



Know Before You Grow:

Are you a Montana resident, 21 years of age or older, and interested in self-cultivation and self-storage of your own personal marijuana?



The Cannabis Control Division has information for those individuals interested in personal marijuana cultivation who are unsure of the current rules and regulations.

Who is eligible to cultivate and store their own personal marijuana?

- Montana adult registered cardholders or their caregiver:
 - Homeowners
 - Renters—with written permission from their landlord
- Montana adult consumers—Montana adults who are residents and 21 & older:
 - Homeowners
 - Renters—with written permission from their landlord
- Minor registered cardholders—a parent or legal guardian may cultivate for them with a background check

**Minor registered cardholders may only use marijuana products; they cannot smoke marijuana or marijuana products*

What does self-cultivation entail?

- Possessing marijuana, including:
 - Harvesting marijuana
 - Drying marijuana
 - Processing marijuana
 - Manufacturing marijuana

Where may marijuana be grown for personal cultivation?

- In or on the grounds of a private residence
- An individual may not cultivate marijuana in a manner that is visible from the street or other public area

What is the penalty for cultivating marijuana plants that are visible from a public place?

- A person who cultivates marijuana plants that are visible by normal, unaided vision from a public place is subject to a civil fine not exceeding \$250.00 and forfeiture of the marijuana

What is the maximum number of plants allowed for self-cultivation?

- Montana registered cardholder = *Four (4) mature marijuana plants and four (4) seedlings

**If multiple registered cardholders share a residence, not more than twice the number of marijuana plants permitted may be cultivated in or on the grounds of a single private residence simultaneously*

- Montana adult consumer = *Two (2) mature marijuana plants and two (2) seedlings

**If multiple adults (21+) share a residence, not more than twice the number of marijuana plants permitted may be cultivated in or on the grounds of a single private residence simultaneously*

How must excess marijuana be stored?

- Marijuana plants and any marijuana produced by the plants in excess of one (1) ounce must be kept in a locked space in or on the grounds of one (1) private residence
- Excess marijuana that has been stored may not be visible by normal, unaided vision from a public place

What are the penalties for incorrectly storing excess marijuana?

- A person who stores marijuana outside of a locked space (i.e. visible by normal, unaided vision from a public place) is subject to a civil fine not exceeding \$250.00 and forfeiture of the marijuana

Can a marijuana business share, rent, or lease space from a private residence that cultivates marijuana?

- No portion of a private residence used for the cultivation of marijuana and/or manufacture of marijuana products may be shared with, rented, or leased to a marijuana business

Is self-cultivation of marijuana considered agriculture?

- Marijuana and marijuana products are not agricultural products and are not subject to regulation by the Department of Agriculture, unless expressly provided

Do I pay taxes on my personally cultivated marijuana?

- Any product cultivated for personal use is not taxable
- State and local taxes only occur at the retail level on end-user purchases

What if my plants/seedlings are seized by law enforcement?

- A law enforcement agency in possession of mature plants and/or seedlings seized as evidence is not responsible for the care and maintenance of the plants and/or seedlings

Forms and Resources

- [Property Owner Permission Form](#)
- [Fingerprint Instructions](#)
- [Consent to Fingerprint Form](#)
- [Physician Statement for a Debilitating Condition](#)
- [Physician Statement for Minors](#)
- [Montana Code Annotated §16-12-106-Personal Use and Cultivation of Marijuana-- Penalties](#)