

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 revisor of statutes - repeal.**".
- 3
- 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 - M A I L I N G T H E N O T I C E T O
- 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- 37 (IV) THIS SUBSECTION (2.7)(b) IS REPEALED, EFFECTIVE ONE YEAR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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