

# Cannabis Control Division

## Adult-Use Marijuana

### Green Counties versus Red Counties

The sale of adult-use marijuana & marijuana products commenced on January 1, 2022. There are 56 counties within the state of Montana. In counties where the majority of voters supported Initiative 190 in November 2020, adult sales is allowed. These counties are referred to as **green counties**. In counties where the majority of voters opposed Initiative 190, adult sales are prohibited. These counties are referred to as **red counties**; only medical marijuana sales are permitted within their boundaries. To view the map, click [here](#).

#### Tax Rate

**State taxes** that are imposed upon marijuana sales are determined by the Montana Legislature. This tax is applied at the retail-level only.

The state tax rate for adult use marijuana is 20%.

**Local option tax rates** are set by each Montana county, up to a maximum of 3%, on adult use sales, medical sales, or both.

#### Allowable Amounts

Administrative Rule of Montana [42.39.118\(2\)](#) establishes allowable possession amounts of marijuana and marijuana products:

- 1 ounce of marijuana flower.
- 800 milligrams of THC in marijuana products, including edibles.
- 8 grams/8 milliliters of marijuana concentrate.

#### THC Limits on Marijuana & Marijuana Products-Adult Consumers

**There are THC limits for adult consumers. These limits are determined by the Montana Legislature & can be found in [statute](#).**

- Total potential psychoactive THC for marijuana flower may not exceed 35%.
- Edible marijuana products may contain up to 10mg of THC per serving, and up to 100 mg THC in an entire package.
- A marijuana product sold as a capsule, transdermal patch, or suppository, may not contain more than 100 mg THC, and no more than 800 mg THC per package.
- Topical products may contain no more than 6% THC, and no more than 800 mg THC per package.
- For any other marijuana product, including concentrates and extracts, no more than 800 mg THC per package.

#### Adult-Use Reminders

- Individuals must be 21 years of age and older.
- Individuals must present a [qualifying form](#) of identification to purchase marijuana & marijuana products.
- Consuming marijuana in a public place is **prohibited** by law.