

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 8     COMMERCIAL AND MEDICAL CANNABIS**  
**PART 11       FEES**

**16.8.11.1       ISSUING AGENCY:** New Mexico Regulation and Licensing Department, Cannabis Control Division.  
[16.8.11.1 NMAC - N, 08/24/2021]

**16.8.11.2       SCOPE:** This rule applies to all applicants and licensees applying for licensure and renewal of licensure under all license types as set forth in the Cannabis Regulation Act and the Lynn and Erin Compassionate Use Act.  
[16.8.11.2 NMAC - N, 08/24/2021]

**16.8.11.3       STATUTORY AUTHORITY:** The requirements set forth herein are promulgated by the cannabis control division pursuant to the authority granted under the Cannabis Regulation Act and the licensing provisions of the Lynn and Erin Compassionate Use Act.  
[16.8.11.3 NMAC - N, 08/24/2021]

**16.8.11.4       DURATION:** Permanent.  
[16.8.11.4 NMAC - N, 08/24/2021]

**16.8.11.5       EFFECTIVE DATE:** August 24, 2021, unless a later date is cited at the end of a section.  
[16.8.11.5 NMAC - N, 08/24/2021]

**16.8.11.6       OBJECTIVE:** The objective of Part 11 is to establish a uniform schedule of fees applicable to licenses issued under the Cannabis Regulation Act.  
[16.8.11.6 NMAC - N, 08/24/2021]

**16.8.11.7       DEFINITIONS:** Unless otherwise defined below, terms used in Title 16, Chapter 8, Part 1, have the same meanings as set forth in 16.8.1 NMAC, the Cannabis Regulation Act, and the Lynn and Erin Compassionate Use Act.  
[16.8.11.7 NMAC - N, 08/24/2021]

**16.8.11.8       GENERAL PROVISIONS FOR FEES: [RESERVED]**  
[16.8.11.8 NMAC - N, 08/24/2021]

**16.8.11.9       ANNUAL LICENSING FEES:** Every application for the issuance or renewal of the following licenses shall be accompanied by an annual licensing fee in the following specified amounts:

- |           |  |                  |
|-----------|--|------------------|
| <b>A.</b> | <b>Cannabis courier license:</b>                             | \$250 annually   |
|           | Each additional licensed premises of the licensee:           | \$100 annually   |
| <b>B.</b> | <b>Cannabis testing laboratory license:</b>                  | \$2,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>C.</b> | <b>Cannabis manufacturer license:</b>                        | \$2,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>D.</b> | <b>Cannabis producer license:</b>                            | \$2,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>E.</b> | <b>Cannabis retailer license:</b>                            | \$2,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>F.</b> | <b>Cannabis research laboratory license:</b>                 | \$2,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>G.</b> | <b>Vertically integrated cannabis establishment license:</b> | \$7,500 annually |
|           | Each additional licensed premises of the licensee:           | \$1,000 annually |
| <b>H.</b> | <b>Cannabis producer microbusiness license:</b>              | \$1,000 annually |
| <b>I.</b> | <b>Integrated cannabis microbusiness license:</b>            | \$2,500 annually |
| <b>J.</b> | <b>Cannabis consumption area:</b>                            | \$2,500 annually |

[16.8.11.9 NMAC - N, 08/24/2021; A, 05/07/2024]

**16.8.11.10 FEES FOR THE ADMINISTRATION OF LICENSING:** The division shall collect fees for the administration of licensing activities in the following specified amounts:

- A.** License amendments as set forth in 16.8.2 NMAC \$75 per amendment.
- B.** Designation of a non-controlling person as an agent \$75 per designation.

[16.8.11.10 NMAC – Rp, 16.8.11.10 NMAC; 05/07/2024]

**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 assessed 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 assessed 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]

**16.8.11.12 FEE LIMITATIONS:** Application, license, premises and plant fees, or license renewal, premises renewal and annual plant fees shall not exceed \$125,000 for a vertically integrated cannabis establishment license for both medical cannabis activity and commercial cannabis activity. License fees or renewal fees for a license that authorizes only medical cannabis activity shall be one-half the fee applicable to a license authorizing both medical cannabis activity and commercial cannabis activity.

[16.8.11.12 NMAC - N, 08/24/2021]

**16.8.11.13 PROHIBITED ACTIVITY AND IMPACTS ON FEES:** Cannabis producer microbusiness or integrated cannabis microbusinesses entering into a business arrangement with another licensee with the purpose or having the effect of evading the limitations of the licensee's license shall not be eligible for the lower fee prescribed in Subsections H and I of 16.8.11.9 NMAC. Upon entering into such an arrangement, the licensees shall immediately pay the per-plant fee as set forth in 16.8.11.11 NMAC and the applicable fee for a producer license or vertically integrated cannabis establishment license as set forth in 16.8.11.9 NMAC.

[16.8.11.13 NMAC - N, 08/24/2021]

**16.8.11.14 FEE PAYMENT TYPES ACCEPTED:** The division shall accept payment for annual licensing fees and annual per plant fees from sources including credit cards, debit cards, electronic checks, electronic bank transfers, automated clearing house payments, or cashier's checks. Other forms of payment, including cash, shall not be accepted.

[16.8.11.14 NMAC - N, 08/24/2021]

**16.8.11.15 RENEWAL FEE COLLECTION TIMING:** The division shall collect all renewal fees, including annual per plant fees, at the time of renewal of a license.

[16.8.11.15 NMAC - N, 08/24/2021]

**16.8.11.16 SEVERABILITY:** If any part or application of this rule is held to be invalid, the remainder or its application to other situations or persons shall not be affected. Any section of this rule legally severed shall not interfere with the remaining protections and duties provided by this rule.

[16.8.11.16 NMAC - N, 08/24/2021]

**History of 16.8.11 NMAC: [RESERVED]**