20 ownership or occupancy of the premises or vehicle upon or
21 in which marijuana was found shall not create a presumption
22 that the person either knowingly or intentionally possessed
23 the marijuana.

1

2 (b) Any person who violates subsection (a) of this
3 section shall be guilty of a misdemeanor punishable by
4 imprisonment for not more than six (6) months, a fine of
5 not more than seven hundred fifty dollars (\$750.00), or
6 both.

7

8 **11-52-602. Affirmative defense; immunity; conditions.**

9

10 (a) All duly authorized peace officers, correctional
11 officers and probation and parole agents as defined in W.S.
12 7-13-401, while investigating violations of this chapter in
13 performance of their official duties, shall be immune from
14 prosecution under W.S. 11-52-601 as provided in W.S.
15 35-7-1043.

16

17 (b) It shall be an affirmative defense to the
18 imposition of the penalties specified in W.S. 11-52-601 if
19 the person:

20

21 (i) Seeks or obtains in good faith emergency
22 medical attention for himself if he is experiencing an
23 overdose, or if he seeks medical attention for another

1 person, by contemporaneously reporting the overdose to a
2 peace officer, firefighter or emergency medical personnel;

3

4 (ii) Remains at the scene of an overdose or at
5 any alternative location to which he or the person
6 requiring emergency medical attention has been transported
7 until a peace officer responds to the report of an
8 overdose; and

9

10 (iii) Identifies himself to the peace officer
11 who responds to the report of an overdose and, if
12 requested, substantially cooperates in any investigation of
13 any criminal offense reasonably related to the controlled
14 substance, alcohol or combination of substances that
15 resulted in an overdose.

16

17 (c) Any evidence for an offense specified in this
18 section that was obtained as a result of the person seeking
19 emergency medical attention for himself or another shall
20 not be used against that person in any action.

21

1 (d) Any person found liable for violating W.S.
2 11-52-601 shall be required to undergo a substance abuse
3 assessment as defined by W.S. 7-13-1301(a)(v).

4

5 **11-52-603. Public consumption prohibited; civil**
6 **penalty.**

7

8 (a) Except as otherwise provided in this chapter and
9 notwithstanding any other provision of law, no person shall
10 smoke marijuana in public.

11

12 (b) A person may smoke retail marijuana or retail
13 marijuana products only if the person is:

14

15 (i) In a private residence in which the person
16 is domiciled, including the curtilage;

17

18 (ii) On private property on which the person is
19 not domiciled, provided that the property is not generally
20 accessible by the public and the person is expressly
21 permitted to smoke marijuana or marijuana products on the
22 property by the owner of the property; or

23

1 (iii) On the premises of a special event
2 permitted by a city, town or county pursuant to W.S.
3 11-52-302.

4

5 (c) A person who violates subsection (a) of this
6 section shall be subject to a civil penalty not to exceed:

7

8 (i) Two hundred dollars (\$200.00) for a first
9 offense;

10

11 (ii) Three hundred dollars (\$300.00) for a
12 second offense;

13

14 (iii) Five hundred dollars (\$500.00) for a third
15 or subsequent offense.

16

17 **11-52-604. Illegal cultivation or manufacture;**
18 **penalties.**

19

20 (a) Except as authorized by W.S. 11-52-502, no person
21 shall cultivate or manufacture, or possess with intent to
22 cultivate or manufacture, marijuana or marijuana products
23 without being licensed under this chapter.

1

2 (b) Any person who violates subsection (a) of this
3 section and cultivates, manufactures or possesses with
4 intent to cultivate or manufacture:

5

6 (i) More than two and one-half (2 1/2) ounces of
7 marijuana but not greater than five (5) ounces of marijuana
8 or more than twelve (12) mature flowering female marijuana
9 plants but not greater than twenty-four (24) mature
10 flowering female marijuana plants shall be subject to a
11 civil penalty of not more than:

12

13 (A) Five hundred dollars (\$500.00) for a
14 first offense;

15

16 (B) One thousand dollars (\$1,000.00) for a
17 second offense;

18

19 (C) Two thousand dollars (\$2,000.00) for a
20 third or subsequent offense.

21

22 (ii) More than five (5) ounces but not greater
23 than five (5) pounds of marijuana or more than twenty-four

1 (24) mature flowering female marijuana plants but not
2 greater than fifty (50) marijuana plants shall be guilty of
3 a misdemeanor punishable by imprisonment for not more than
4 six (6) months, a fine of not more than seven hundred fifty
5 dollars (\$750.00), or both;

6

7 (iii) More than five (5) pounds of marijuana or
8 more than fifty (50) marijuana plants shall be guilty of a
9 felony punishable by imprisonment for not more than five
10 (5) years, a fine of not more than ten thousand dollars
11 (\$10,000.00), or both.

12

13 (c) A person who conspires with another to commit a
14 violation of paragraph (b)(iii) of this section and takes
15 any action to further the conspiracy shall be guilty of a
16 felony punishable by imprisonment for not more than two (2)
17 years, a fine of not more than five thousand dollars
18 (\$5,000.00), or both.

19

20 **11-52-605. Illegal sale transportation or**
21 **distribution of marijuana; penalties.**

22

1 (a) No person shall sell, transport, distribute or
2 possess with the intent to sell or distribute marijuana or
3 marijuana products without being licensed under this
4 chapter to cultivate, manufacture, sell or test retail
5 marijuana or retail marijuana products.

6

7 (b) A person who violates subsection (a) of this
8 section is guilty of a felony punishable by imprisonment
9 for not more than ten (10) years, a fine not to exceed ten
10 thousand dollars (\$10,000.00), or both.

11

12 **11-52-606. Distribution of marijuana to persons under**
13 **age eighteen prohibited; penalties.**

14

15 (a) No person who is at least twenty-one (21) years
16 of age shall knowingly or intentionally:

17

18 (i) Distribute marijuana to any person younger
19 than eighteen (18) years of age and who is at least three
20 (3) years younger than the actor; or

21

22 (ii) Cause any person under eighteen (18) years
23 of age to assist in the distribution of marijuana.

1

2 (b) A person who violates subsection (a) of this
3 section is guilty of a felony punishable by imprisonment
4 for not more than twenty (20) years, a fine not to exceed
5 twenty thousand dollars (\$20,000.00), or both.

6

7 **11-52-607. Manufacturing, distributing and obtaining**
8 **marijuana by fraud; penalties.**

9

10 (a) No person shall use in the course of
11 manufacturing or distributing marijuana a license number
12 that is fictitious, revoked, suspended or issued to another
13 person.

14

15 (b) No person shall, for the purpose of obtaining
16 marijuana, falsely assume the title of or represent himself
17 to be a cultivator, manufacturer, wholesaler, retailer,
18 tester, pharmacist, physician, dentist, veterinarian or
19 other authorized person.

20

21 (c) A person who violates subsection (a) or (b) of
22 this section is:

23

1 (i) For a first offense, guilty of a misdemeanor
2 punishable by imprisonment for not more than six (6)
3 months, a fine of not more than seven hundred fifty dollars
4 (\$750.00), or both;

5

6 (ii) For a second offense, guilty of a
7 misdemeanor punishable by imprisonment for not more than
8 one (1) year, a fine of not more than one thousand dollars
9 (\$1,000.00), or both;

10

11 (iii) For a third or subsequent offense, guilty
12 of a felony punishable by imprisonment for not more than
13 ten (10) years, a fine of not more than ten thousand
14 dollars (\$10,000.00), or both.

15

16 (d) Any person convicted of an offense under this
17 section shall be required to undergo a substance abuse
18 assessment as defined by W.S. 7-13-1301(a)(v).

19

20 **11-52-608. Prohibition on the sale or manufacture of**
21 **marijuana near certain properties; penalties.**

22

1 (a) No person shall manufacture, sell, distribute or
2 possess with the intent to sell, give or distribute
3 marijuana or marijuana products while:

4

5 (i) Upon the property of any school, institution
6 of higher education or day care center;

7

8 (ii) Upon public property or any property open
9 to public use that is within one thousand (1,000) feet of a
10 facility specified in paragraph (i) of this subsection;

11

12 (iii) On any school bus;

13

14 (iv) Upon a designated school bus stop or upon
15 public property or any property open to public use that is
16 within one thousand (1,000) feet of a designated school bus
17 stop during the time when children are waiting to be picked
18 up or are being dropped off;

19

20 (v) Upon the property of any publicly owned or
21 operated recreation or community center facility or any
22 public library; or

23

1 (vi) Upon the property of the state hospital, a
2 state penal institution, the Wyoming boys' school, Wyoming
3 girls' school or a jail or on any public property or
4 property open to public use within one thousand (1,000)
5 feet of an institution specified in this paragraph.

6

7 (b) A person violating subsection (a) of this section
8 shall be guilty of a felony punishable by imprisonment of
9 not more than two (2) years, a fine not greater than two
10 thousand dollars (\$2,000.00), or both.

11

12 (c) Nothing in this section shall prohibit or bar any
13 prosecution or proceeding under another provision of law if
14 a person's conduct violates the prohibitions of this
15 section and another provision of law.

16

17 **11-52-609. Illegal testing of marijuana and marijuana**
18 **products; penalty.**

19

20 (a) Except as otherwise provided by law, no person
21 shall test marijuana or marijuana products without being
22 licensed under this chapter to cultivate or test marijuana
23 or marijuana products for the purpose of satisfying any

1 testing requirements under this chapter or any rules
2 promulgated under this chapter.

3

4 (b) A person who violates subsection (a) of this
5 section is guilty of a misdemeanor punishable by
6 imprisonment of not more than six (6) months, a fine not
7 greater than one thousand dollars (\$1,000.00), or both.

8

9 **11-52-610. Illegal sale or advertisement of marijuana**
10 **paraphernalia; promotion to minors; penalties.**

11

12 (a) No person under twenty-one (21) years of age
13 shall possess marijuana paraphernalia. A person who
14 violates this subsection shall be subject to a civil
15 penalty not to exceed twenty-five dollars (\$25.00).

16

17 (b) No person shall sell, distribute or possess with
18 the intent to sell or distribute marijuana paraphernalia to
19 any person under twenty-one (21) years of age. A person who
20 violates this subsection is guilty of a felony punishable
21 by imprisonment of not more than five (5) years, a fine not
22 greater than two thousand five dollars (\$2,500.00), or
23 both.

1

2 (c) No person shall place any advertisement in any
3 newspaper, magazine or other publication if the person
4 knows or reasonably should have known that the purpose of
5 the advertisement is to promote the sale of marijuana
6 paraphernalia to persons under twenty-one (21) years of
7 age. A person who violates this subsection is guilty of a
8 misdemeanor punishable by imprisonment of not more than six
9 (6) months, a fine not greater than one thousand dollars
10 (\$1,000.00), or both.

11

12 (d) No person shall knowingly sell, distribute or
13 display for sale to a minor any book, periodical or other
14 printed matter that he knows advertises for sale any
15 instrument or device for advertised use in unlawfully
16 ingesting, smoking, administering, preparing or growing
17 marijuana. A person who violates this subsection is guilty
18 of a misdemeanor punishable by imprisonment of not more
19 than six (6) months, a fine not greater than one thousand
20 dollars (\$1,000.00), or both.

21

22 **11-52-611. Prohibited practices by licensee; penalty.**

23

1 (a) No licensee or any agent or employee of a
2 licensee shall:

3

4 (i) Cultivate, manufacture, transport, sell or
5 test any retail marijuana or retail marijuana products of a
6 kind other than that which the license or this chapter
7 authorizes;

8

9 (ii) Cultivate, manufacture, transport, sell or
10 test any retail marijuana or retail marijuana products that
11 the license authorizes him to cultivate, manufacture,
12 transport or sell at any place other than the place
13 authorized in the license or in any place that is not
14 within an enclosed area that is secured in a manner that
15 prevents access by persons not permitted by the licensee or
16 agent or employee of the licensee to access;

17

18 (iii) Cultivate, manufacture, sell or test any
19 retail marijuana or retail marijuana products or display or
20 sell any marijuana paraphernalia in any place that is
21 visible from a public place outside of the marijuana
22 establishment without the use of optical aids;

23

1 (iv) Allow a person twenty-one (21) years of age
2 or younger to be employed by or volunteer for the licensee;
3 or

4

5 (v) Sell retail marijuana or retail marijuana
6 products without ensuring that the tax required by W.S.
7 39-24-103 has been paid.

8

9 (b) A person who violates subsection (a) of this
10 section is guilty of a misdemeanor punishable by
11 imprisonment of not more than six (6) months, a fine not
12 greater than one thousand dollars (\$1,000.00), or both.

13

14 **11-52-612. Prohibited practices by retail marijuana**
15 **store licensees; penalty.**

16

17 (a) No retail marijuana store licensee or any agent
18 or employee of a licensee shall:

19

20 (i) Sell any retail marijuana or retail
21 marijuana product in a manner other than what is authorized
22 by the license or by this chapter;

23

1 (ii) Sell more than the amounts permitted by
2 W.S. 11-52-214 during a single transaction to one (1)
3 person;

4

5 (iii) Allow at the place described in his
6 license the use or consumption of retail marijuana or
7 retail marijuana products in violation of this chapter;

8

9 (iv) Keep at the place described in the license
10 any marijuana or marijuana products other than that which
11 the licensee is licensed to sell;

12

13 (v) Misrepresent any marijuana or marijuana
14 product sold or offered for sale;

15

16 (vi) Remove or obliterate any label or packaging
17 affixed to any retail marijuana or retail marijuana
18 products offered for sale;

19

20 (vii) Sell any retail marijuana or retail
21 marijuana products if the label or packaging has been
22 removed or obliterated;

23

1 (viii) Consume or allow the consumption by any
2 employee of any marijuana or marijuana product while on
3 duty and in a position that is involved in the selling of
4 retail marijuana or retail marijuana products;

5

6 (ix) Be intoxicated while on duty or allow an
7 employee to perform his duties while intoxicated; or

8

9 (x) Fail or refuse to make samples of any retail
10 marijuana or retail marijuana product available to the
11 board upon request.

12

13 (b) A person who violates subsection (a) of this
14 section is guilty of a misdemeanor punishable by
15 imprisonment of not more than six (6) months, a fine of not
16 greater than seven hundred fifty dollars (\$750.00), or
17 both.

18

19 **11-52-613. Illegal practices; penalty.**

20

21 A person who violates the labeling and packaging
22 requirements of W.S. 11-52-403, the health and safety
23 requirements of W.S. 11-52-405 or the advertising and

1 marketing restrictions of W.S. 11-52-404 is guilty of a
2 misdemeanor punishable by imprisonment of not more than six
3 (6) months, a fine of not greater than seven hundred fifty
4 dollars (\$750.00), or both.

5

6 **11-52-614. Use, consumption or possession of**
7 **marijuana or marijuana products in certain places**
8 **prohibited; penalty.**

9

10 (a) No person shall use, consume or possess marijuana
11 or marijuana products in or upon the grounds of:

12

13 (i) A jail, state penal institution, the Wyoming
14 boys' school or the Wyoming girls' school; or

15

16 (ii) Any school building, facility or other
17 school district property.

18

19 (b) A person who violates subsection (a) of this
20 section is guilty of a misdemeanor punishable by
21 imprisonment of not more than six (6) months, a fine not
22 greater than one thousand dollars (\$1,000.00), or both.

23

1 **11-52-615. Separation of plant resin by butane**
2 **extraction; penalty.**

3

4 (a) No person shall separate plant resin by butane
5 extraction or another method that utilizes a substance with
6 a flashpoint below one hundred degrees Fahrenheit (100° F)
7 in any public place, motor vehicle or within the curtilage
8 of any residential structure.

9

10 (b) A person who violates subsection (a) of this
11 section is guilty of a felony punishable by imprisonment of
12 not more than twenty (20) years, a fine of not greater than
13 twenty-five thousand dollars (\$25,000.00), or both.

14

15 **11-52-616. Failure to keep, maintain and deliver**
16 **required records; penalty.**

17

18 A person who fails or refuses to deliver, keep and preserve
19 records, invoices and accounts as required by rule of the
20 board or who fails or refuses to allow records, invoices
21 and accounts or the place of business to be examined and
22 inspected in accordance with board rules is guilty of a
23 misdemeanor punishable by imprisonment of not more than six

1 (6) months, a fine not greater than one thousand dollars
2 (\$1,000.00), or both.

3

4

CHAPTER 24

5

RETAIL MARIJUANA TAXES

6

7

39-24-101. Definitions; applicability.

8

9

(a) As used in this article:

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(i) "Cash" means United States currency, certified bank checks or bank cashier's checks payable in United States currency;

(ii) "Nontaxable entity" means a marijuana cultivation facility as defined by W.S. 11-52-101(a)(x), a marijuana manufacturing facility as defined by W.S. 11-52-101(a)(xii), a marijuana secure transporter as defined by W.S. 11-52-101(a)(xvi) and a marijuana testing facility as defined by W.S. 11-52-101(a)(xvii);

(iii) "Sale" or "sell" means any exchange or transfer of title or possession within the state including

1 installment credit and conditional sales to any other
2 person for a consideration.

3

4 (b) The definitions of W.S. 11-52-101 shall apply to
5 this article, except that:

6

7 (i) "Department" shall mean the department of
8 revenue;

9

10 (ii) "Licensee" shall not include any nontaxable
11 entity for purposes of this article.

12

13 **39-24-102. Administration.**

14

15 There are no specific applicable provisions for
16 administration for this article.

17

18 **39-24-103. Imposition.**

19

20 (a) Taxable event. The following event shall
21 constitute a taxable event under this article. There is
22 levied and shall be collected and paid to the department an
23 excise tax at the rate imposed by W.S. 39-24-104 upon the

1 sale price of retail marijuana and retail marijuana
2 products sold by licensees. The tax imposed under this
3 article shall be in addition to any other sales tax imposed
4 under this title.

5

6 (b) Taxpayer. The following taxpayers are liable for
7 the tax imposed by this article. There is levied and shall
8 be collected and paid to the department an excise tax at
9 the rate imposed by W.S. 39-24-104 upon the sale price of
10 retail marijuana and retail marijuana products sold by
11 retail marijuana store and microbusiness licensees.

12

13 **39-24-104. Taxation rate.**

14

15 There is levied and shall be collected and paid to the
16 department an excise tax at the rate of thirty percent
17 (30%) upon the sale of retail marijuana and retail
18 marijuana products sold by retail marijuana store and
19 microbusiness licensees.

20

21 **39-24-105. Exemptions.**

22

1 (a) Sales of retail marijuana or retail marijuana
2 products to any agency of the United States government,
3 sales in interstate commerce or the taxation of any
4 transaction prohibited by the United States constitution
5 are exempted from the provisions of this article but shall
6 be reported to the department in the manner prescribed by
7 it.

8
9 (b) The sales and use tax exemptions specified in
10 W.S. 39-15-105 and 39-16-105 are not applicable to this
11 article.

12

13 **39-24-106. Licensing; permits.**

14

15 Every retail marijuana store and microbusiness licensee who
16 sells or offers to sell retail marijuana or retail
17 marijuana products in this state shall have a license to do
18 as required by W.S. 11-52-101 through 11-52-218.

19

20 **39-24-107. Compliance; collection procedures.**

21

1 (a) Returns and reports. Notwithstanding title 11,
2 chapter 52 of the Wyoming statutes, the following shall
3 apply:

4
5 (i) Each retail marijuana store and
6 microbusiness licensee shall keep complete and accurate
7 records of all retail marijuana and retail marijuana
8 products purchased and sold for three (3) years. The
9 records shall be in the form prescribed by the department
10 and shall be available for inspection by the department at
11 any reasonable time. The department may investigate and
12 examine the stock of retail marijuana and retail marijuana
13 products upon any premises where they are stored or sold;

14
15 (ii) On or before the tenth day of each calendar
16 quarter, every retail marijuana store and microbusiness
17 licensee who, during the preceding calendar quarter, has
18 acquired title to or possession of retail marijuana or
19 retail marijuana products for use in this state, upon which
20 products the tax imposed by W.S. 39-24-103(a) has not been
21 paid, shall file a return with the department showing the
22 quantity of such products so acquired. The return shall be
23 made upon a form furnished and prescribed by the department

1 and shall contain such other information as the department
2 may require.

3

4 (b) Payment. There is levied and shall be collected
5 and paid to the department an excise tax at the rate
6 imposed by W.S. 39-24-104 upon the sale price of all retail
7 marijuana and retail marijuana products sold by retail
8 marijuana store and microbusiness licensees.

9

10 (c) Timelines. The following shall apply:

11

12 (i) Not later than the twentieth day of the
13 month after the end of a calendar quarter following the
14 sale of retail marijuana or retail marijuana products, each
15 retail marijuana store and microbusiness licensee shall
16 return to the department the following information on forms
17 furnished by the department:

18

19 (A) The total amount, in dollars, of retail
20 marijuana and retail marijuana products sold in each
21 incorporated city and town;

22

1 (B) The total amount, in dollars, of retail
2 marijuana and retail marijuana products sold in each county
3 outside the incorporated cities and towns;

4

5 (C) Other information required by the
6 department.

7

8 (ii) The stamps, imprints or impressions
9 required by W.S. 11-52-102(d) shall be affixed by the
10 retail marijuana store and microbusiness licensee any time
11 before the retail marijuana or retail marijuana products
12 are transferred from his possession.

13

14 **39-24-108. Enforcement.**

15

16 (a) Audits. There are no specific applicable
17 provisions for audits for this chapter.

18

19 (b) Interest. There are no specific applicable
20 provisions for interest for this chapter.

21

22 (c) Penalties. The following shall apply:

23

1 (i) Any package of retail marijuana or retail
2 marijuana products found in this state without stamps,
3 imprints or impressions affixed thereto as provided by this
4 article is contraband goods and may be seized without a
5 warrant by the department, with board approval, or any
6 peace officer of this state when so directed by the
7 department;

8
9 (ii) The following acts are misdemeanors
10 punishable by a fine of not more than one hundred dollars
11 (\$100.00) or imprisonment in the county jail for not more
12 than six (6) months or both:

13
14 (A) Selling or distributing retail
15 marijuana or retail marijuana products as a licensee
16 without complying with the provisions of this article;

17
18 (B) Selling, offering to sell, displaying
19 for sale or possessing with intent to sell retail marijuana
20 or retail marijuana products without proper stamps,
21 imprints or impressions as required by W.S. 11-52-102(d);

22

1 (C) Evading or aiding or abetting any
2 person to evade the payment of the taxes imposed by this
3 article;

4

5 (D) Making any false or fraudulent return.

6

7 (iii) Each act in violation of paragraphs (ii)
8 and (vii) through (xi) of this subsection is a separate
9 offense;

10

11 (iv) The penalties specified in paragraphs (ii),
12 (iii) and (vi) through (x) of this subsection are in
13 addition to the provisions of paragraph (i) of this
14 subsection and subsection (e) of this section;

15

16 (v) Any person who purchases any retail
17 marijuana or retail marijuana product for resale in this
18 state from other than a licensee is liable for the tax and
19 any penalties and interest imposed under this paragraph as
20 if he were a licensee and shall pay an additional penalty
21 of twenty-five percent (25%) of any tax due. Any licensee
22 or other person who fails to file any return or to pay any
23 tax within the time required or permitted by this

1 subsection shall be subject to a penalty of five percent
2 (5%) of the amount of the tax due, plus one percent (1%) of
3 the tax for each month of delinquency or fraction thereof.
4 The department may waive all or any part of this penalty
5 for good cause shown;

6

7 (vi) Any person who does any act prohibited by
8 this article, or omits, neglects or refuses to comply with
9 any duty imposed upon him by this article, or causes not to
10 be done any of the things required by this article, or does
11 any act prohibited by this article, may, in addition to any
12 other penalty provided by this article, be liable for a
13 penalty of not to exceed one thousand dollars (\$1,000.00)
14 or five (5) times the retail value of the retail marijuana
15 or retail marijuana product at issue, whichever is lesser,
16 to be recovered in a civil action;

17

18 (vii) Any person who fails to pay any tax
19 imposed by this article at the time prescribed by law or
20 department rule or regulation may, in addition to any other
21 penalty provided by this article, be liable for a penalty
22 not to exceed five (5) times the tax due, but unpaid, to be
23 recovered in a civil action;

1

2 (viii) Any person who, with intent to defraud,
3 fails to comply with any requirement of this article or
4 regulation prescribed hereunder may, in addition to any
5 other penalty provided in this article, for each such
6 offense, be fined not to exceed ten thousand dollars
7 (\$10,000.00), or be imprisoned for a term not to exceed one
8 (1) year, or both;

9

10 (ix) Notwithstanding any other provision of law,
11 the sale or possession for sale of counterfeit retail
12 marijuana or a retail marijuana product with the intent to
13 defraud by any person or entity licensed under title 11,
14 chapter 52 of the Wyoming statutes shall be punishable as
15 provided in this paragraph. As used in this paragraph,
16 "counterfeit retail marijuana or retail marijuana product"
17 means retail marijuana or retail marijuana products that
18 have a false manufacturing label or any package of retail
19 marijuana or retail marijuana product that bears a
20 counterfeit stamp. The following penalties shall apply:

21

22 (A) A first violation may be punishable by
23 a fine of not to exceed one thousand dollars (\$1,000.00) or

1 five (5) times the retail value of the retail marijuana or
2 retail marijuana products involved, whichever is less;

3

4 (B) A subsequent violation may be
5 punishable by a fine of not to exceed five thousand dollars
6 (\$5,000.00) or five (5) times the retail value of the
7 retail marijuana or retail marijuana involved, whichever is
8 greater;

9

10 (C) A first violation involving a total
11 quantity of five (5) pounds of retail marijuana,
12 twenty-four (24) mature flowering female marijuana plants
13 or sixty (60) grams of marijuana concentrate, or more, may
14 be punishable by a fine of not to exceed two thousand
15 dollars (\$2,000.00) or five (5) times the retail value of
16 the retail marijuana and retail marijuana products
17 involved, whichever is less;

18

19 (D) A subsequent violation involving a
20 quantity of five (5) pounds of retail marijuana,
21 twenty-four (24) mature flowering female marijuana plants
22 or sixty (60) grams of marijuana concentrate, or more,

1 shall be punishable by a fine of not to exceed fifty
2 thousand dollars (\$50,000.00).

3

4 (x) Any penalty collected under the provisions
5 of this subsection shall be deposited in the public school
6 fund of the appropriate county as required by article 7,
7 section 5 of the Wyoming constitution.

8

9 (d) Tax sales. Retail marijuana and retail marijuana
10 products seized in accordance with paragraph (c)(i) of this
11 section shall be sold by the department to a licensee to
12 the best advantage of the state. Proceeds from the sale
13 shall be remitted to the state treasurer for deposit into
14 the general fund. The licensee purchasing the retail
15 marijuana or retail marijuana product shall pay taxes as
16 required by this article and affix stamps, imprints or
17 impressions as required by W.S. 11-52-102(d) on retail
18 marijuana or retail marijuana products so purchased.

19

20 **39-24-109. Taxpayer remedies.**

21

1 (a) Interpretation requests. There are no specific
2 applicable provisions for interpretation requests for this
3 chapter.

4

5 (b) Appeals. There are no specific applicable
6 provisions for appeals for this chapter.

7

8 (c) Credits. There are no specific applicable
9 provisions for credits for this chapter.

10

11 (d) Redemption. There are no specific applicable
12 provisions for redemption for this chapter.

13

14 (e) Escrow. There are no specific applicable
15 provisions for escrow for this chapter.

16

17 **39-24-110. Distribution.**

18

19 (a) Two-thirds (2/3) of the taxes collected pursuant
20 to W.S. 39-24-104 shall be distributed to the school
21 foundation program account.

22

1 (b) The remaining one-third (1/3) of the taxes
2 collected pursuant to W.S. 39-24-104 shall be distributed
3 to incorporated cities and towns and to boards of county
4 commissioners in the proportion the retail marijuana and
5 retail marijuana product taxes derived from sales within
6 each incorporated city or town or county bears to total
7 retail marijuana and retail marijuana product taxes
8 collected. The computation for the distribution shall be
9 made by the department according to the monthly returns
10 filed by the licensees.

11

12 **Section 2.** W.S. 6-5-208, 6-8-104(b)(v)(B),
13 31-5-233(a)(ii) by creating a new subparagraph (D),
14 35-7-1002(a)(xiv) and (xxvii)(E)(intro),
15 35-7-1011(a)(intro), (d) and by creating a new subsection
16 (g), 35-7-1031(c)(intro), 35-7-1037, 35-7-1038(b) and (c),
17 35-7-1040 and 35-7-1063(a) by creating a new paragraph (iv)
18 are amended to read:

19

20 **6-5-208. Taking controlled substances, marijuana or**
21 **liquor into jails, penal institutions or mental hospitals;**
22 **penalties.**

23

1 Except as authorized by a person in charge, a person
2 commits a felony punishable by imprisonment for not more
3 than three (3) years, a fine of not more than three
4 thousand dollars (\$3,000.00), or both, if that person takes
5 or passes any controlled substance, marijuana or
6 intoxicating liquor into a jail, a state penal institution,
7 the Wyoming boys' school, Wyoming girls' school, a
8 correctional facility operated by a private entity pursuant
9 to W.S. 7-22-102 or the state hospital.

10

11 **6-8-104. Wearing or carrying concealed weapons;**
12 **penalties; exceptions; permits.**

13

14 (b) The attorney general is authorized to issue
15 permits to carry a concealed firearm to persons qualified
16 as provided by this subsection. The attorney general shall
17 promulgate rules necessary to carry out this section no
18 later than October 1, 1994. Applications for a permit to
19 carry a concealed firearm shall be made available and
20 distributed by the division of criminal investigation and
21 local law enforcement agencies. The permit shall be valid
22 throughout the state for a period of five (5) years from
23 the date of issuance. The permittee shall carry the permit,

1 together with valid identification at all times when the
2 permittee is carrying a concealed firearm and shall display
3 both the permit and proper identification upon request of
4 any peace officer. The attorney general through the
5 division shall issue a permit to any person who:

6

7 (v) Has not been:

8

9 (B) Convicted of a felony violation of any
10 of the felony offenses in title 11, chapter 52 of the
11 Wyoming statutes, the Wyoming Controlled Substances Act of
12 1971, W.S. 35-7-1001 through 35-7-1057 or similar laws of
13 any other state or the United States relating to controlled
14 substances and has not been pardoned; or

15

16 **31-5-233. Driving or having control of vehicle while**
17 **under influence of intoxicating liquor, marijuana or**
18 **controlled substances; penalties.**

19

20 (a) As used in this section:

21

22 (ii) "Controlled substance" includes:

23

1 (D) Marijuana as defined by W.S.
2 35-7-1002(a)(xiv).

3

4 **35-7-1002. Definitions.**

5

6 (a) As used in this act:

7

8 (xiv) ~~"Marihuana"~~ "Marijuana" means all parts of
9 the plant of the genus Cannabis, whether growing or not;
10 the seed thereof; the resin extracted from any part of the
11 plant; and every compound, manufacture, salt, derivative,
12 mixture or preparation of the plant, its seeds or resin. It
13 does not include the mature stalks of the plant, fiber
14 produced from the stalks, oil or cake made from the seeds
15 of the plant, any other compound, manufacture, salt,
16 derivative, mixture or preparation of the mature stalks
17 (except the resin extracted therefrom), fiber, oil or cake,
18 or the sterilized seed of the plant which is incapable of
19 germination;

20

21 (xxvii) "Drug paraphernalia" means all
22 equipment, products and materials of any kind when used,
23 advertised for use, intended for use or designed for use

1 for manufacturing, converting, preparing, packaging,
2 repackaging, storing, containing, concealing, injecting,
3 ingesting, inhaling or otherwise introducing into the human
4 body a controlled substance in violation of this act and
5 includes:

6

7 (E) The following objects when used,
8 advertised for use, intended for use or designed for use in
9 ingesting, inhaling or otherwise introducing ~~marihuana,~~
10 cocaine, hashish or hashish oil or any other controlled
11 substance into the human body:

12

13 **35-7-1011. Control of substances.**

14

15 (a) The commissioner shall administer this act and
16 with the advice of the advisory board established in W.S.
17 35-7-1005 may add substances to or delete or reschedule all
18 substances enumerated in the schedules in W.S. 35-7-1014,
19 35-7-1016, 35-7-1018, 35-7-1020 and 35-7-1022 pursuant to
20 the procedures of the Wyoming Administrative Procedure Act.

21 This subsection shall not apply to the regulation,
22 scheduling or rescheduling of marijuana, which shall be
23 regulated pursuant to title 11, chapter 52 of the Wyoming

1 statutes. In making a determination regarding a substance,
2 the commissioner shall consider the following:

3
4 (d) Except as provided by subsection (g) of this
5 section, if any substance is designated, rescheduled, or
6 deleted as a controlled substance under federal law the
7 commissioner shall control the substance under this act in
8 the same manner as federal law within thirty (30) days
9 after receiving notice of the change but not later than
10 thirty (30) days after the first publication of the change
11 in the Federal Register. Under this subsection, the
12 commissioner shall control the substance in the same manner
13 as federal law through the promulgation of an emergency
14 rule, followed by promulgation of a permanent rule under
15 the Wyoming Administrative Procedure Act. If the
16 commissioner objects to the designation, rescheduling or
17 deletion of a substance, the commissioner shall within the
18 same period required to control the substance publish the
19 reasons for objection and afford all interested parties an
20 opportunity to be heard. At the conclusion of the hearing,
21 the commissioner shall publish his decision which shall be
22 final unless altered by statute. Upon publication of an
23 objection to designation, rescheduling or deletion under

1 this act by the commissioner, control under this act is
2 stayed until the commissioner publishes his final decision.
3 Any final decision that ultimately controls the substance
4 under this act in the same manner as federal law shall be
5 finalized through the promulgation of an emergency rule,
6 followed by promulgation of a permanent rule under the
7 Wyoming Administrative Procedure Act.

8

9 (g) Marijuana shall not be scheduled or rescheduled
10 under this article and shall be regulated as provided by
11 title 11, chapter 52 of the Wyoming statutes.

12

13 **35-7-1031. Unlawful manufacture or delivery;**
14 **counterfeit substance; unlawful possession.**

15

16 (c) It is unlawful for any person knowingly or
17 intentionally to possess a controlled substance unless the
18 substance was obtained directly from, or pursuant to a
19 valid prescription or order of a practitioner while acting
20 in the course of his professional practice, or except as
21 otherwise authorized by this act. ~~With the exception of any~~
22 ~~drug that has received final approval from the United~~
23 ~~States food and drug administration, including dronabinol~~

1 ~~as listed in W.S. 35-7-1018(h), and notwithstanding any~~
2 ~~other provision of this act, no practitioner shall dispense~~
3 ~~or prescribe marihuana, tetrahydrocannabinol, or synthetic~~
4 ~~equivalents of marihuana or tetrahydrocannabinol. No~~
5 ~~prescription or practitioner's order for marihuana,~~
6 ~~tetrahydrocannabinol, or synthetic equivalents of marihuana~~
7 ~~or tetrahydrocannabinol shall be valid, unless the~~
8 ~~prescription is for a drug that has received final approval~~
9 ~~from the United States food and drug administration,~~
10 ~~including dronabinol.~~ Any person who violates this
11 subsection:

12

13 **35-7-1037. Probation and discharge of first**
14 **offenders.**

15

16 Whenever any person who has not previously been convicted
17 of any offense under this act or under any statute of the
18 United States or of any state relating to narcotic drugs,
19 ~~marihuana,~~ or stimulant, depressant, or hallucinogenic
20 drugs, pleads guilty to or is found guilty of possession of
21 a controlled substance under W.S. 35-7-1031(c) or
22 35-7-1033(a)(iii)(B), or pleads guilty to or is found
23 guilty of using or being under the influence of a

1 controlled substance under W.S. 35-7-1039, the court,
2 without entering a judgment of guilt and with the consent
3 of the accused, may defer further proceedings and place him
4 on probation upon terms and conditions. Any term of
5 probation imposed under this section for a felony offense
6 shall not exceed the maximum term of probation authorized
7 under W.S. 7-13-302(b). Upon violation of a term or
8 condition, the court may enter an adjudication of guilt and
9 proceed as otherwise provided. Upon fulfillment of the
10 terms and conditions, the court shall discharge the person
11 and dismiss the proceedings against him. Discharge and
12 dismissal under this section shall be without adjudication
13 of guilt and is not a conviction for purposes of this
14 section or for purposes of disqualifications or
15 disabilities imposed by law upon conviction of a crime,
16 including the additional penalties imposed for second or
17 subsequent convictions under W.S. 35-7-1038. There may be
18 only one (1) discharge and dismissal under this section
19 with respect to any person. This section shall not be
20 construed to provide an exclusive procedure. Any other
21 procedure provided by law relating to suspension of trial
22 or probation, may be followed, in the discretion of the
23 trial court.

1

2 **35-7-1038. Second or subsequent offenses; mandatory**
3 **minimum penalty for certain subsequent offenses.**

4

5 (b) For purposes of subsection (a) of this section,
6 an offense is a second or subsequent offense if, prior to
7 his conviction of the offense, the offender has at any time
8 been convicted under this act or under any statute of the
9 United States or of any state relating to narcotic drugs,
10 ~~marijuana~~, depressant, stimulant or hallucinogenic drugs.

11

12 (c) This section shall not apply to offenses under
13 W.S. 35-7-1031(c) or to offenses under title 11, chapter 52
14 of the Wyoming statutes.

15

16 **35-7-1040. Planting, cultivating or processing peyote**
17 **or opium poppy.**

18

19 Any person who knowingly or intentionally plants,
20 cultivates, harvests, dries, or processes any ~~marihuana~~,
21 peyote, or opium poppy except as otherwise provided by law
22 shall be guilty of a misdemeanor and shall be punished by
23 imprisonment not to exceed six (6) months in the county

1 jail or by a fine not to exceed one thousand dollars
2 (\$1,000.00), or both.

3

4 **35-7-1063. Exceptions to provisions.**

5

6 (a) The provisions and penalties of this chapter
7 shall not apply to:

8

9 (iv) The use, possession, sale, manufacture,
10 cultivation and transportation of marijuana in accordance
11 with title 11, chapter 52 of the Wyoming statutes.

12

13 **Section 3.** W.S. 35-7-1002(a)(xxvii)(C),
14 35-7-1014(d)(xiii), 35-7-1018(h)(i) and
15 35-7-1049(r)(vi)(D)(I) are repealed.

16

17 **Section 4.** Nothing in this act shall be construed to
18 authorize or regulate the cultivation, manufacture,
19 testing, use, sale or transport of marijuana that has been
20 part of, operated in or otherwise connected to interstate
21 commerce.

22

23 **Section 5.**

1

2 (a) Except as otherwise provided in this section, the
3 state board of agriculture shall promulgate all rules
4 necessary to implement the provisions of this act.

5

6 (b) The department of revenue shall promulgate all
7 rules necessary to implement the marijuana taxation
8 provisions created in section 1 of this act.

9

10 (c) The attorney general, as commissioner of drugs and
11 substances control, shall promulgate all rules necessary to
12 implement the provisions of section 1 in this act
13 concerning the scheduling of marijuana as a controlled
14 substance in Wyoming.

15

16 **Section 6.**

17

18 (a) Except as provided in subsection (b) of this
19 section, this act is effective July 1, 2021.

20

1 (b) Sections 4 through 6 of this act are effective
2 immediately upon completion of all acts necessary for a
3 bill to become law as provided by Article 4, Section 8 of
4 the Wyoming Constitution.

5

6

(END)