

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 26, 2019

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB19-224 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 7, strike lines 5 through 8 and substitute:
2 (5) "ACQUIRE", WHEN USED IN CONNECTION WITH THE
3 ACQUISITION OF AN OWNER'S INTEREST OF A MEDICAL MARIJUANA
4 BUSINESS OR RETAIL MARIJUANA BUSINESS, MEANS OBTAINING
5 OWNERSHIP, CONTROL, POWER TO VOTE, OR SOLE POWER OF DISPOSITION
6 OF THE OWNER'S INTEREST, DIRECTLY OR INDIRECTLY OR THROUGH ONE OR
7 MORE TRANSACTIONS OR SUBSIDIARIES, THROUGH PURCHASE,
8 ASSIGNMENT, TRANSFER, EXCHANGE, SUCCESSION, OR OTHER MEANS.
9 (6) "ACTING IN CONCERT" MEANS KNOWING PARTICIPATION IN A
10 JOINT ACTIVITY OR INTERDEPENDENT CONSCIOUS PARALLEL ACTION
11 TOWARD A COMMON GOAL, WHETHER OR NOT PURSUANT TO AN EXPRESS
12 AGREEMENT.
13 (7) "ADVERTISING" MEANS THE ACT OF PROVIDING CONSIDERATION
14 FOR THE PUBLICATION, DISSEMINATION, SOLICITATION, OR CIRCULATION
15 OF VISUAL, ORAL, OR WRITTEN COMMUNICATION TO DIRECTLY INDUCE ANY
16 PERSON TO PATRONIZE A PARTICULAR MEDICAL MARIJUANA BUSINESS OR
17 RETAIL MARIJUANA BUSINESS OR PURCHASE PARTICULAR REGULATED
18 MARIJUANA. "ADVERTISING" DOES NOT INCLUDE PACKAGING AND
19 LABELING, CONSUMER EDUCATION MATERIALS, OR BRANDING.
20 (8) "AFFILIATE" OF, OR PERSON "AFFILIATED WITH", HAS THE SAME
21 MEANING AS DEFINED IN THE "SECURITIES ACT OF 1933", 17 CFR 230.405,
22 AS AMENDED.
23 (9) "BENEFICIAL OWNER OF", "BENEFICIAL OWNERSHIP OF", OR
24 "BENEFICIALLY OWNS AN" OWNER'S INTEREST IS DETERMINED IN

1 ACCORDANCE WITH SECTION 13(d) OF THE FEDERAL "SECURITIES
2 EXCHANGE ACT OF 1934", AS AMENDED, AND RULE 13d-3 PROMULGATED
3 THEREUNDER.

4 (10) "BRANDING" MEANS PROMOTION OF A BUSINESS'S BRAND
5 THROUGH PUBLICIZING THE MEDICAL MARIJUANA BUSINESS'S OR RETAIL
6 MARIJUANA BUSINESS'S NAME, LOGO, OR DISTINCT DESIGN FEATURES OF
7 THE BRAND.

8 (11) "CONSUMER EDUCATION MATERIALS" MEANS ANY
9 INFORMATIONAL MATERIALS THAT SEEK TO EDUCATE CONSUMERS ABOUT
10 REGULATED MARIJUANA GENERALLY, INCLUDING BUT NOT LIMITED TO
11 EDUCATION REGARDING THE SAFE CONSUMPTION OF MARIJUANA,
12 REGULATED MARIJUANA CONCENTRATE, REGULATED MARIJUANA
13 PRODUCTS, REGULATED MARIJUANA CONCENTRATE, OR REGULATED
14 MARIJUANA PRODUCTS, PROVIDED IT IS NOT DISTRIBUTED OR MADE
15 AVAILABLE TO INDIVIDUALS UNDER TWENTY-ONE YEARS OF AGE."

16 Renumber succeeding subsections accordingly.

17 Page 7, line 13, strike "SECURITIES," and substitute "OWNER'S
18 INTERESTS,".

19 Page 7, strike lines 15 through 26 and substitute:

20 "(13) "CONTROLLING BENEFICIAL OWNER" IS LIMITED TO A PERSON
21 THAT SATISFIES ONE OR MORE OF THE FOLLOWING CRITERIA:

22 (a) A NATURAL PERSON, AN ENTITY AS DEFINED IN SECTION
23 7-90-102 (20) THAT IS ORGANIZED UNDER THE LAWS OF AND FOR WHICH
24 ITS PRINCIPAL PLACE OF BUSINESS IS LOCATED IN ONE OF THE STATES OR
25 TERRITORIES OF THE UNITED STATES OR DISTRICT OF COLUMBIA, A
26 PUBLICLY TRADED CORPORATION, OR A QUALIFIED PRIVATE FUND THAT IS
27 NOT A QUALIFIED INSTITUTIONAL INVESTOR:

28 (I) ACTING ALONE OR ACTING IN CONCERT, THAT OWNS OR
29 ACQUIRES BENEFICIAL OWNERSHIP OF TEN PERCENT OR MORE OF THE
30 OWNER'S INTEREST OF A MEDICAL MARIJUANA BUSINESS OR RETAIL
31 MARIJUANA BUSINESS;

32 (II) THAT IS AN AFFILIATE THAT CONTROLS A MEDICAL MARIJUANA
33 BUSINESS OR RETAIL MARIJUANA BUSINESS AND INCLUDES, WITHOUT
34 LIMITATION, ANY MANAGER; OR

35 (III) THAT IS OTHERWISE IN A POSITION TO CONTROL THE MEDICAL
36 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS EXCEPT AS
37 AUTHORIZED IN SECTION 44-10-506 OR 44-10-606; OR

38 (b) A QUALIFIED INSTITUTIONAL INVESTOR ACTING ALONE OR

1 ACTING IN CONCERT THAT OWNS OR ACQUIRES BENEFICIAL OWNERSHIP OF
2 MORE THAN THIRTY PERCENT OF THE OWNER'S INTEREST OF A MEDICAL
3 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS."

4 Page 9, strike lines 8 through 27 and substitute:

5 "INTEREST HOLDER" MEANS A PERSON THAT IS NOT AN AFFILIATE,
6 A CONTROLLING BENEFICIAL OWNER, OR A PASSIVE BENEFICIAL OWNER OF
7 A MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS AND
8 THAT:

9 (a) HOLDS A COMMERCIALY REASONABLE ROYALTY INTEREST IN
10 EXCHANGE FOR A MEDICAL MARIJUANA BUSINESS'S OR RETAIL MARIJUANA
11 BUSINESS'S USE OF THE PERSON'S INTELLECTUAL PROPERTY;

12 (b) HOLDS A PERMITTED ECONOMIC INTEREST THAT WAS ISSUED
13 PRIOR TO JANUARY 1, 2020, AND THAT HAS NOT BEEN CONVERTED INTO AN
14 OWNER'S INTEREST;

15 (c) IS A CONTRACT COUNTERPARTY WITH A MEDICAL MARIJUANA
16 BUSINESS OR RETAIL MARIJUANA BUSINESS, OTHER THAN A CUSTOMARY
17 EMPLOYMENT AGREEMENT, THAT HAS A DIRECT NEXUS TO THE
18 CULTIVATION, MANUFACTURE, OR SALE OF REGULATED MARIJUANA,
19 INCLUDING, BUT NOT LIMITED TO, A LEASE OF REAL PROPERTY ON WHICH
20 THE MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS
21 OPERATES, A LEASE OF EQUIPMENT USED IN THE CULTIVATION OF
22 REGULATED MARIJUANA, A SECURED OR UNSECURED FINANCING
23 AGREEMENT WITH THE MEDICAL MARIJUANA BUSINESS OR RETAIL
24 MARIJUANA BUSINESS, A SECURITY CONTRACT WITH THE MEDICAL
25 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS, OR A
26 MANAGEMENT AGREEMENT WITH THE MEDICAL MARIJUANA BUSINESS OR
27 RETAIL MARIJUANA BUSINESS, PROVIDED THAT NO SUCH CONTRACT
28 COMPENSATES THE CONTRACT COUNTERPARTY WITH A PERCENTAGE OF
29 REVENUE FOR PROFITS OF THE MEDICAL MARIJUANA BUSINESS OR RETAIL
30 MARIJUANA BUSINESS; OR

31 (d) IS IDENTIFIED BY RULE BY THE STATE LICENSING AUTHORITY AS
32 AN INDIRECT FINANCIAL INTEREST HOLDER."

33 Page 10, strike lines 1 through 4.

34 Page 10, line 27, strike "license" and substitute "license, PERMIT,".

35 Page 12, after line 8 insert:

36 "(30) "MANAGER" HAS THE SAME MEANING AS IN SECTION
37 7-90-102 (35.7)."

1 Renumber succeeding subsections accordingly.

2 Page 12, after line 11 insert:

3 "(32) "MARIJUANA CONSUMER WASTE" MEANS ANY COMPONENT
4 LEFT AFTER THE CONSUMPTION OF A REGULATED MARIJUANA PRODUCT,
5 INCLUDING BUT NOT LIMITED TO CONTAINERS, PACKAGES, CARTRIDGES,
6 PODS, CUPS, BATTERIES, ALL-IN-ONE DISPOSABLE DEVICES, AND ANY
7 OTHER WASTE COMPONENT LEFT AFTER THE REGULATED MARIJUANA IS
8 CONSUMED AS DEFINED BY RULES PROMULGATED BY THE STATE LICENSING
9 AUTHORITY."

10 Renumber succeeding subsections accordingly.

11 Page 13, line 10, after the period insert "A MEDICAL MARIJUANA BUSINESS
12 OPERATOR IS NOT, BY VIRTUE OF ITS STATUS AS A MEDICAL MARIJUANA
13 BUSINESS OPERATOR, A CONTROLLING BENEFICIAL OWNER OR A PASSIVE
14 BENEFICIAL OWNER OF ANY MEDICAL MARIJUANA BUSINESS IT OPERATES."

15 Page 14, strike line 27 and substitute:

16 "(45) "OWNER'S INTEREST" HAS THE SAME MEANING AS IN SECTION
17 7-90-102 (44) AND IS SYNONYMOUS WITH THE TERM "SECURITY" UNLESS
18 THE CONTEXT OTHERWISE REQUIRES.

19 (46) "PASSIVE BENEFICIAL OWNER" MEANS ANY PERSON
20 ACQUIRING ANY OWNER'S INTEREST IN A MEDICAL MARIJUANA BUSINESS
21 OR RETAIL MARIJUANA BUSINESS THAT IS NOT OTHERWISE A CONTROLLING
22 BENEFICIAL OWNER OR IN CONTROL."

23 Page 15, strike lines 1 through 6.

24 Renumber succeeding sections accordingly.

25 Page 15, strike lines 16 through 18 and substitute "(48) PERSON" HAS THE
26 SAME MEANING AS DEFINED IN SECTION 7-90-102 (49)."

27 Page 15, strike lines 23 through 27 and substitute::

28 "(50) "PUBLICLY TRADED CORPORATION" MEANS ANY PERSON
29 OTHER THAN AN INDIVIDUAL THAT IS ORGANIZED UNDER THE LAWS OF AND
30 FOR WHICH ITS PRINCIPAL PLACE OF BUSINESS IS LOCATED IN ONE OF THE
31 STATES OR TERRITORIES OF THE UNITED STATES OR DISTRICT OF
32 COLUMBIA OR ANOTHER COUNTRY THAT AUTHORIZES THE SALE OF
33 MARIJUANA AND THAT:

1 (a) HAS A CLASS OF SECURITIES REGISTERED PURSUANT TO
2 SECTION 12 OF THE FEDERAL "SECURITIES EXCHANGE ACT OF 1934", AS
3 AMENDED, THAT:
4 (I) CONSTITUTES "COVERED SECURITIES" PURSUANT TO SECTION
5 18 (b)(1)(A) OF THE FEDERAL "SECURITIES ACT OF 1933", AS AMENDED;
6 OR
7 (II) IS QUALIFIED AND QUOTED ON THE OTCQX OR OTCQB TIER
8 OF THE OTC MARKETS IF:
9 (A) THE PERSON IS THEN REQUIRED TO FILE REPORTS AND IS FILING
10 REPORTS ON A CURRENT BASIS WITH THE FEDERAL SECURITIES AND
11 EXCHANGE COMMISSION PURSUANT TO THE FEDERAL "SECURITIES
12 EXCHANGE ACT OF 1934", AS AMENDED, AS IF THE SECURITIES
13 CONSTITUTED "COVERED SECURITIES" AS DESCRIBED IN SUBSECTION
14 (46)(a)(I) OF THIS SECTION; AND
15 (B) THE PERSON HAS ESTABLISHED AND IS IN COMPLIANCE WITH
16 CORPORATE GOVERNANCE MEASURES PURSUANT TO CORPORATE
17 GOVERNANCE OBLIGATIONS IMPOSED ON SECURITIES QUALIFIED AND
18 QUOTED ON THE OTCQX TIER OF THE OTC MARKETS.
19 (b) IS AN ENTITY THAT HAS A CLASS OF SECURITIES LISTED ON THE
20 CANADIAN SECURITIES EXCHANGE, TORONTO STOCK EXCHANGE, TSX
21 VENTURE EXCHANGE, OR OTHER EQUITY SECURITIES EXCHANGE
22 RECOGNIZED BY THE STATE LICENSING AUTHORITY, IF:
23 (I) THE ENTITY CONSTITUTES A "FOREIGN PRIVATE ISSUER", AS
24 DEFINED IN RULE 405 PROMULGATED PURSUANT TO THE FEDERAL
25 "SECURITIES ACT OF 1933", AS AMENDED, WHOSE SECURITIES ARE EXEMPT
26 FROM REGISTRATION PURSUANT TO SECTION 12 OF THE FEDERAL
27 "SECURITIES EXCHANGE ACT OF 1934", AS AMENDED, PURSUANT TO RULE
28 12g3-2 (b) PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES
29 EXCHANGE ACT OF 1934", AS AMENDED; AND
30 (II) THE ENTITY HAS BEEN, FOR THE PRECEDING THREE HUNDRED
31 SIXTY-FIVE DAYS OR SINCE THE FORMATION OF THE ENTITY, IN
32 COMPLIANCE WITH ALL GOVERNANCE AND REPORTING OBLIGATIONS
33 IMPOSED BY THE RELEVANT EXCHANGE ON SUCH ENTITY; OR
34 (c) IS REASONABLY IDENTIFIED AS A PUBLICLY TRADED
35 CORPORATION BY RULE;
36 (d) A "PUBLICLY TRADED CORPORATION" DESCRIBED IN
37 SUBSECTION (46)(a), (46)(b), OR (46)(c) OF THIS SECTION DOES NOT
38 INCLUDE:
39 (I) AN "INELIGIBLE ISSUER", AS DEFINED IN RULE 405
40 PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES ACT OF 1933",
41 AS AMENDED, UNLESS SUCH PUBLICLY TRADED CORPORATION SATISFIES

1 THE DEFINITION OF INELIGIBLE ISSUER SOLELY BECAUSE IT IS ONE OR MORE
2 OF THE FOLLOWING, AND THE PERSON IS FILING REPORTS ON A CURRENT
3 BASIS WITH THE FEDERAL SECURITIES AND EXCHANGE COMMISSION
4 PURSUANT TO THE FEDERAL "SECURITIES EXCHANGE ACT OF 1934", AS
5 AMENDED, AS IF THE SECURITIES CONSTITUTED "COVERED SECURITIES" AS
6 DESCRIBED IN SUBSECTION (46)(a)(I) OF THIS SECTION, AND PRIOR TO
7 BECOMING A PUBLICLY TRADED CORPORATION, THE PERSON FOR AT LEAST
8 TWO YEARS WAS LICENSED BY THE STATE LICENSING AUTHORITY AS A
9 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS WITH A
10 DEMONSTRATED HISTORY OF OPERATIONS IN THE STATE OF COLORADO,
11 AND DURING SUCH TIME WAS NOT SUBJECT TO SUSPENSION OR
12 REVOCATION OF THE LICENSE:

13 (A) A "BLANK CHECK COMPANY", AS DEFINED IN RULE 419 (a)(2)
14 PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES ACT OF 1933",
15 AS AMENDED;

16 (B) AN ISSUER IN AN OFFERING OF "PENNY STOCK", AS DEFINED IN
17 RULE 3a51-1 PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES
18 EXCHANGE ACT OF 1934"; OR

19 (C) A "SHELL COMPANY", AS DEFINED IN RULE 405 PROMULGATED
20 PURSUANT TO THE FEDERAL "SECURITIES ACT OF 1933", AS AMENDED;
21 AND

22 (II) A PERSON DISQUALIFIED AS A "BAD ACTOR" UNDER RULE 506
23 (d) PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES ACT OF
24 1933", AS AMENDED."

25 (51) "QUALIFIED INSTITUTIONAL INVESTOR" MEANS:

26 (a) A BANK AS DEFINED IN SECTION 3 (a)(6) OF THE FEDERAL
27 "SECURITIES EXCHANGE ACT OF 1934", AS AMENDED, IF THE BANK IS
28 CURRENT IN ALL APPLICABLE REPORTING AND RECORD-KEEPING
29 REQUIREMENTS UNDER SUCH ACT AND RULES PROMULGATED
30 THEREUNDER;

31 (b) A BANK HOLDING COMPANY AS DEFINED IN THE FEDERAL
32 "BANK HOLDING COMPANY ACT OF 1956", AS AMENDED, IF THE BANK
33 HOLDING COMPANY IS REGISTERED AND CURRENT IN ALL APPLICABLE
34 REPORTING AND RECORD-KEEPING REQUIREMENTS UNDER SUCH ACT AND
35 RULES PROMULGATED THEREUNDER;

36 (c) AN INSURANCE COMPANY AS DEFINED IN SECTION 2 (a)(17) OF
37 THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", AS AMENDED, IF
38 THE INSURANCE COMPANY IS CURRENT IN ALL APPLICABLE REPORTING AND
39 RECORD-KEEPING REQUIREMENTS UNDER SUCH ACT AND RULES
40 PROMULGATED THEREUNDER;

41 (d) AN INVESTMENT COMPANY REGISTERED UNDER SECTION 8 OF

1 THE FEDERAL "INVESTMENT COMPANY ACT OF 1940", AS AMENDED, AND
2 SUBJECT TO 15 U.S.C. SEC. 80a-1 TO 80a-64, IF THE INVESTMENT
3 COMPANY IS CURRENT IN ALL APPLICABLE REPORTING AND
4 RECORD-KEEPING REQUIREMENTS UNDER SUCH ACT AND RULES
5 PROMULGATED THEREUNDER;

6 (e) AN EMPLOYEE BENEFIT PLAN OR PENSION FUND SUBJECT TO THE
7 FEDERAL "EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974",
8 EXCLUDING AN EMPLOYEE BENEFIT PLAN OR PENSION FUND SPONSORED BY
9 A LICENSEE OR AN INTERMEDIARY HOLDING COMPANY LICENSEE THAT
10 DIRECTLY OR INDIRECTLY OWNS TEN PERCENT OR MORE OF A LICENSEE;

11 (f) A STATE OR FEDERAL GOVERNMENT PENSION PLAN;

12 (g) A GROUP COMPRISED ENTIRELY OF PERSONS SPECIFIED IN
13 SUBSECTIONS (47)(a) TO (47)(f) OF THIS SECTION; OR

14 (h) ANY OTHER ENTITY IDENTIFIED BY RULE BY THE STATE
15 LICENSING AUTHORITY.

16 (52) "QUALIFIED PRIVATE FUND" MEANS AN ISSUER THAT WOULD
17 BE AN INVESTMENT COMPANY, AS DEFINED IN SECTION (3) OF THE FEDERAL
18 "INVESTMENT COMPANY ACT OF 1940", BUT FOR THE EXCLUSIONS
19 PROVIDED UNDER SECTIONS 3(c)(1) OR 3(c)(7) OF THAT ACT, AND THAT:

20 (a) IS ADVISED OR MANAGED BY AN INVESTMENT ADVISER AS
21 DEFINED AND REGISTERED UNDER SECTIONS 80b-1-21, TITLE 15 OF THE
22 FEDERAL "INVESTMENT ADVISERS ACT OF 1940", AND FOR WHICH THE
23 REGISTERED INVESTMENT ADVISER IS CURRENT IN ALL APPLICABLE
24 REPORTING AND RECORD-KEEPING REQUIREMENTS UNDER SUCH ACT AND
25 RULES PROMULGATED THEREUNDER; AND

26 (b) SATISFIES ONE OR MORE OF THE FOLLOWING:

27 (I) IS ORGANIZED UNDER THE LAW OF A STATE OR THE UNITED
28 STATES;

29 (II) IS ORGANIZED, OPERATED, OR SPONSORED BY A U.S. PERSON,
30 AS DEFINED UNDER SUBSECTION 17 CFR 230.902(k), AS AMENDED; OR

31 (III) SELLS SECURITIES TO A U.S. PERSON, AS DEFINED UNDER
32 SUBSECTION 17 CFR 230.902(k), AS AMENDED.

33 (53) "REASONABLE CAUSE" MEANS JUST OR LEGITIMATE GROUNDS
34 BASED IN LAW AND IN FACT TO BELIEVE THAT THE PARTICULAR
35 REQUESTED ACTION FURTHERS THE PURPOSES OF THIS ARTICLE 10 OR
36 PROTECTS PUBLIC SAFETY."

37 Page 16, strike lines 1 through 20.

38 Renumber succeeding subsections accordingly.

- 1 Page 19, after line 4 insert:
2 "(68) "SECURITY" HAS THE SAME MEANING AS IN SECTION (2)(1) OF
3 THE FEDERAL "SECURITIES ACT OF 1933", AS AMENDED."
- 4 Renumber succeeding subsection accordingly.
- 5 Page 30, line 20, after "registration" insert "OR PERMIT".
- 6 Page 42, line 1, after "vehicles;" insert "REQUIREMENTS FOR
7 DELIVERIES;"
- 8 Page 43, strike lines 9 through 12 and substitute "~~managers, contractors,
9 employees, and other support staff of entities licensed pursuant to this
10 article 12,~~ AND ANY PERSON OPERATING, WORKING IN, OR HAVING
11 UNESCORTED ACCESS TO THE LIMITED ACCESS AREAS OF THE LICENSED
12 PREMISES OF A MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA
13 BUSINESS including a fingerprint-based criminal history record check as
14 may be required by the state licensing authority prior to issuing a card;"
- 15 Page 44, line 27, strike "AND".
- 16 Page 45, strike lines 1 through 10 and substitute:
17 "(bb) CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED TO
18 COLLECT MARIJUANA CONSUMER WASTE AND TRANSFER IT TO A PERSON
19 FOR THE PURPOSES OF REUSE OR RECYCLING IN ACCORDANCE WITH ALL
20 REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF PUBLIC HEALTH
21 AND ENVIRONMENT PERTAINING TO WASTE DISPOSAL AND RECYCLING. THE
22 CONDITIONS MUST INCLUDE:
23 (I) THAT THE PERSON RECEIVING MARIJUANA CONSUMER WASTE
24 FROM A LICENSEE IS, TO THE EXTENT REQUIRED BY LAW, REGISTERED WITH
25 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;
26 (II) RECORD-KEEPING REQUIREMENTS;
27 (III) SECURITY MEASURES RELATED TO THE COLLECTION AND
28 TRANSFER OF MARIJUANA CONSUMER WASTE;
29 (IV) HEALTH AND SAFETY REQUIREMENTS, INCLUDING
30 REQUIREMENTS FOR THE HANDLING OF MARIJUANA CONSUMER WASTE;
31 AND
32 (V) PROCESSES ASSOCIATED WITH HANDLING MARIJUANA
33 CONSUMER WASTE, INCLUDING DESTRUCTION OF ANY REMAINING
34 REGULATED MARIJUANA IN THE MARIJUANA CONSUMER WASTE.
35 (cc) REQUIREMENTS FOR A TRANSITION PERMIT FOR MEDICAL

1 MARIJUANA CULTIVATION FACILITIES OR RETAIL MARIJUANA CULTIVATION
2 FACILITIES ISSUED PURSUANT TO SECTION 44-10-311 (13)(c), INCLUDING
3 BUT NOT LIMITED TO PERMIT APPLICATION REQUIREMENTS AND
4 RESTRICTIONS OF A TRANSITION PERMIT.

5 (dd) REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL
6 MARIJUANA-INFUSED PRODUCTS DELIVERY AS DESCRIBED IN SECTION
7 44-10-501 (11) AND SECTION 44-10-505 (5) AND RETAIL MARIJUANA AND
8 RETAIL MARIJUANA PRODUCTS DELIVERY AS DESCRIBED IN SECTION
9 44-10-601 (13) AND SECTION 44-10-605 (5), INCLUDING:

10 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR
11 LICENSED MEDICAL MARIJUANA STORES AND MEDICAL MARIJUANA
12 TRANSPORTERS APPLYING FOR A MEDICAL MARIJUANA DELIVERY PERMIT;

13 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL
14 MARIJUANA STORES, RETAIL MARIJUANA STORES, MEDICAL MARIJUANA
15 TRANSPORTERS, AND RETAIL MARIJUANA TRANSPORTERS THAT HOLD A
16 MEDICAL MARIJUANA OR RETAIL MARIJUANA DELIVERY PERMIT WHO WILL
17 DELIVER MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS OR
18 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS PURSUANT TO THIS
19 ARTICLE 10 AND REQUIREMENTS THAT MEDICAL MARIJUANA STORES,
20 RETAIL MARIJUANA STORES, MEDICAL MARIJUANA TRANSPORTERS, AND
21 RETAIL MARIJUANA TRANSPORTERS OBTAIN A RESPONSIBLE VENDOR
22 DESIGNATION PURSUANT TO SECTION 44-10-1201 PRIOR TO CONDUCTING
23 A DELIVERY;

24 (C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY
25 AND AGE IDENTIFICATION AND VERIFICATION;

26 (D) SECURITY REQUIREMENTS;

27 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
28 REQUIREMENTS FOR SURVEILLANCE;

29 (F) RECORD-KEEPING REQUIREMENTS;

30 (G) LIMITS ON THE AMOUNT OF MEDICAL MARIJUANA AND
31 MEDICAL MARIJUANA PRODUCTS AND RETAIL MARIJUANA AND RETAIL
32 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
33 AND DELIVERED TO A PATIENT OR PARENT OR GUARDIAN, WHICH CANNOT
34 EXCEED LIMITS PLACED ON SALES AT LICENSED MEDICAL MARIJUANA
35 STORES;

36 (H) LIMITS ON THE AMOUNT OF RETAIL MARIJUANA AND RETAIL
37 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
38 AND DELIVERED TO AN INDIVIDUAL, WHICH CANNOT EXCEED LIMITS
39 PLACED ON SALES AT RETAIL MARIJUANA STORES;

40 (I) INVENTORY TRACKING SYSTEM REQUIREMENTS;

41 (J) HEALTH AND SAFETY REQUIREMENTS FOR MEDICAL MARIJUANA

1 AND MEDICAL MARIJUANA PRODUCTS DELIVERED TO A PATIENT OR PARENT
2 OR GUARDIAN AND FOR RETAIL MARIJUANA AND RETAIL MARIJUANA
3 PRODUCTS DELIVERED TO AN INDIVIDUAL;

4 (K) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
5 DELIVERING MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
6 PRODUCTS PURSUANT TO THIS ARTICLE 10 DO NOT DISCLOSE PERSONAL
7 IDENTIFYING INFORMATION TO ANY PERSON OTHER THAN THOSE WHO
8 NEED THAT INFORMATION IN ORDER TO TAKE, PROCESS, OR DELIVER THE
9 ORDER OR AS OTHERWISE REQUIRED OR AUTHORIZED BY THIS ARTICLE 10,
10 TITLE 18, OR TITLE 25;

11 (L) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
12 MEDICAL MARIJUANA DELIVERY PERMIT AND THE RETAIL MARIJUANA
13 DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST REFLECT THE EXPECTED
14 COSTS OF ADMINISTERING THE MEDICAL MARIJUANA DELIVERY PERMIT
15 AND THE RETAIL MARIJUANA DELIVERY PERMIT AND MAY BE ADJUSTED BY
16 THE STATE LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL
17 DIRECT AND INDIRECT COSTS.

18 (M) THE PERMITTED HOURS OF DELIVERY OF MEDICAL MARIJUANA
19 AND MEDICAL MARIJUANA-INFUSED PRODUCTS AND RETAIL MARIJUANA
20 AND RETAIL MARIJUANA PRODUCTS;

21 (N) REQUIREMENTS FOR AREAS WHERE MEDICAL MARIJUANA AND
22 MEDICAL MARIJUANA-INFUSED PRODUCTS ORDERS ARE STORED, WEIGHED,
23 PACKAGED, PREPARED, AND TAGGED, INCLUDING REQUIREMENTS THAT
24 MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS
25 CANNOT BE PLACED INTO A DELIVERY VEHICLE UNTIL AFTER AN ORDER
26 HAS BEEN PLACED AND THAT ALL DELIVERY ORDERS MUST BE PACKAGED
27 ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA STORE OR ITS
28 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
29 FACILITY AS DEFINED BY RULE AFTER AN ORDER HAS BEEN RECEIVED; AND

30 (O) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
31 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

32 (ee) (I) (A) OWNERSHIP AND FINANCIAL DISCLOSURE PROCEDURES
33 AND REQUIREMENTS PURSUANT TO THIS ARTICLE 10;

34 (B) RECORDS A MEDICAL MARIJUANA BUSINESS OR RETAIL
35 MARIJUANA BUSINESS IS REQUIRED TO MAINTAIN REGARDING ITS
36 CONTROLLING BENEFICIAL OWNERS, PASSIVE BENEFICIAL OWNERS, AND
37 INDIRECT FINANCIAL INTEREST HOLDERS THAT MAY BE SUBJECT TO
38 DISCLOSURE AT RENEWAL OR AS PART OF ANY OTHER INVESTIGATION
39 FOLLOWING INITIAL LICENSURE OF A MEDICAL MARIJUANA BUSINESS OR
40 RETAIL MARIJUANA BUSINESS;

41 (C) PROCEDURES AND REQUIREMENTS FOR FINDINGS OF

1 SUITABILITY PURSUANT TO THIS ARTICLE 10, INCLUDING FEES NECESSARY
2 TO COVER THE DIRECT AND INDIRECT COSTS OF ANY SUITABILITY
3 INVESTIGATION;
4 (D) PROCEDURES AND REQUIREMENTS CONCERNING THE
5 DIVESTITURE OF THE BENEFICIAL OWNERSHIP OF A PERSON FOUND
6 UNSUITABLE BY THE STATE LICENSING AUTHORITY;
7 (E) PROCEDURES, PROCESSES, AND REQUIREMENTS FOR TRANSFERS
8 OF OWNERSHIP INVOLVING A PUBLICLY TRADED CORPORATION, INCLUDING
9 BUT NOT LIMITED TO MERGERS WITH A PUBLICLY TRADED CORPORATION,
10 INVESTMENT BY A PUBLICLY TRADED CORPORATION, AND PUBLIC
11 OFFERINGS;
12 (F) DESIGNATION OF PERSONS THAT BY VIRTUE OF COMMON
13 CONTROL CONSTITUTE CONTROLLING BENEFICIAL OWNERS;
14 (G) MODIFICATION OF THE PERCENTAGE OF OWNER'S INTERESTS
15 THAT MAY BE HELD BY A CONTROLLING BENEFICIAL OWNER AND PASSIVE
16 BENEFICIAL OWNER;
17 (H) DESIGNATION OF PERSONS THAT QUALIFY FOR AN EXEMPTION
18 FROM AN OTHERWISE REQUIRED FINDING OF SUITABILITY; AND
19 (I) DESIGNATION OF INDIRECT FINANCIAL INTEREST HOLDERS AND
20 QUALIFIED INSTITUTIONAL INVESTORS.
21 (II) RULES PROMULGATED PURSUANT TO THIS SUBSECTION (2)(ee)
22 MUST NOT BE ANY MORE RESTRICTIVE THAN THE REQUIREMENTS
23 EXPRESSLY ESTABLISHED UNDER THIS ARTICLE 10."

24 Page 51, after line 10 insert:

25 "(7) THE STATE LICENSING AUTHORITY MAY DENY, SUSPEND,
26 REVOKE, FINE, OR IMPOSE OTHER SANCTIONS AGAINST A PERSON'S LICENSE
27 ISSUED PURSUANT TO THIS ARTICLE 10 IF THE STATE LICENSING
28 AUTHORITY FINDS THE PERSON OR THE PERSON'S CONTROLLING
29 BENEFICIAL OWNER, PASSIVE BENEFICIAL OWNER, OR INDIRECT FINANCIAL
30 INTEREST HOLDER FAILED TO TIMELY FILE ANY REPORT, DISCLOSURE,
31 REGISTRATION STATEMENT, OR OTHER SUBMISSION REQUIRED BY ANY
32 STATE OR FEDERAL REGULATORY AUTHORITY THAT IS RELATED TO THE
33 CONDUCT OF THEIR BUSINESS.
34 (8) THE STATE LICENSING AUTHORITY SHALL TREAT A
35 METERED-DOSE INHALER THE SAME AS A VAPORIZED DELIVERY DEVICE
36 FOR PURPOSES OF REGULATION AND TESTING."

37 Page 51, line 24, strike "10" and substitute "10, FOR INVESTIGATION OR
38 ENFORCEMENT OF ANY INTERNATIONAL, FEDERAL, STATE, OR LOCAL
39 SECURITIES LAW OR REGULATIONS,".

- 1 Page 53, line 18, strike "AND".
- 2 Page 53, line 19, strike "license. and" and substitute "license; and".
- 3 Page 53, after line 20 insert:
4 "(i) A MEDICAL MARIJUANA DELIVERY PERMIT."
- 5 Page 60, line 14, strike "the names and" and substitute "~~the names and~~".
- 6 Page 60, strike line 15 and substitute "~~addresses of the officers, directors,~~
7 ~~or~~".
- 8 Page 60, line 16, strike "managers," and substitute "~~managers,~~
9 DISCLOSURES REQUIRED BY SECTION 44-10-309,"
- 10 Page 62, after line 7 insert:
11 "(4) PRIOR TO ACCEPTING AN APPLICATION FOR A LICENSE,
12 REGISTRATION, OR PERMIT, THE STATE LICENSING AUTHORITY SHALL
13 INFORM THE APPLICANT THAT HAVING A MEDICAL MARIJUANA OR RETAIL
14 MARIJUANA LICENSE AND WORKING IN THE MEDICAL MARIJUANA OR
15 RETAIL MARIJUANA INDUSTRY MAY HAVE ADVERSE FEDERAL
16 IMMIGRATION CONSEQUENCES."
- 17 Page 62, line 13, strike "(13)(c)" and substitute "(19)(c)".
- 18 Page 62, line 16, strike "(13)(a) OR (13)(b)." and substitute "(19)(a) OR
19 (19)(b)."
20
- 21 Page 63, line 5, strike "OR PASSIVE BENEFICIAL OWNERS".
- 22 Page 63, line 7, strike "OR PASSIVE BENEFICIAL OWNER".
- 23 Page 63, strike lines 10 through 13 and substitute:
24 "~~(e) A person employing, assisted by, or financed in whole or in
25 part by any other person whose criminal history indicates he or she is not
26 of good character and reputation satisfactory to the respective licensing
27 authority;~~".
- 28 Page 65, line 2, strike "or" and substitute "~~or~~".
- 29 Page 65, strike line 3 and substitute:

1 ~~(n)~~ (l) A publicly traded ~~company~~ ENTITY THAT DOES NOT
2 CONSTITUTE A PUBLICLY TRADED CORPORATION AS DEFINED IN THIS
3 ARTICLE 10;

4 (m) A PERSON THAT IS OR HAS A CONTROLLING BENEFICIAL
5 OWNER, PASSIVE BENEFICIAL OWNER, OR INDIRECT FINANCIAL INTEREST
6 HOLDER THAT IS ORGANIZED OR FORMED UNDER THE LAWS OF A COUNTRY
7 DETERMINED BY THE UNITED STATES SECRETARY OF STATE TO HAVE
8 REPEATEDLY PROVIDED SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM
9 OR IS INCLUDED AMONG THE LIST OF "COVERED COUNTRIES" IN SECTION
10 1502 OF THE FEDERAL "DODD-FRANK WALL STREET REFORM AND
11 CONSUMER PROTECTION ACT", PUB.L. 111-203;

12 (n) A PERSON THAT IS OR HAS A CONTROLLING BENEFICIAL OWNER
13 THAT IS AN "INELIGIBLE ISSUER" PURSUANT TO SECTION 44-10-103 (46)
14 (d)(1);

15 (o) A PERSON THAT IS OR HAS A CONTROLLING BENEFICIAL OWNER
16 THAT IS DISQUALIFIED AS A "BAD ACTOR" UNDER RULE 506 (d)
17 PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES ACT OF 1933",
18 AS AMENDED, AND SUBJECT TO 17 CFR 230.506 (d)(1);

19 (p) A PERSON THAT IS NOT A PUBLICLY TRADED CORPORATION
20 THAT IS OR HAS A PASSIVE BENEFICIAL OWNER OR INDIRECT FINANCIAL
21 INTEREST HOLDER THAT IS DISQUALIFIED AS A "BAD ACTOR" UNDER RULE
22 506 (d) PROMULGATED PURSUANT TO THE FEDERAL "SECURITIES ACT OF
23 1933", AS AMENDED, AND SUBJECT TO 17 CFR 230.506 (d)(1);

24 (q) A PERSON THAT IS A PUBLICLY TRADED CORPORATION THAT IS
25 OR HAS A NONOBJECTING PASSIVE BENEFICIAL OWNER OR INDIRECT
26 FINANCIAL INTEREST HOLDER THAT IS DISQUALIFIED AS A "BAD ACTOR"
27 UNDER RULE 506 (d) PROMULGATED PURSUANT TO THE FEDERAL
28 "SECURITIES ACT OF 1933", AS AMENDED, AND SUBJECT TO 17 CFR
29 230.506 (d)(1); OR

30 (r) A PERSON THAT IS OR HAS A CONTROLLING BENEFICIAL OWNER,
31 PASSIVE BENEFICIAL OWNER, OR INDIRECT FINANCIAL INTEREST HOLDER
32 THAT IS PROHIBITED FROM ENGAGING IN TRANSACTIONS PURSUANT TO
33 THIS ARTICLE 10 DUE TO ITS DESIGNATION ON THE "SPECIALLY
34 DESIGNATED NATIONALS AND BLOCKED PERSONS" LIST MAINTAINED BY
35 THE FEDERAL OFFICE OF FOREIGN ASSETS CONTROL."

36 Page 67, line 11, strike "interests;" and substitute "interests AND PUBLICLY
37 TRADED CORPORATIONS;"

38 Page 67, line 17, strike "in states" and substitute "~~in states~~ FROM" and
39 strike "and" and substitute "and".

1 Page 67, after line 17 insert:

2 "(IV.5) UNDER CERTAIN CIRCUMSTANCES, PERMITTING PUBLICLY
3 TRADED CORPORATIONS TO HOLD AN INTEREST IN MEDICAL MARIJUANA
4 BUSINESSES WILL BENEFIT COLORADO'S MEDICAL MARIJUANA MARKET;".

5 Page 67, after line 20 insert:

6 "(VI) PUBLICLY TRADED CORPORATIONS OFFERING SECURITIES FOR
7 INVESTMENT IN MEDICAL MARIJUANA BUSINESSES OR RETAIL MARIJUANA
8 BUSINESSES MUST TELL THE PUBLIC THE TRUTH ABOUT THEIR BUSINESS,
9 THE SECURITIES THEY ARE SELLING, AND THE RISKS INVOLVED WITH
10 INVESTING IN MEDICAL MARIJUANA BUSINESSES OR RETAIL MARIJUANA
11 BUSINESSES, AND PERSONS THAT SELL AND TRADE SECURITIES RELATED TO
12 MEDICAL MARIJUANA BUSINESSES OR RETAIL MARIJUANA BUSINESSES ARE
13 PROHIBITED FROM ENGAGING IN DECEIT, MISREPRESENTATIONS, AND
14 OTHER FRAUD IN THE SALE OF THE SECURITIES; AND

15 (VII) RECOGNIZING THAT PARTICIPATION BY PUBLICLY TRADED
16 CORPORATIONS IN COLORADO'S MEDICAL MARIJUANA INDUSTRY AND
17 RETAIL MARIJUANA INDUSTRY CREATES AN INCREASED NEED TO ASSESS
18 BARRIERS OF ENTRY FOR MINORITY- AND WOMAN-OWNED BUSINESSES,
19 WITH SUCH EFFORTS BEING MADE TO IDENTIFY SOLUTIONS TO ARRIVE AT
20 A GREATER BALANCE AND FOR FURTHER EQUITY FOR MINORITY- AND
21 WOMAN-OWNED BUSINESSES, AND IN A MANNER THAT IS CONSISTENT WITH
22 THE PUBLIC SAFETY AND ENFORCEMENT GOALS AS STATED HEREIN, IT IS
23 THEREFORE OF SUBSTANTIVE IMPORTANCE TO ADDRESS THE LACK OF
24 MINORITY- AND WOMAN-OWNED BUSINESSES' INCLUSION IN COLORADO'S
25 MEDICAL MARIJUANA INDUSTRY AND RETAIL MARIJUANA INDUSTRY,
26 SOCIAL JUSTICE ISSUES ASSOCIATED WITH MARIJUANA PROHIBITION,
27 SUITABILITY ISSUES RELATING TO PAST CONVICTIONS FOR POTENTIAL
28 LICENSEES, LICENSING FEES, AND ECONOMIC CHALLENGES THAT ARISE
29 WITH THE APPLICATION PROCESSES."

30 Page 67, line 23, strike "states." and substitute "states AND FROM CERTAIN
31 PUBLICLY TRADED CORPORATIONS PURSUANT TO THIS ARTICLE 10."

32 Page 67, strike lines 24 through 27 and substitute:

33 "(2) ~~A direct beneficial interest owner who is a natural person~~
34 ~~must either:~~

35 ~~(a) Have been a resident of Colorado for at least one year prior to~~
36 ~~the date of the application; or~~

37 ~~(b) Be a United States citizen prior to the date of the application.~~

38 (3) ~~(a) A medical marijuana business may be comprised of an~~

1 ~~unlimited number of direct beneficial interest owners that have been~~
2 ~~residents of Colorado for at least one year prior to the date of the~~
3 ~~application.~~

4 ~~(a) (b) On and after January 1, 2017, a medical marijuana~~
5 ~~business that is composed of one or more direct beneficial interest owners~~
6 ~~who have not been Colorado residents for at least one year prior to~~
7 ~~application shall have at least one officer who has been a Colorado~~
8 ~~resident for at least one year prior to application, and All officers~~
9 ~~NATURAL PERSONS with day-to-day operational control over the business~~
10 ~~must be Colorado residents. for at least one year prior to application. A~~
11 ~~medical marijuana business under this subsection (3)(b) is limited to no~~
12 ~~more than fifteen direct beneficial interest owners, including all parent~~
13 ~~and subsidiary entities, all of whom are natural persons.~~

14 ~~(b) (c) Notwithstanding the requirements of subsection (3)(b) of~~
15 ~~this section, the state licensing authority may review the limitation on the~~
16 ~~number of direct beneficial interest owners and may increase the number~~
17 ~~of allowable interests above fifteen based on reasonable considerations~~
18 ~~such as developments in state and federal financial regulations, market~~
19 ~~conditions, and the licensee's ability to access legitimate sources of~~
20 ~~capital. A PERSON, OTHER THAN AN INDIVIDUAL, THAT IS A MEDICAL~~
21 ~~MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS OR A CONTROLLING~~
22 ~~BENEFICIAL OWNER SHALL APPOINT AND CONTINUOUSLY MAINTAIN A~~
23 ~~REGISTERED AGENT THAT SATISFIES THE REQUIREMENTS OF SECTION~~
24 ~~7-90-701. THE MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA~~
25 ~~BUSINESS SHALL INFORM THE STATE LICENSING AUTHORITY OF A CHANGE~~
26 ~~IN THE REGISTERED AGENT WITHIN TEN DAYS AFTER THE CHANGE.~~

27 ~~(d) A direct beneficial interest owner that is a closely held~~
28 ~~business entity must consist entirely of natural persons who are United~~
29 ~~States citizens prior to the date of the application, including all parent and~~
30 ~~subsidiary entities.~~

31 ~~(4) A medical marijuana business may include qualified~~
32 ~~institutional investors that own thirty percent or less of the medical~~
33 ~~marijuana business.~~

34 ~~(5) (a) A person who intends to apply as a direct beneficial~~
35 ~~interest owner and is not a Colorado resident for at least one year prior to~~
36 ~~the date of application shall first submit a request to the state licensing~~
37 ~~authority for a finding of suitability as a direct beneficial interest owner.~~
38 ~~The person shall receive a finding of suitability prior to submitting an~~
39 ~~application to the state licensing authority to be a direct beneficial interest~~
40 ~~owner. Failure to receive a finding of suitability prior to application is~~
41 ~~grounds for denial by the state licensing authority.~~

1 ~~(b) The state licensing authority shall perform a limited initial~~
2 ~~background check on qualified limited passive investors. If the initial~~
3 ~~background check provides reasonable cause for additional investigation,~~
4 ~~the state licensing authority may require a full background check."~~

5 Strike pages 68 through 70.

6 Page 71, strike lines 1 through 8.

7 Page 71, strike lines 12 through 27.

8 Page 72, strike line 1.

9 Page 72, after line 23 insert:

10 **"44-10-309. Business owner and financial interest disclosure**
11 **requirements.** (1) APPLICANTS FOR THE ISSUANCE OF A STATE LICENSE
12 SHALL DISCLOSE TO THE STATE LICENSING AUTHORITY THE FOLLOWING:

13 (a) A COMPLETE AND ACCURATE ORGANIZATIONAL CHART OF THE
14 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS
15 REFLECTING THE IDENTITY AND OWNERSHIP PERCENTAGES OF ITS
16 CONTROLLING BENEFICIAL OWNERS;

17 (b) THE FOLLOWING INFORMATION REGARDING ALL CONTROLLING
18 BENEFICIAL OWNERS OF THE MEDICAL MARIJUANA BUSINESS OR RETAIL
19 MARIJUANA BUSINESS:

20 (I) IF THE CONTROLLING BENEFICIAL OWNER IS A PUBLICLY
21 TRADED CORPORATION, THE APPLICANT SHALL DISCLOSE THE
22 CONTROLLING BENEFICIAL OWNERS' MANAGERS AND ANY BENEFICIAL
23 OWNERS THAT DIRECTLY OR INDIRECTLY BENEFICIALLY OWN TEN PERCENT
24 OR MORE OF THE OWNER'S INTEREST IN THE CONTROLLING BENEFICIAL
25 OWNER;

26 (II) IF THE CONTROLLING BENEFICIAL OWNER IS NOT A PUBLICLY
27 TRADED CORPORATION AND IS NOT A QUALIFIED PRIVATE FUND, THE
28 APPLICANT SHALL DISCLOSE THE CONTROLLING BENEFICIAL OWNER'S
29 MANAGERS AND ANY BENEFICIAL OWNERS THAT DIRECTLY OR INDIRECTLY
30 BENEFICIALLY OWN TEN PERCENT OR MORE OF THE OWNER'S INTEREST IN
31 THE CONTROLLING BENEFICIAL OWNER;

32 (III) IF THE CONTROLLING BENEFICIAL OWNER IS A QUALIFIED
33 PRIVATE FUND, THE APPLICANT SHALL DISCLOSE A COMPLETE AND
34 ACCURATE ORGANIZATIONAL CHART OF THE QUALIFIED PRIVATE FUND
35 REFLECTING THE IDENTITY AND OWNERSHIP PERCENTAGES OF THE
36 QUALIFIED PRIVATE FUND'S MANAGERS, INVESTMENT ADVISERS,

1 INVESTMENT ADVISER REPRESENTATIVES, ANY TRUSTEE OR EQUIVALENT,
2 AND ANY OTHER PERSON THAT CONTROLS THE INVESTMENT IN, OR
3 MANAGEMENT OR OPERATIONS OF, THE MEDICAL MARIJUANA BUSINESS OR
4 RETAIL MARIJUANA BUSINESS;

5 (IV) IF THE CONTROLLING BENEFICIAL OWNER IS A NATURAL
6 PERSON, THE APPLICANT SHALL DISCLOSE THE NATURAL PERSON'S
7 IDENTIFYING INFORMATION;

8 (c) A PERSON THAT IS BOTH A PASSIVE BENEFICIAL OWNER AND AN
9 INDIRECT FINANCIAL INTEREST HOLDER IN THE MEDICAL MARIJUANA
10 BUSINESS OR RETAIL MARIJUANA BUSINESS; AND

11 (d) ANY INDIRECT FINANCIAL INTEREST HOLDER THAT HOLDS TWO
12 OR MORE INDIRECT FINANCIAL INTERESTS IN THE MEDICAL MARIJUANA
13 BUSINESS OR RETAIL MARIJUANA BUSINESS OR THAT IS CONTRIBUTING
14 OVER FIFTY PERCENT OF THE OPERATING CAPITAL OF THE MEDICAL
15 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS.

16 (2) THE STATE LICENSING AUTHORITY MAY REQUEST THAT THE
17 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS DISCLOSE
18 THE FOLLOWING:

19 (a) EACH BENEFICIAL OWNER AND AFFILIATE OF AN APPLICANT,
20 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS, OR
21 CONTROLLING BENEFICIAL OWNER THAT IS NOT A PUBLICLY TRADED
22 CORPORATION OR A QUALIFIED PRIVATE FUND; AND

23 (b) EACH AFFILIATE OF A CONTROLLING BENEFICIAL OWNER THAT
24 IS A QUALIFIED PRIVATE FUND.

25 (3) FOR REASONABLE CAUSE, THE STATE LICENSING AUTHORITY
26 MAY REQUIRE DISCLOSURE OF:

27 (a) A COMPLETE AND ACCURATE LIST OF EACH NONOBJECTING
28 BENEFICIAL INTEREST OWNER OF AN APPLICANT, MEDICAL MARIJUANA
29 BUSINESS OR RETAIL MARIJUANA BUSINESS, OR CONTROLLING BENEFICIAL
30 OWNER THAT IS A PUBLICLY TRADED CORPORATION;

31 (b) PASSIVE BENEFICIAL OWNERS OF THE MEDICAL MARIJUANA
32 BUSINESS OR RETAIL MARIJUANA BUSINESS, AND FOR ANY PASSIVE
33 BENEFICIAL OWNER THAT IS NOT A NATURAL PERSON, THE MEMBERS OF
34 THE BOARD OF DIRECTORS, GENERAL PARTNERS, MANAGING MEMBERS, OR
35 MANAGERS AND TEN PERCENT OR MORE OWNERS OF THE PASSIVE
36 BENEFICIAL OWNER;

37 (c) A LIST OF EACH BENEFICIAL OWNER IN A QUALIFIED PRIVATE
38 FUND THAT IS A CONTROLLING BENEFICIAL OWNER;

39 (d) ALL INDIRECT FINANCIAL INTEREST HOLDERS OF THE MEDICAL
40 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS, AND FOR ANY
41 INDIRECT FINANCIAL INTEREST HOLDER THAT IS NOT A NATURAL PERSON

1 AND TEN PERCENT OR MORE BENEFICIAL OWNERS OF THE INDIRECT
2 FINANCIAL INTEREST HOLDER.

3 (4) AN APPLICANT OR MEDICAL MARIJUANA BUSINESS OR RETAIL
4 MARIJUANA BUSINESS THAT IS NOT A PUBLICLY TRADED CORPORATION
5 SHALL AFFIRM UNDER PENALTY OF PERJURY THAT IT EXERCISED
6 REASONABLE CARE TO CONFIRM THAT ITS PASSIVE BENEFICIAL OWNERS,
7 INDIRECT FINANCIAL INTEREST HOLDERS, AND QUALIFIED INSTITUTIONAL
8 INVESTORS ARE NOT PERSONS PROHIBITED PURSUANT TO SECTION
9 44-10-307, OR OTHERWISE RESTRICTED FROM HOLDING AN INTEREST
10 UNDER THIS ARTICLE 10. AN APPLICANT'S OR MEDICAL MARIJUANA
11 BUSINESS'S OR RETAIL MARIJUANA BUSINESS'S FAILURE TO EXERCISE
12 REASONABLE CARE IS A BASIS FOR DENIAL, FINE, SUSPENSION,
13 REVOCATION, OR OTHER SANCTION BY THE STATE LICENSING AUTHORITY.

14 (5) AN APPLICANT OR MEDICAL MARIJUANA BUSINESS OR RETAIL
15 MARIJUANA BUSINESS THAT IS A PUBLICLY TRADED CORPORATION SHALL
16 AFFIRM UNDER PENALTY OF PERJURY THAT IT EXERCISED REASONABLE
17 CARE TO CONFIRM THAT ITS NONOBJECTING PASSIVE BENEFICIAL OWNERS,
18 INDIRECT FINANCIAL INTEREST HOLDERS, AND QUALIFIED INSTITUTIONAL
19 INVESTORS ARE NOT PERSONS PROHIBITED PURSUANT TO SECTION
20 44-10-307, OR OTHERWISE RESTRICTED FROM HOLDING AN INTEREST
21 UNDER THIS ARTICLE 10. AN APPLICANT'S OR MEDICAL MARIJUANA
22 BUSINESS'S OR RETAIL MARIJUANA BUSINESS'S FAILURE TO EXERCISE
23 REASONABLE CARE IS A BASIS FOR DENIAL, FINE, SUSPENSION,
24 REVOCATION, OR OTHER SANCTION BY THE STATE LICENSING AUTHORITY.

25 (6) THIS SECTION DOES NOT RESTRICT THE STATE LICENSING
26 AUTHORITY'S ABILITY TO REASONABLY REQUEST INFORMATION OR
27 RECORDS AT RENEWAL OR AS PART OF ANY OTHER INVESTIGATION
28 FOLLOWING INITIAL LICENSURE OF A MEDICAL MARIJUANA BUSINESS OR
29 RETAIL MARIJUANA BUSINESS.

30 (7) THE SECURITIES COMMISSIONER MAY, BY RULE OR ORDER,
31 REQUIRE ADDITIONAL DISCLOSURES IF SUCH INFORMATION IS FULL AND
32 FAIR WITH RESPECT TO THE INVESTMENT OR IN THE INTEREST OF INVESTOR
33 PROTECTION.

34 **44-10-310. Business owner and financial interest suitability**
35 **requirements.** (1) THIS SECTION APPLIES TO ALL PERSONS REQUIRED TO
36 SUBMIT A FINDING OF SUITABILITY.

37 (2) ANY PERSON INTENDING TO BECOME A CONTROLLING
38 BENEFICIAL OWNER OF ANY MEDICAL MARIJUANA BUSINESS OR RETAIL
39 MARIJUANA BUSINESS, EXCEPT AS OTHERWISE PROVIDED IN SECTION
40 44-10-310 (4), SHALL FIRST SUBMIT A REQUEST TO THE STATE LICENSING
41 AUTHORITY FOR A FINDING OF SUITABILITY OR AN EXEMPTION FROM AN

1 OTHERWISE REQUIRED FINDING OF SUITABILITY.
2 (3) FOR REASONABLE CAUSE, ANY OTHER PERSON THAT WAS
3 DISCLOSED OR THAT SHOULD HAVE BEEN DISCLOSED PURSUANT TO
4 SECTION 44-10-309, INCLUDING BUT NOT LIMITED TO A PASSIVE
5 BENEFICIAL OWNER, SHALL SUBMIT A REQUEST FOR A FINDING OF
6 SUITABILITY.
7 (4) FAILURE TO PROVIDE ALL REQUESTED INFORMATION IN
8 CONNECTION WITH A REQUEST FOR A FINDING OF SUITABILITY IS GROUNDS
9 FOR DENIAL OF THAT FINDING OF SUITABILITY.
10 (5) FAILURE TO RECEIVE ALL REQUIRED FINDINGS OF SUITABILITY
11 IS GROUNDS FOR DENIAL OF AN APPLICATION OR FOR SUSPENSION,
12 REVOCATION, OR OTHER SANCTION AGAINST THE LICENSE BY THE STATE
13 LICENSING AUTHORITY. FOR INITIAL APPLICATIONS, THE FINDING OF
14 SUITABILITY SHALL BE REQUIRED PRIOR TO SUBMITTING THE APPLICATION
15 FOR LICENSURE.
16 (6) ANY PERSON REQUIRED TO OBTAIN A FINDING OF SUITABILITY
17 SHALL DO SO ON FORMS PROVIDED BY THE STATE LICENSING AUTHORITY
18 AND THE FORMS MUST CONTAIN SUCH INFORMATION AS THE STATE
19 LICENSING AUTHORITY MAY REQUIRE. EACH SUITABILITY APPLICATION
20 MUST BE VERIFIED BY THE OATH OR AFFIRMATION OF THE PERSONS
21 PRESCRIBED BY THE STATE LICENSING AUTHORITY.
22 (7) A PERSON REQUESTING A FINDING OF SUITABILITY SHALL
23 PROVIDE THE STATE LICENSING AUTHORITY WITH A DEPOSIT TO COVER THE
24 DIRECT AND INDIRECT COSTS OF ANY INVESTIGATION NECESSARY TO
25 DETERMINE ANY REQUIRED FINDING OF SUITABILITY UNLESS OTHERWISE
26 ESTABLISHED BY RULE. THE STATE LICENSING AUTHORITY MAY MAKE
27 FURTHER RULES REGARDING THE DEPOSIT AND DIRECT AND INDIRECT
28 COSTS THAT MUST BE BILLED AGAINST THE DEPOSIT, UNLESS OTHERWISE
29 ESTABLISHED BY RULE.
30 (8) WHEN DETERMINING WHETHER A PERSON IS SUITABLE OR
31 UNSUITABLE FOR LICENSURE, THE STATE LICENSING AUTHORITY MAY
32 CONSIDER THE PERSON'S CRIMINAL CHARACTER OR RECORD, LICENSING
33 CHARACTER OR RECORD, OR FINANCIAL CHARACTER OR RECORD.
34 (9) A PERSON THAT WOULD OTHERWISE BE REQUIRED TO OBTAIN
35 A FINDING OF SUITABILITY MAY REQUEST AN EXEMPTION FROM THE STATE
36 LICENSING AUTHORITY AS DETERMINED BY RULE.
37 (10) ABSENT REASONABLE CAUSE, THE STATE LICENSING
38 AUTHORITY SHALL APPROVE OR DENY A REQUEST FOR A FINDING OF
39 SUITABILITY WITHIN ONE HUNDRED TWENTY DAYS FROM THE DATE OF
40 SUBMISSION OF THE REQUEST FOR SUCH FINDING.
41 (11) THE STATE LICENSING AUTHORITY MAY DENY, SUSPEND,

1 REVOKE, FINE, OR IMPOSE OTHER SANCTIONS AGAINST A PERSON'S LICENSE
2 ISSUED PURSUANT TO THIS ARTICLE 10 IF THE STATE LICENSING
3 AUTHORITY FINDS THE PERSON OR THE PERSON'S CONTROLLING
4 BENEFICIAL OWNER, PASSIVE BENEFICIAL OWNER, OR INDIRECT FINANCIAL
5 INTEREST HOLDER TO BE UNSUITABLE PURSUANT TO THIS SECTION."

6 Renumber succeeding statutory sections accordingly.

7 Page 74, line 26, strike "44-10-311" and substitute "44-10-313".

8 Page 74, line 27, strike "ownership," and substitute "ownership
9 INVOLVING A CONTROLLING BENEFICIAL OWNER,".

10 Page 75, after line 15 insert:

11 "(3) FOR A TRANSFER OF OWNERSHIP INVOLVING A PASSIVE
12 BENEFICIAL OWNER, THE LICENSE HOLDER SHALL NOTIFY THE STATE
13 LICENSING AUTHORITY ON FORMS PREPARED AND FURNISHED BY THE
14 STATE LICENSING AUTHORITY WITHIN FORTY-FIVE DAYS TO THE EXTENT
15 DISCLOSURE IS REQUIRED BY SECTION 44-10-309.

16 (4) A PERSON THAT BECOMES A CONTROLLING BENEFICIAL OWNER
17 OF A PUBLICLY TRADED CORPORATION THAT IS A MEDICAL MARIJUANA
18 BUSINESS OR RETAIL MARIJUANA BUSINESS OR THAT BECOMES A
19 BENEFICIAL OWNER, THROUGH DIRECT OR INDIRECT OWNERSHIP OF A
20 CONTROLLING BENEFICIAL OWNER, OF TEN PERCENT OR MORE OF A
21 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS THAT IS
22 A PUBLICLY TRADED CORPORATION MUST DISCLOSE THE INFORMATION
23 REQUIRED BY SECTION 44-10-309 AND APPLY TO THE STATE LICENSING
24 AUTHORITY FOR A FINDING OF SUITABILITY OR EXEMPTION FROM A
25 FINDING OF SUITABILITY PURSUANT TO SECTION 44-10-310 WITHIN
26 FORTY-FIVE DAYS AFTER BECOMING SUCH A CONTROLLING BENEFICIAL
27 OWNER. A MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA
28 BUSINESS SHALL NOTIFY EACH PERSON THAT IS SUBJECT TO THIS
29 SUBSECTION (4) OF ITS REQUIREMENTS AS SOON AS THE MEDICAL
30 MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS BECOMES AWARE
31 OF THE BENEFICIAL OWNERSHIP TRIGGERING THE REQUIREMENT, PROVIDED
32 THAT THE OBLIGATIONS OF THE PERSON SUBJECT TO THIS SUBSECTION (4)
33 ARE INDEPENDENT OF, AND UNAFFECTED BY, THE MEDICAL MARIJUANA
34 BUSINESS'S OR RETAIL MARIJUANA BUSINESS'S FAILURE TO GIVE THE
35 NOTICE."

36 Page 76, line 14, strike "owners, officers," and substitute "owners

- 1 ~~officers,~~ TO THE EXTENT DISCLOSURE IS REQUIRED BY SECTION
2 44-10-309,".
- 3 Page 76, line 27, after "BUSINESS" insert "THAT IS NOT A PUBLICLY
4 TRADED CORPORATION".
- 5 Page 77, line 10, after "BUSINESS" insert "THAT IS NOT A PUBLICLY
6 TRADED CORPORATION".
- 7 Page 78, line 10, after "EMPLOYEES" insert "WITH DAY-TO-DAY
8 OPERATIONAL CONTROL" and after "A" insert "MEDICAL MARIJUANA
9 BUSINESS OR".
- 10 Page 80, line 2, strike "A" and substitute "EXCEPT FOR A PUBLICLY
11 TRADED CORPORATION, A".
- 12 Page 80, line 5, strike "44-10-310. A" and substitute "44-10-312.
13 EXCEPT FOR A PUBLICLY TRADED CORPORATION, a".
- 14 Page 80, line 6, strike "capital stock of any corporation" and substitute
15 "~~capital stock of any corporation~~ AN OWNER'S INTEREST OF ANY ENTITY".
- 16 Page 80, line 8, strike "A" and substitute "EXCEPT FOR A PUBLICLY
17 TRADED CORPORATION, A".
- 18 Page 80, line 11, strike "44-10-310. A" and substitute "44-10-312.
19 EXCEPT FOR A PUBLICLY TRADED CORPORATION, A".
- 20 Page 80, line 12 and 13, strike "CAPITAL STOCK OF ANY CORPORATION"
21 and substitute "AN OWNER'S INTEREST OF ANY ENTITY".
- 22 Page 85, line 6, strike "of all persons" and substitute "~~of all persons~~".
- 23 Page 85, line 8, strike "THAT ARE" and substitute "PURSUANT TO SECTION
24 44-10-309 IN CONNECTION WITH EACH LICENSE ISSUED UNDER THIS
25 ARTICLE 10.".
- 26 Page 85, strike lines 9 through 11.
- 27 Page 88, line 5, strike "44-10-311" and substitute "44-10-313".

1 Page 88, line 8, after "REGISTRATION" insert "OR PERMIT".

2 Page 95, line 12, strike "A" and substitute "EXCEPT AS PROVIDED IN
3 SUBSECTION (10)(b) OF THIS SECTION, A" and strike "NOT," and substitute
4 "NOT SELL,".

5 Page 95, line 13, strike "SELL".

6 Page 97, after line 8 insert:

7 (11) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA
8 DELIVERY PERMIT TO A MEDICAL MARIJUANA STORE LICENSE AUTHORIZING
9 THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL
10 MARIJUANA-INFUSED PRODUCTS.

11 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
12 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
13 MARIJUANA STORE LICENSE.

14 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
15 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA STORE;
16 EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY PERMIT MAY
17 APPLY TO MULTIPLE MEDICAL MARIJUANA STORES PROVIDED THAT THE
18 MEDICAL MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND
19 ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
20 AUTHORITY FOR PURPOSES OF THIS SECTION.

21 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
22 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
23 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
24 MEDICAL MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE
25 10. THE STATE LICENSING AUTHORITY HAS DISCRETION IN DETERMINING
26 WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A MEDICAL MARIJUANA
27 DELIVERY PERMIT. A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED BY
28 THE STATE LICENSING AUTHORITY IS DEEMED A REVOCABLE PRIVILEGE OF
29 A LICENSED MEDICAL MARIJUANA STORE. A VIOLATION RELATED TO A
30 MEDICAL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
31 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR MEDICAL
32 MARIJUANA STORE LICENSE.

33 (b) A MEDICAL MARIJUANA STORE LICENSEE SHALL NOT MAKE
34 DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
35 PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS WHILE ALSO
36 TRANSPORTING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
37 PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME VEHICLE.

38 (c) A LICENSED MEDICAL MARIJUANA STORE SHALL CHARGE A

1 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED MEDICAL
2 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
3 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED MEDICAL
4 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
5 MEDICAL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
6 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
7 FAILURE TO COMPLY WITH THIS SUBSECTION (11)(c) MAY RESULT IN
8 NONRENEWAL OF THE MEDICAL MARIJUANA DELIVERY PERMIT.

9 (d) A LICENSED MEDICAL MARIJUANA STORE WITH A MEDICAL
10 MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND
11 MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO THE PATIENT OR
12 PARENT OR GUARDIAN WHO PLACED THE ORDER AND WHO:

13 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
14 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
15 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
16 CAREGIVER;

17 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
18 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

19 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

20 (e) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
21 MARIJUANA-INFUSED PRODUCTS MUST POSSESS A VALID OCCUPATIONAL
22 LICENSE AND BE A CURRENT EMPLOYEE OF THE LICENSED MEDICAL
23 MARIJUANA STORE OR MEDICAL MARIJUANA TRANSPORTER LICENSEE WITH
24 A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE
25 TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
26 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
27 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
28 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

29 (f) IN ACCORDANCE WITH THIS SUBSECTION (11) AND RULES
30 ADOPTED TO IMPLEMENT THIS SUBSECTION (11), A LICENSED MEDICAL
31 MARIJUANA STORE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT
32 MAY:

33 (I) RECEIVE AN ORDER BY ELECTRONIC OR OTHER MEANS FROM A
34 PATIENT OR THE PARENT OR GUARDIAN FOR THE PURCHASE AND DELIVERY
35 OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS.
36 WHEN USING AN ONLINE PLATFORM FOR MARIJUANA DELIVERY, THE
37 PLATFORM MUST REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO
38 CHOOSE A MEDICAL MARIJUANA STORE BEFORE VIEWING THE PRICE.

39 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
40 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
41 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

1 (III) DELIVER ONLY TO A PATIENT OR A PARENT OR GUARDIAN AT
2 THE ADDRESS PROVIDED IN THE ORDER;

3 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
4 PATIENT OR PARENT OR GUARDIAN OR RESIDENCE;

5 (V) (A) DELIVER ONLY TO PRIVATE RESIDENCES;

6 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
7 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
8 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
9 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
10 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

11 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
12 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
13 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
14 TO THIS SECTION AND SECTION 44-10-203 (2)(cc); AND

15 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
16 WITH A MEDICAL MARIJUANA TRANSPORTER THAT HAS A VALID MEDICAL
17 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
18 FROM ITS MEDICAL MARIJUANA STORE OR ITS ASSOCIATED STATE
19 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY
20 RULE.

21 (g) (I) AT THE TIME OF THE ORDER, THE MEDICAL MARIJUANA
22 STORE SHALL REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO PROVIDE
23 INFORMATION NECESSARY TO VERIFY THE PATIENT IS QUALIFIED TO
24 PURCHASE AND RECEIVE A DELIVERY OF MEDICAL MARIJUANA AND
25 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.
26 THE PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE
27 FOLLOWING:

28 (A) THE PATIENT'S NAME AND DATE OF BIRTH;

29 (B) THE REGISTRATION NUMBER REFLECTED ON THE PATIENT'S
30 REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
31 25-1.5-106;

32 (C) IF THE PATIENT IS UNDER EIGHTEEN YEARS OF AGE, THE NAME
33 AND DATE OF BIRTH OF THE PARENT OR GUARDIAN DESIGNATED AS THE
34 PATIENT'S PRIMARY CAREGIVER, AND IF APPLICABLE, THE REGISTRATION
35 NUMBER OF THE PRIMARY CAREGIVER;

36 (D) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE
37 DELIVERED; AND

38 (E) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
39 AUTHORITY RULE.

40 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A
41 PATIENT OR A PARENT OR GUARDIAN, THE PERSON DELIVERING THE ORDER

1 SHALL INSPECT THE PATIENT'S OR PARENT'S OR GUARDIAN'S
2 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
3 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
4 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106, AND
5 VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
6 MATCH THE NAME AND AGE ON THE PATIENT'S OR PARENT'S OR
7 GUARDIAN'S IDENTIFICATION.

8 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
9 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
10 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
11 THIS ARTICLE 10 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
12 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
13 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
14 LABELING REQUIREMENTS.

15 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
16 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO MEDICAL MARIJUANA
17 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (11).

18 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
19 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA STORE OR MEDICAL
20 MARIJUANA TRANSPORTER LICENSEE WITH A VALID MEDICAL MARIJUANA
21 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
22 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
23 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA
24 AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A MEDICAL
25 MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED
26 AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

27 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
28 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
29 ACTIONS, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
30 ACTIVITY MATERIALLY RELATED TO MEDICAL MARIJUANA DELIVERY IN
31 THE LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE
32 LICENSING AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS
33 POSSESSION FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

34 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
35 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
36 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
37 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
38 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
39 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
40 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
41 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE

1 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
2 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
3 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
4 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
5 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

6 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (11)(k)(I)
7 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
8 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
9 STORE THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND
10 COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
11 JURISDICTIONAL BOUNDARIES.

12 (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
13 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
14 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
15 HIGHER EDUCATION.

16 (m) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
17 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
18 MARIJUANA STORE APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2,
19 2020.

20 (II) NO LATER THAN JANUARY 2, 2021, THE STATE LICENSING
21 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
22 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
23 COMMITTEES, REGARDING THE NUMBER OF MEDICAL MARIJUANA
24 DELIVERY APPLICATIONS SUBMITTED, THE NUMBER OF MEDICAL
25 MARIJUANA DELIVERY PERMITS ISSUED, ANY FINDINGS BY THE STATE
26 LICENSING AUTHORITY OF CRIMINAL ACTIVITY MATERIALLY RELATED TO
27 MEDICAL MARIJUANA DELIVERY, AND ANY INCIDENT REPORTS THAT
28 INCLUDE FELONY CHARGES MATERIALLY RELATED TO MEDICAL
29 MARIJUANA DELIVERY, WHICH WERE FILED AND REPORTED TO THE STATE
30 LICENSING AUTHORITY BY THE LAW ENFORCEMENT AGENCY, DISTRICT
31 ATTORNEY, OR OTHER AGENCY RESPONSIBLE FOR FILING THE FELONY
32 CHARGES. THE STATE LICENSING AUTHORITY MAY CONSULT WITH THE
33 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IN
34 THE COLLECTION AND ANALYSIS OF ADDITIONAL CRIME DATA MATERIALLY
35 RELATED TO MEDICAL MARIJUANA DELIVERY.

36 (12) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
37 CONTRARY, A LICENSED MEDICAL MARIJUANA STORE MAY COMPENSATE
38 ITS EMPLOYEES USING PERFORMANCE-BASED INCENTIVES, INCLUDING
39 SALES-BASED PERFORMANCE-BASED INCENTIVES."

40 Page 102, after line 13 insert:

1 "(7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
2 CONTRARY, A LICENSED MEDICAL MARIJUANA CULTIVATION FACILITY MAY
3 COMPENSATE ITS EMPLOYEES USING PERFORMANCE-BASED INCENTIVES,
4 INCLUDING SALES-BASED PERFORMANCE-BASED INCENTIVES."

5 Page 110, after line 4 insert:

6 "(11) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
7 CONTRARY, A LICENSED MEDICAL MARIJUANA PRODUCTS MANUFACTURER
8 MAY COMPENSATE ITS EMPLOYEES USING PERFORMANCE-BASED
9 INCENTIVES, INCLUDING SALES-BASED PERFORMANCE-BASED
10 INCENTIVES."

11 Page 111, line 19, after "distribution," insert "DELIVERY,".

12 Page 113, after line 1 insert:

13 "(5) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA
14 DELIVERY PERMIT TO A MEDICAL MARIJUANA TRANSPORTER LICENSE
15 AUTHORIZING THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND
16 MEDICAL MARIJUANA-INFUSED PRODUCTS.

17 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
18 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
19 MARIJUANA TRANSPORTER LICENSE.

20 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
21 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA
22 TRANSPORTER; EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY
23 PERMIT MAY APPLY TO MULTIPLE MEDICAL MARIJUANA TRANSPORTERS
24 PROVIDED THAT THE MEDICAL MARIJUANA TRANSPORTERS ARE IN THE
25 SAME LOCAL JURISDICTION AND ARE IDENTICALLY OWNED, AS DEFINED BY
26 THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION.

27 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
28 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
29 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
30 MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS
31 ARTICLE 10. THE STATE LICENSING AUTHORITY HAS DISCRETION IN
32 DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
33 MEDICAL MARIJUANA DELIVERY PERMIT. A MEDICAL MARIJUANA
34 DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED
35 A REVOCABLE PRIVILEGE OF A LICENSED MEDICAL MARIJUANA
36 TRANSPORTER. A VIOLATION RELATED TO A MEDICAL MARIJUANA
37 DELIVERY PERMIT IS GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION
38 OF THE DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER LICENSE.

1 (b) A MEDICAL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
2 MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL
3 MARIJUANA-INFUSED PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS
4 WHILE ALSO TRANSPORTING MEDICAL MARIJUANA OR MEDICAL
5 MARIJUANA-INFUSED PRODUCTS BETWEEN LICENSED PREMISES IN THE
6 SAME VEHICLE.

7 (c) A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A
8 MEDICAL MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL
9 MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ON BEHALF OF
10 A MEDICAL MARIJUANA STORE ONLY TO THE PATIENT OR PARENT OR
11 GUARDIAN WHO PLACED THE ORDER WITH A MEDICAL MARIJUANA STORE
12 AND WHO:

13 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
14 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
15 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
16 CAREGIVER;

17 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
18 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

19 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

20 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
21 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED MEDICAL
22 MARIJUANA TRANSPORTER WITH A VALID MEDICAL MARIJUANA DELIVERY
23 PERMIT MAY:

24 (I) NOT ACCEPT ORDERS ON BEHALF OF A MEDICAL MARIJUANA
25 STORE AND MAY ONLY PICK UP ALREADY PACKAGED MEDICAL MARIJUANA
26 DELIVERY ORDERS FROM A MEDICAL MARIJUANA STORE OR ITS
27 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
28 FACILITY AS DEFINED BY RULE AND DELIVER THOSE ORDERS TO THE
29 APPROPRIATE PATIENT, PARENT, OR GUARDIAN;

30 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
31 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
32 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

33 (III) DELIVER ONLY TO A PATIENT OR PARENT OR GUARDIAN AT
34 THE ADDRESS PROVIDED IN THE ORDER;

35 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
36 PATIENT OR RESIDENCE;

37 (V) (A) DELIVER ONLY TO A PRIVATE RESIDENCE;

38 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
39 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
40 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
41 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN

1 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.
2 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
3 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
4 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
5 TO THIS SECTION AND SECTION 44-10-203 (2)(cc); AND
6 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
7 AND PURSUANT TO A CONTRACT WITH, A MEDICAL MARIJUANA STORE THAT
8 HAS A VALID MEDICAL MARIJUANA DELIVERY PERMIT FROM ITS MEDICAL
9 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
10 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.
11 (e) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A
12 PATIENT OR A PARENT OR GUARDIAN, THE PERSON DELIVERING THE ORDER
13 SHALL INSPECT THE PATIENT'S OR PARENT'S OR GUARDIAN'S
14 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
15 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
16 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106, AND
17 VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
18 MATCH THE NAME AND AGE ON THE PATIENT'S OR PARENT'S OR
19 GUARDIAN'S IDENTIFICATION.
20 (f) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
21 MARIJUANA-INFUSED PRODUCTS FOR A MEDICAL MARIJUANA
22 TRANSPORTER MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A
23 CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA TRANSPORTER LICENSEE
24 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
25 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
26 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
27 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
28 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
29 AUTHORITY.
30 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
31 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
32 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
33 THIS ARTICLE 10 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
34 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
35 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
36 LABELING REQUIREMENTS.
37 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
38 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO MEDICAL MARIJUANA
39 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).
40 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
41 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA TRANSPORTER

1 LICENSEE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT, OR SUCH
2 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
3 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
4 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
5 PRODUCTS PURSUANT TO A MEDICAL MARIJUANA DELIVERY PERMIT IN
6 AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE
7 LICENSING AUTHORITY.

8 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
9 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
10 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
11 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
12 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
13 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
14 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
15 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
16 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
17 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
18 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
19 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
20 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

21 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
22 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
23 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
24 STORE THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND
25 COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
26 JURISDICTIONAL BOUNDARIES.

27 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
28 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
29 MARIJUANA TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN,
30 JANUARY 2, 2021."

31 Page 113, line 6, strike "an owner" and substitute "~~an owner~~ ANOTHER
32 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS".

33 Page 121, after line 7 insert:

34 "(13) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA
35 DELIVERY PERMIT TO A RETAIL MARIJUANA STORE LICENSE AUTHORIZING
36 THE PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL
37 MARIJUANA PRODUCTS.

38 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
39 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL

1 MARIJUANA STORE LICENSE OR RETAIL MARIJUANA TRANSPORTER LICENSE.
2 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
3 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA STORE; EXCEPT
4 THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY TO
5 MULTIPLE RETAIL MARIJUANA STORES PROVIDED THAT THE RETAIL
6 MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND ARE
7 IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY
8 FOR PURPOSES OF THIS SECTION.

9 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
10 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
11 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
12 MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE 10. A
13 PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
14 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
15 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
16 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
17 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
18 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
19 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
20 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
21 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
22 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
23 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
24 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA STORE OR
25 RETAIL MARIJUANA TRANSPORTER LICENSEE. A VIOLATION RELATED TO A
26 RETAIL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
27 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR RETAIL
28 MARIJUANA STORE LICENSE.

29 (b) A RETAIL MARIJUANA STORE LICENSEE SHALL NOT MAKE
30 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO
31 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL
32 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME
33 VEHICLE.

34 (c) THE LICENSED RETAIL MARIJUANA STORE SHALL CHARGE A
35 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED RETAIL
36 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
37 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED RETAIL
38 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
39 RETAIL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
40 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
41 FAILURE TO COMPLY WITH THIS SUBSECTION (13)(c) MAY RESULT IN

1 NONRENEWAL OF THE RETAIL MARIJUANA DELIVERY PERMIT.
2 (d) A LICENSED RETAIL MARIJUANA STORE WITH A RETAIL
3 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
4 RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED THE
5 ORDER AND WHO:
6 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;
7 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
8 MARIJUANA PRODUCTS PURSUANT TO RULES; AND
9 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.
10 (e) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
11 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
12 AND BE A CURRENT EMPLOYEE OF THE LICENSED RETAIL MARIJUANA STORE
13 OR RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
14 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
15 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
16 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
17 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
18 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.
19 (f) IN ACCORDANCE WITH THIS SUBSECTION (13) AND RULES
20 ADOPTED TO IMPLEMENT THIS SUBSECTION (13), A LICENSED RETAIL
21 MARIJUANA STORE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT
22 MAY:
23 (I) RECEIVE AN ORDER THROUGH ELECTRONIC OR OTHER MEANS
24 FOR THE PURCHASE AND DELIVERY OF RETAIL MARIJUANA OR RETAIL
25 MARIJUANA PRODUCTS. WHEN USING AN ONLINE PLATFORM FOR
26 MARIJUANA DELIVERY, THE PLATFORM MUST REQUIRE THE INDIVIDUAL TO
27 CHOOSE A RETAIL MARIJUANA STORE BEFORE VIEWING THE PRICE.
28 (II) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
29 NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING
30 AUTHORITY;
31 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
32 IN THE ORDER;
33 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
34 INDIVIDUAL OR RESIDENCE;
35 (V) (A) DELIVER ONLY TO PRIVATE RESIDENCES;
36 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
37 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
38 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
39 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
40 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.
41 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA

1 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
2 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
3 44-10-203 (2)(cc); AND

4 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
5 WITH A RETAIL MARIJUANA TRANSPORTER THAT HAS A VALID RETAIL
6 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
7 FROM ITS RETAIL MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
8 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

9 (g) (I) AT THE TIME OF THE ORDER, THE RETAIL MARIJUANA STORE
10 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO
11 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE
12 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:

- 13 (A) THE PATIENT'S NAME AND DATE OF BIRTH;
- 14 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE
15 DELIVERED; AND
- 16 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
17 AUTHORITY RULE.

18 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
19 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
20 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
21 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE
22 INDIVIDUAL'S IDENTIFICATION.

23 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
24 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
25 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
26 THIS ARTICLE 10 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
27 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
28 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
29 REQUIREMENTS.

30 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
31 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO RETAIL MARIJUANA
32 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (13).

33 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
34 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA STORE OR RETAIL
35 MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL MARIJUANA
36 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
37 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
38 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER RETAIL MARIJUANA OR
39 RETAIL MARIJUANA PRODUCTS PURSUANT TO A RETAIL MARIJUANA
40 DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS
41 ESTABLISHED BY THE STATE LICENSING AUTHORITY.

1 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
2 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
3 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
4 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
5 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING
6 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
7 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

8 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
9 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
10 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
11 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
12 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
13 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
14 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
15 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
16 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
17 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
18 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
19 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
20 PURSUANT TO THIS SECTION.

21 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (13)(k)(I)
22 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
23 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE THAT IS
24 OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
25 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
26 BOUNDARIES.

27 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
28 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
29 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
30 HIGHER EDUCATION.

31 (m) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
32 RETAIL MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
33 STORE APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2, 2021."

34 Page 126, lines 12 and 13, strike "A CANNABIS OPPORTUNITY
35 MANUFACTURER" and substitute "AN ACCELERATOR".

36 Page 126, line 14, strike "A CANNABIS OPPORTUNITY MANUFACTURER"
37 and substitute "AN ACCELERATOR".

38 Page 133, lines 20 and 21, strike "A CANNABIS OPPORTUNITY

1 MANUFACTURER" and substitute "AN ACCELERATOR".

2 Page 133, lines 22 and 23, strike "A CANNABIS OPPORTUNITY
3 MANUFACTURER" and substitute "AN ACCELERATOR".

4 Page 135, line 13, after "distribution," insert "DELIVERY,".

5 Page 136, after line 17 insert:

6 "(5) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA DELIVERY
7 PERMIT TO A RETAIL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE
8 PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
9 PRODUCTS.

10 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
11 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
12 MARIJUANA TRANSPORTER LICENSE.

13 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
14 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA TRANSPORTER;
15 EXCEPT THAT A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY
16 TO MULTIPLE RETAIL MARIJUANA TRANSPORTERS PROVIDED THAT THE
17 RETAIL MARIJUANA TRANSPORTERS ARE IN THE SAME LOCAL JURISDICTION
18 AND ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
19 AUTHORITY FOR PURPOSES OF THIS SECTION.

20 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
21 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
22 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
23 MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 10.
24 A PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
25 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
26 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
27 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
28 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
29 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
30 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
31 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
32 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
33 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
34 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
35 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA TRANSPORTER.
36 A VIOLATION RELATED TO A RETAIL MARIJUANA DELIVERY PERMIT IS
37 GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION OF THE DELIVERY
38 PERMIT OR RETAIL MARIJUANA TRANSPORTER LICENSE.

1 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
2 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
3 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
4 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
5 PREMISES IN THE SAME VEHICLE.

6 (c) A LICENSED RETAIL MARIJUANA TRANSPORTER WITH A RETAIL
7 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
8 RETAIL MARIJUANA PRODUCTS ON BEHALF OF A RETAIL MARIJUANA STORE
9 ONLY TO THE INDIVIDUAL WHO PLACED THE ORDER WITH A RETAIL
10 MARIJUANA STORE AND WHO:

11 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;
12 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
13 MARIJUANA PRODUCTS PURSUANT TO RULES; AND
14 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

15 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
16 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED RETAIL
17 MARIJUANA TRANSPORTER WITH A VALID RETAIL MARIJUANA DELIVERY
18 PERMIT MAY:

19 (I) NOT ACCEPT ORDERS ON BEHALF OF A RETAIL MARIJUANA
20 STORE AND MAY ONLY PICK UP ALREADY PACKAGED RETAIL MARIJUANA
21 DELIVERY ORDERS FROM A RETAIL MARIJUANA STORE OR ITS ASSOCIATED
22 STATE LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED
23 BY RULE AND DELIVER THOSE ORDERS TO THE APPROPRIATE INDIVIDUAL;

24 (II) DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
25 PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE
26 LICENSING AUTHORITY;

27 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
28 IN THE ORDER;

29 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
30 INDIVIDUAL OR RESIDENCE;

31 (V) (A) DELIVER ONLY TO A PRIVATE RESIDENCE;
32 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
33 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
34 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
35 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
36 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

37 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
38 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
39 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
40 44-10-203 (2)(cc); AND
41 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,

1 AND PURSUANT TO A CONTRACT WITH, A RETAIL MARIJUANA STORE THAT
2 HAS A VALID RETAIL MARIJUANA DELIVERY PERMIT FROM ITS RETAIL
3 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
4 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

5 (e) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
6 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
7 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
8 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE
9 INDIVIDUAL'S IDENTIFICATION.

10 (f) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
11 MARIJUANA PRODUCTS FOR A RETAIL MARIJUANA TRANSPORTER MUST
12 POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE
13 OF THE RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
14 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
15 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
16 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
17 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
18 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

19 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
20 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
21 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
22 THIS ARTICLE 10 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
23 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
24 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
25 REQUIREMENTS.

26 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
27 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO RETAIL MARIJUANA
28 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

29 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
30 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA TRANSPORTER
31 LICENSEE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT, OR SUCH
32 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
33 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
34 DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
35 PURSUANT TO A RETAIL MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT
36 DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING
37 AUTHORITY.

38 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
39 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
40 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
41 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A

1 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
2 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
3 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
4 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
5 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
6 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
7 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
8 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
9 PURSUANT TO THIS SECTION.

10 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
11 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
12 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE THAT IS
13 OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
14 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
15 BOUNDARIES.

16 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
17 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
18 TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2,
19 2021."

20 Page 136, line 24, after "**license.**" insert "(1)".

21 Page 137, after line 4, insert:

22 "(2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
23 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR CULTIVATOR
24 LICENSES ON JULY 1, 2020."

25 Page 137, line 6, after "**license.**" insert "(1)".

26 Page 137, after line 13, insert:

27 "(2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
28 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR MANUFACTURER
29 LICENSES ON JULY 1, 2020."

30 Page 138, line 7, strike "AN UNREPORTED" and substitute "A".

31 Page 138, line 9, strike "10;" and substitute "10 THAT WAS NOT DISCLOSED
32 IN ACCORDANCE WITH SECTION 44-10-309;".

33 Page 138, lines 18 and 19, strike "WITHOUT PRIOR APPROVAL FROM THE
34 STATE LICENSING AUTHORITY;" and substitute "THAT WAS NOT DISCLOSED

1 IN ACCORDANCE WITH SECTION 44-10-309;"

2 Page 139, line 9, strike "44-10-311" and substitute "44-10-313".

3 Page 143, after line 7 insert:

4 "(8) (a) IT IS UNLAWFUL FOR A PERSON TO ENGAGE IN ANY ACT OR
5 OMISSION WITH THE INTENT TO EVADE DISCLOSURE, REPORTING, RECORD
6 KEEPING, OR SUITABILITY REQUIREMENTS PURSUANT TO THIS ARTICLE 10,
7 INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

8 (I) FAILING TO FILE A REPORT REQUIRED UNDER THIS ARTICLE 10
9 OR CAUSING OR ATTEMPTING TO CAUSE A PERSON TO FAIL TO FILE SUCH A
10 REPORT;

11 (II) FILING OR CAUSING OR ATTEMPTING TO CAUSE A PERSON TO
12 FILE A REPORT REQUIRED UNDER THIS ARTICLE 10 THAT CONTAINS A
13 MATERIAL OMISSION OR MISSTATEMENT OF FACT;

14 (III) MAKING FALSE OR MISLEADING STATEMENTS REGARDING THE
15 OFFERING OF AN OWNER'S INTEREST IN A MEDICAL MARIJUANA BUSINESS
16 OR RETAIL MARIJUANA BUSINESS; OR

17 (IV) STRUCTURING ANY TRANSACTION WITH THE INTENT TO EVADE
18 DISCLOSURE, REPORTING, RECORD KEEPING, OR SUITABILITY
19 REQUIREMENTS PURSUANT TO THIS ARTICLE 10.

20 (b) THE STATE LICENSING AUTHORITY MAY DENY, SUSPEND,
21 REVOKE, FINE, OR IMPOSE OTHER SANCTIONS AGAINST A PERSON'S LICENSE
22 ISSUED UNDER THIS ARTICLE 10 IF THE STATE LICENSING AUTHORITY FINDS
23 A VIOLATION OF THIS SUBSECTION (8) BY THE PERSON, THE PERSON'S
24 CONTROLLING BENEFICIAL OWNER, PASSIVE BENEFICIAL OWNER, INDIRECT
25 FINANCIAL INTEREST HOLDER, OR ANY AGENT OR EMPLOYEE THEREOF."

26 Renumber succeeding subsection accordingly.

27 Page 146, line 3, strike "44-10-311" and substitute "44-10-313".

28 Page 146, line 5, strike "44-10-310" and substitute "44-10-312".

29 Page 146, line 8, strike "44-10-312" and substitute "44-10-314".

30 Page 156, after line 25 insert:

31 "(III.5) STATUTORY AND REGULATORY REQUIREMENTS RELATED
32 TO MARIJUANA DELIVERY;"

33 Page 160, line 4, strike "(26)" and substitute "(34)".

- 1 Page 160, line 5, strike "(45);" and substitute "(57);".
- 2 Page 162, line 7, strike "(26)" and substitute "(34)".
- 3 Page 162, line 8, strike "(45)." and substitute "(57).".
- 4 Page 171, line 21, strike "(53)" and substitute "(65)".
- 5 Page 174, line 15, strike "(26)." and substitute "(34).".
- 6 Page 176, line 19 strike "2020," and substitute "2020; except that sections
- 7 44-10-501 (3)(e), 44-10-503 (5)(b), 44-10-601 (3)(c), and 44-10-603 (11)
- 8 of section 5 of this act take effect July 1, 2020,".
- 9 Page 177, line 2, strike "governor, except that sections 5" and substitute
- 10 "governor.".
- 11 Page 177, strike line 3.

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