

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1326 be amended as follows:

- 1 Amend printed bill, page 6, line 7, before "(6)" insert "(2.7) and".
- 2 Page 6, line 8, strike "**substance.**" and substitute "**substance - notice to**
3 **revisor of statutes - repeal.**".
- 4 Page 6, before line 21 insert:
- 5 "(2.7) (a) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS
6 SECTION BY POSSESSING ANY MATERIAL, COMPOUND, MIXTURE, OR
7 PREPARATION THAT CONTAINS A QUANTITY OF FENTANYL, CARFENTANAL,
8 OR AN ANALOG THEREOF AS DESCRIBED IN SECTION 18-18-204 (2)(g),
9 THAT IS MORE THAN SIXTY PERCENT OF THE TOTAL COMPOSITION OF THE
10 MATERIAL, COMPOUND, MIXTURE, OR PREPARATION, COMMITS A LEVEL 2
11 DRUG FELONY.
- 12 (b) (I) THIS SUBSECTION (2.7) TAKES EFFECT AT 12:01 A.M. THIRTY
13 DAYS AFTER THE DATE IDENTIFIED IN THE NOTICE PROVIDED TO THE
14 REVISOR OF STATUTES BY THE DIRECTOR OF THE COLORADO BUREAU OF
15 INVESTIGATION THAT THE COLORADO BUREAU OF INVESTIGATION HAS THE
16 RESOURCES TO DETERMINE THE QUANTITY OF FENTANYL, CARFENTANAL,
17 OR AN ANALOG THEREOF AS DESCRIBED IN SECTION 18-18-204 (2)(g),
18 COMPARED TO THE TOTAL COMPOSITION OF THE MATERIAL, COMPOUND,
19 MIXTURE, OR PREPARATION, OR ON THE DATE OF THE NOTICE TO THE
20 REVISOR OF STATUTES IF THE NOTICE DOES NOT SPECIFY A DIFFERENT
21 DATE.
- 22 (II) THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION
23 SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING WHEN THE
24 CONDITION SPECIFIED IN SUBSECTION (2.7)(b)(I) OF THIS SECTION HAS
25 OCCURRED BY E-MAILING THE NOTICE TO
26 REVISOROFSTATUTES.GA@STATE.CO.US.
- 27 (III) CONCURRENT WITH THE NOTICE REQUIRED IN SUBSECTION
28 (2.7)(b)(II), THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION
29 SHALL NOTIFY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
30 PRESIDENT OF THE SENATE, THE CHIEF JUSTICE OF THE SUPREME COURT,
31 THE GOVERNOR, THE ATTORNEY GENERAL, THE STATE PUBLIC DEFENDER,
32 AND EACH DISTRICT ATTORNEY IN THE STATE, THAT THE COLORADO
33 BUREAU OF INVESTIGATION HAS THE RESOURCES TO DETERMINE THE
34 QUANTITY OF FENTANYL, CARFENTANAL, OR AN ANALOG THEREOF AS
35 DESCRIBED IN SECTION 18-18-204 (2)(g), COMPARED TO THE TOTAL
36 COMPOSITION OF THE MATERIAL, COMPOUND, MIXTURE, OR PREPARATION.
- 37 (IV) THIS SUBSECTION (2.7)(b) IS REPEALED, EFFECTIVE ONE YEAR
38 AFTER NOTICE TO THE REVISOR OF STATUTES PURSUANT TO THIS
39 SUBSECTION (2.7)(b)(II).".

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