

April 30, 2026

Liz Fordahl, Counsel  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 33-44-01  
Medical Marijuana


Dear Ms. Fordahl:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on Friday, June 19, 2026, beginning at 1:30 p.m. and continuing until 3:00 p.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely,



Jonathan Alm  
Legal Division

JA/rv

cc: Jason Wahl, Medical Marijuana  
Dirk Wilke, Executive Director of Public Health Division

Enclosures

**LEGAL**

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D. ADMIN. CODE CHAPTER 33-44-01  
MEDICAL MARIJUANA

TAKE NOTICE that the North Dakota Department of Health and Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code chapter 33-44-01 at 1:30 p.m. on Friday, June 19, 2026, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 33-44-01, Medical Marijuana, are necessary to implement 2025 Senate Bill No. 2294.

The proposed changes are as follows:

**Section 33-44-01-01** is amended to establish a definition of a dispensary premises and to amend the definition of a cannabinoid concentrate process lot.

**Section 33-44-01-05** is amended to increase the expiration date of registry identification cards from one year to two years in response to 2025 Senate Bill No. 2294.

**Section 33-44-01-07.3** is amended to change the compassion center certification fees back to what they were prior to October 2022.

**Section 33-44-01-13.1** is created to prohibit the consumption of usable marijuana on dispensary premises.

**Section 33-44-01-26** is amended to update language and clarify a manufacturing facility labeling requirement.

**Section 33-44-01-51** is amended to include a maximum concentration or amount a cannabinoid edible product may deviate for testing purposes.

**LEGAL**

The proposed amendments are anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

Copies of the proposed rules and the regulatory analysis relating to these rules, may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Health and Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, June 29, 2026.

**ATTENTION PERSONS WITH DISABILITIES:** If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Health and Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 30th day of April, 2026.

April 30, 2026

RE: Proposed Amendments to N.D. Admin. Code chapter 33-44-01  
Medical Marijuana

TO WHOM IT MAY CONCERN:

The Department of Health and Human Services is proposing amendments to N.D. Admin. Code chapter 33-44-01, Medical Marijuana. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on Monday, June 29, 2026.

The department has scheduled an oral hearing for Friday, June 19, 2026. Further information concerning the public hearing is included in the attached notice of proposed rulemaking and public hearing.

Your participation is welcomed, as are your suggestions. Please send all written data, views, or arguments to: Rules Administrator, Department of Health and Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,



Emily O'Brien  
Deputy Commissioner

EMO/rv

Enclosures

cc: Liz Fordahl, Legislative Council  
Jason Wahl, Medical Marijuana  
Dirk Wilke, Executive Director of Public Health Division

**OFFICE OF THE COMMISSIONER**

GOVERNOR  
Kelly Armstrong

INTERIM COMMISSIONER  
Pat Traynor