

**ALCOHOLIC BEVERAGE AND CANNABIS BOARD  
ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION**

**NOTICE OF FINAL RULEMAKING**

The Alcoholic Beverage and Cannabis Board (Board), pursuant to Section 14 of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.13; and Mayor’s Order 2020-099, dated September 30, 2020; hereby gives notice of the adoption of the following amendments to Subtitle C (Medical Marijuana) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

On January 9, 2024, the Council of the District of Columbia (Council) passed the Medical Cannabis Program Enforcement Emergency Amendment Act of 2024, effective February 2, 2024 (D.C. Act 25-371; 71 DCR 1200), which amended the District of Columbia’s Medical Cannabis Program (Program) to address signage and other advertising issues; that emergency legislation expired on April 24, 2024. On February 6, 2024, the Council passed the Medical Cannabis Program Enforcement Temporary Amendment Act of 2024, effective April 19, 2024 (D.C. Act 25-396; 71 DCR 2082), temporary legislation that is substantively identical to the preceding emergency measure.

Based upon the emergency legislation enacted by the Council, the Board on January 31, 2024, by a vote of three to zero, approved an initial Notice of Emergency and Proposed Rulemaking, including: (1) clarifying how medical cannabis facilities may post signage and be advertised; (2) establishing advertising and signage guidelines for licensed and unlicensed establishments offering cannabis and medical cannabis; (3) avoiding public nuisances; and (5) preventing false and misleading advertising regarding the legal status of the cannabis and medical cannabis being offered to the public by licensed and unlicensed retailers. The rules were published in the *District of Columbia Register* on July 26, 2024, at 71 DCR 9417.

The Board also held a public hearing on the proposed rules on March 6, 2024, at 10:30 a.m., and no public comments were received.

On May 15, 2024, the Board, by a vote of three to zero, approved a Second Notice of Emergency and Proposed Rulemaking. The rules were published in the *District of Columbia Register* on July 26, 2024, at 71 DCR 9417. No comments were received in response to the notice of proposed rulemaking.

On September 11, 2024, the Board, by a vote of three to zero, approved a Third Notice of Emergency Rulemaking that contained the same rules approved as part of the Second Notice of Emergency and Proposed Rulemaking. The rules were published on the agency’s website on November 22, 2024, and will be published in the *District of Columbia Register*.

On February 5, 2025, the Board, by a vote of five (5) to zero (0), approved the Fourth Emergency Rulemaking to maintain the rules approved in the Third Notice of Emergency Rulemaking. The rules were published on the agency’s website on February 5, 2025, and will be published in the *District of Columbia Register*.

On June 4, 2025, the Board, by a vote of five to zero, approved a Fifth Notice of Emergency Rulemaking. In that rulemaking, the rules were edited for the purposes of clarity but did not substantively depart from the prior rules issued by the Board.

On June 25, 2025, the Board voted to send a proposed final rulemaking to the Council for its review and approval pursuant to section 14(b) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective February 25, 2010 (D.C. Law 13-315; D.C. Official Code § 7-1671.13(b)). The text of the proposed final rules approved by the Board was identical to the text of the fifth emergency rules and the Board also determined that the changes between the second proposed rules and the proposed final rules were not substantive. The Mayor thereafter transmitted the proposed final rules to the Council for its review and approval pursuant to the Medical Cannabis Signs and Advertising Rulemaking Approval Resolution of 2025 (P.R. 26-319).

In accordance with D.C. Official Code § 7-1671.13(b), the proposed final rules are deemed approved if the Council does not approve or disapprove them by resolution within 30 days of submission, excluding Saturdays, Sundays, legal holidays, and days of Council recess.

The Council not having taken action to approve or disapprove the proposed final rules before the end of the 30-day review period, the proposed final rules were deemed approved by the Council on November 19, 2025.

On December 3, 2025, the Board, by a vote of five to zero, approved this final rulemaking. No changes were made to the text of the rules transmitted to the Council. The rules shall become effective upon the date of publication of this notice in the *District of Columbia Register*.

The rules approved by the Board are as follows:

**Subtitle C, MEDICAL MARIJUANA, of Title 22, HEALTH, of the District of Columbia Municipal Regulations, is amended as follows:**

**Chapter 58, ADVERTISING, is amended as follows:**

**Section 5800, SIGN ADVERTISING, is amended to read as follows:**

5800.1 Signs located on the exterior of a licensed establishment that advertise medical cannabis shall not, in the aggregate, exceed ten (10) square feet; provided, that the square footage of any signs located on the exterior of the licensed establishment that contain only a licensed establishment's trade name shall not count toward the ten (10) square foot limit.

5800.2 (a) An exterior-facing sign placed on a window of a licensed establishment that indicates that there is medical cannabis on the property shall only be placed on the interior side of such window.

(b) Signs placed on the windows of a licensed establishment shall not, in

aggregate, occupy more than twenty-five percent (25%) of the window space.

5800.3 No sign related to medical cannabis or that indicates the presence of medical cannabis at the licensed establishment shall be posted on any side of an exterior entrance or exit door of the licensed establishment.

5800.4 The owner of a licensed establishment shall remove from the establishment any sign that does not conform to this section.

**Section 5801, PROHIBITED STATEMENTS, is amended as follows:**

**A new Subsection 5801.4 is added to read as follows:**

5801.4 No licensed or unlicensed cannabis business shall represent that goods or services provided by the business or that the business itself is compliant with the Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014, effective February 26, 2015 (D.C. Law 20-153; D.C. Official Code *passim*).