

This is an amendment to 16.8.11 NMAC, Section 11 effective 3/22/2022. Previously promulgated under emergency rulemaking.

16.8.11.11 ANNUAL PER PLANT FEE:

~~[A. **Commercial cannabis plants:** Except for cannabis producer microbusinesses and integrated cannabis microbusinesses, a licensee cultivating commercial cannabis plants shall be assessed an additional annual fee per mature cannabis plant at the time of licensing, incremental increase as set forth in 16.8.8.10 NMAC, and licensure renewal as set forth in 16.8.2.17 NMAC. Plant fee shall be accessed based on the plant limit license designation as set forth in Subsection A in 16.8.8.9 NMAC, as follows:~~

- ~~(1) Level 1: \$5.00 per mature cannabis plant;~~
- ~~(2) Level 2: \$5.00 per mature cannabis plant;~~
- ~~(3) Level 3: \$5.00 per mature cannabis plant; and~~
- ~~(4) Level 4 and above: \$5.00 per mature cannabis plant.~~

~~B. **Medical cannabis plants:** Except for cannabis producer microbusinesses and integrated cannabis microbusinesses, a licensee cultivating solely medical cannabis plants shall be assessed an additional annual fee per mature cannabis plant at the time of licensing, incremental increase as set forth in 16.8.8.10 NMAC, and licensure renewal as set forth in 16.8.2.17 NMAC. Plant fees shall be accessed based on the plant limit license designation as set forth in Subsection A in 16.8.8.9 NMAC, as follows:~~

- ~~(1) Level 1: \$2.50 per mature cannabis plant;~~
- ~~(2) Level 2: \$2.50 per mature cannabis plant;~~
- ~~(3) Level 3: \$2.50 per mature cannabis plant; and~~
- ~~(4) Level 4 and above: \$2.50 per mature cannabis plant.]~~

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- (3) Level 3: \$5.00 per mature cannabis plant; and
- (4) Level 4 and above: \$5.00 per mature cannabis plant.

B. **Medical cannabis plants:** Except for cannabis producer microbusinesses and integrated cannabis microbusinesses, a licensee cultivating solely medical cannabis plants shall be assessed an additional annual fee per mature cannabis plant at the time of licensing, incremental increase as set forth in 16.8.8.10 NMAC, and licensure renewal as set forth in 16.8.2.17 NMAC. Plant fees shall be accessed based on the plant limit license designation as set forth in Subsection A in 16.8.8.9 NMAC, as follows:

- (1) Level 1: \$2.50 per mature cannabis plant;
- (2) Level 2: \$2.50 per mature cannabis plant;
- (3) Level 3: \$2.50 per mature cannabis plant; and
- (4) Level 4 and above: \$2.50 per mature cannabis plant.

[16.8.11.11 NMAC - N, 08/24/2021; A/E 01/13/2022; A, 03/22/2022]