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To: Current and Prospective Registered Caregivers
From: Director John Hudak, Office of Cannabis Policy
Date: August 27, 2026
Subject: Additional Guidance for Registered Caregivers Regarding Outdoor Only Cultivation

This guidance is provided by the Office of Cannabis Policy (OCP) in response to questions from registered caregivers about the new “Outdoor Only Cultivation” option. Please review [OCP’s previous guidance](#) issued on July 27, 2026, for more information about this new registration type and the implementation of *An Act Regarding Outdoor Cultivation in the Medical Use Cannabis and Adult Use Cannabis Industries*, [P.L. 2025, ch. 514 \(L.D. 1897\)](#).

Q: Can registered caregivers use the Caregiver Change/Reissue Form multiple times to switch between indoor and outdoor only cultivation throughout the year?

A: Registered caregivers are allowed to use the Caregiver Change/Reissue Form **one time** to switch from standard indoor/outdoor cultivation to outdoor only cultivation. The Caregiver Change/Reissue Form can be used for this purpose through July 29, 2027, for the implementation of P.L. 2025, ch. 514 only.

After July 29, 2027, registered caregivers cannot use a Caregiver Change/Reissue Form to change their cultivation type. A registered caregiver must keep the cultivation type selected at the time they applied for or renewed their caregiver registration.

Q: Can registered caregivers maintain immature plants and seedlings during the months of January and February?

A: As written, P.L. 2025, ch. 514 does not allow for the maintenance of immature plants and seedlings in the months of January and February. However, it is the Office’s understanding that the Legislature’s intent was to prohibit only the cultivation of mature cannabis plants between the months of March and December, while allowing caregivers to maintain throughout the winter their non-flowering immature plants and seedlings for outdoor cultivation during the outdoor cultivation period authorized in statute. For that reason, OCP will allow registered caregivers to maintain immature plants and seedlings in January and February 2027 pending legislative action to clarify this new provision. Should there be no clarification or changes during the next legislative session, OCP will require caregivers registering for outdoor only cultivation to cease all cultivation activities every January and February beginning January 1, 2028.

The limited outdoor cultivation window for mature plants, between the months of March and December, remains in effect.

Q: Does an outdoor cultivation area have to solely use sunlight?

A: No. Pursuant to P.L. 2025, ch. 514, “‘Outdoor cultivation area’ means a cultivation area that **primarily uses** [emphasis added] sunlight for the cultivation of mature cannabis plants.”

Q: What kind of fence is required for an outdoor cultivation area?

A: In accordance with 22 MRS § 2423-A(3)(B), a caregiver’s cultivation area “must be enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the [cultivation] area”.

To satisfy this requirement, registrants are reminded that OCP requires the use of a chain link fence or stockade fence at least six feet high to secure an outdoor cultivation area. Please note that the use of snow, livestock, or welded wire fencing does not meet the security requirements of § 2423-A(3)(B).

Q: Can a registered caregiver cultivating outdoors have more than one harvest between the months of March and December?

A: Yes, a registered caregiver engaged in outdoor only cultivation can have more than one harvest between the months of March and December. Each harvest must be within the registered caregiver’s allotted plant count/canopy.