

**NOTICE OF PROPOSED RULE AMENDMENT**

**Public Hearing.** The New Mexico Regulation and Licensing Department (RLD), Cannabis Control Division (CCD), will hold a public rule hearing on Tuesday, March 1, 2022 at 9:00am. Due to the ongoing public health concerns posed by the threat of the contagious disease COVID-19, the rule hearing will be virtual via an Internet-based video conference and via telephone. A PDF of the proposed rule and meeting details may be accessed through the Cannabis Control Division website: <https://ccd.rld.state.nm.us> or from Julia Valdez at the contact below.

**Purpose of Rule Hearing.** The purpose of the public rule hearing is to receive public on proposed rule amendments related to license application requirements, changes to packaging for cannabis products, increased plant counts, fees related to plant counts and definitional changes to clarify the related changes and licensing processes generally.

Any technical information used to inform the proposed rules will be accessible by visiting:  
<https://ccd.rld.state.nm.us/>.

**Statutory Authority.** Legal authority for this rulemaking may be found the Cannabis Regulation Act, NMSA 1978 Section 26-2C-1 through Section 26-2C-42 NMSA (2021). Additional authority may be found at NMSA 1978 Section 9-7-6(E) (2017) and at NMSA 9-16-6 (2021).

**Public Comment.** The Division will begin accepting public comment on the proposed rules beginning January 25, 2022. Please submit written comments on the proposed rules to Robert Sachs, Deputy Director of Policy for the Cannabis Control Division, via electronic mail at [ccd.publiccomment@state.nm.us](mailto:ccd.publiccomment@state.nm.us). Written comment may also be submitted by visiting the Division website at [ccd.rld.state.nm.us](https://ccd.rld.state.nm.us) or by mailing the comment to the following address:

Cannabis Control Division  
Public Comment  
c/o Robert Sachs  
P.O. Box 25101  
Santa Fe, NM  
87504

All written public comments must be received by 5:00pm on Tuesday March 1, 2022. Persons will also be given the opportunity to present their comments at the rule hearing. Comments received prior to the rule hearing will be posted to the RLD website at: [ccd.rld.state.nm.us](https://ccd.rld.state.nm.us).

No later than January 25, 2022, interested parties may obtain and review copies of the proposed rules and public comments by going to the Cannabis Control Division website at <https://ccd.rld.state.nm.us/> or by contacting the Cannabis Control Division at [rld.cannabiscontrol@state.nm.us](mailto:rld.cannabiscontrol@state.nm.us) or (505) 476-4995.

Any individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing should contact Terry Last, Policy Assistant for the Cannabis Control Division, [rld.cannabiscontrol@state.nm.us](mailto:rld.cannabiscontrol@state.nm.us) or (505) 362-2924 at least seven (7) days prior to the hearing.

**Summary of Proposed New Rules.**

**16.8.1 NMAC: GENERAL PROVISIONS**

Part 1 provides general requirements for licensees established under the Cannabis Regulation Act and required definitions. The proposed amendments to be discussed at the hearing will include changes to definitions corresponding to proposed amendments to 16.8.2 NMAC, 16.8.6 NMAC and 16.8.11 NMAC as well as licensing

processes generally.

**16.8.2 NMAC: LICENSING AND OPERATIONAL REQUIREMENTS FOR CANNABIS ESTABLISHMENTS**

Part 2 provides the requirements necessary for issuance of a license under the Cannabis Regulation Act. Part 2 governs the licensing and operational requirements for additional types of licensees. The proposed amendments to be discussed at the hearing will include changes to application requirements for licensure for various cannabis licenses.

**16.8.3 NMAC: PACKAGING, LABELING, ADVERTISING, MARKETING, AND COMMERCIAL DISPLAY REQUIREMENTS FOR CANNABIS PRODUCTS**

Part 3 provides the requirements related to packing, labeling, and commercial display of cannabis products as well as advertising and marketing requirements for licensees. The proposed amendments to be discussed at the hearing will include changes to packaging for cannabis products.

**16.8.8 NMAC: CANNABIS PLANT LIMITS AND PROCESS TO ADDRESS SHORTAGE OF CANNABIS SUPPLY IN THE MEDICAL CANNABIS PROGRAM**

Part 8 provides the requirements related to cannabis plant limits for licensees with production activities as well as addressing shortages in the cannabis supply for medicinal use. The proposed amendments to be discussed at the hearing will include changes to maximum plant count for cannabis producer licenses.

**16.8.11 NMAC: FEES**

Part 11 provides the requirements related to fees for licensees. The proposed amendments to be discussed at the hearing will include changes to plant count fees for adult use and medical cannabis plants.