

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 16-1182.01 Michael Dohr x4347

SENATE BILL 16-191

SENATE SPONSORSHIP

Steadman, Grantham, Lambert

HOUSE SPONSORSHIP

Rankin, Hamner, Young

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MARIJUANA RESEARCH FUNDED BY THE MARIJUANA TAX**
102 **CASH FUND, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. The bill allows the general assembly to appropriate money from the marijuana tax cash fund to CSU-Pueblo for scientific and social science cannabis research. The bill requires the governor's office of marijuana coordination to coordinate data sharing and address any data gaps. The bill appropriates \$900,000 from the marijuana

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
April 26, 2016

SENATE
Amended 2nd Reading
April 25, 2016

tax cash fund to the board of governors of the CSU system for CSU-Pueblo and \$1,109,625 to the governor's office for information technology services. Currently, the division of criminal justice is gathering data for a scientific study of law enforcement's activity and costs related to the implementation of retail marijuana over the 2-year period beginning January 1, 2006, and over the 2-year period beginning January 1, 2014. The bill extends the study with a reporting requirement for each 2-year period thereafter. The bill appropriates \$79,992 to the division of criminal justice in the department of public safety for the continued study of marijuana implementation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 23-1-104, **amend** (1)
3 (b) (II) as follows:

4 **23-1-104. Financing the system of postsecondary education -**
5 **report - repeal.** (1) (b) (II) For the 2010-11 fiscal year and for fiscal
6 years beginning on or after July 1, 2016, the general assembly shall also
7 make annual appropriations of cash funds, other than cash funds received
8 as tuition income or as fees, as a single line item to each governing board
9 for the operation of its campuses. Each governing board shall allocate
10 said cash fund appropriations to the institutions under its control in the
11 manner deemed most appropriate by the governing board; EXCEPT THAT,
12 IF THE GENERAL ASSEMBLY APPROPRIATES MONEY PURSUANT TO SECTION
13 23-31.5-112 TO THE BOARD OF GOVERNORS OF THE COLORADO STATE
14 UNIVERSITY SYSTEM, THAT MONEY IS NOT INCLUDED WITHIN THE SINGLE
15 LINE ITEM APPROPRIATION DESCRIBED IN THIS SUBPARAGRAPH (II).

16 **SECTION 2.** In Colorado Revised Statutes, **add** 23-31.5-112 as
17 follows:

18 **23-31.5-112. Board of governors of the Colorado state**
19 **university system - powers relating to the receipt and use of certain**
20 **tax revenues.** THE GENERAL ASSEMBLY MAY ALLOCATE REVENUES FROM

1 THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501,
2 C.R.S., TO THE BOARD OF GOVERNORS OF THE COLORADO STATE
3 UNIVERSITY SYSTEM. THE BOARD OF GOVERNORS OF THE COLORADO
4 STATE UNIVERSITY SYSTEM MAY USE SUCH REVENUES FOR EDUCATION
5 AND RESEARCH PROGRAMS AT COLORADO STATE UNIVERSITY - PUEBLO,
6 INCLUDING BUT NOT LIMITED TO THE SCIENTIFIC AND SOCIAL SCIENCE
7 RESEARCH OF MARIJUANA AND OTHER MATTERS THAT IMPACT THE STATE
8 AND ITS REGIONS. WHILE CONDUCTING THE MARIJUANA RESEARCH,
9 COLORADO STATE UNIVERSITY - PUEBLO IS ENCOURAGED TO CONSULT
10 WITH THE SCIENTIFIC ADVISORY COUNCIL ESTABLISHED PURSUANT TO
11 SECTION 25-1.5-106.5 (3) (a) (I), C.R.S., AND THE RETAIL MARIJUANA
12 PUBLIC HEALTH ADVISORY COUNCIL ESTABLISHED PURSUANT TO SECTION
13 25-1.5-110, C.R.S.

14 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-516, **amend**
15 (1) and (2) introductory portion; and **add** (4) as follows:

16 **24-33.5-516. Study marijuana implementation.** (1) The
17 division shall gather data and undertake or contract for a scientific study
18 of law enforcement's activity and costs related to the implementation of
19 section 16 of article XVIII of the state constitution over the two-year
20 period beginning January 1, 2006, and over the two-year period beginning
21 January 1, 2014 AND EACH TWO-YEAR PERIOD THEREAFTER. THE STUDIES
22 CONDUCTED AFTER JULY 1, 2016, MAY INCLUDE RELEVANT COMPARISONS
23 TO LAW ENFORCEMENT'S ACTIVITY BEFORE THE LEGALIZED SALE OF
24 RETAIL MARIJUANA.

25 (2) To be included in the study, the division or contractor must
26 have data for ~~both~~ EACH of the two-year periods described in subsection
27 (1) of this section. The study must include information concerning:

1 (4) THE DIVISION SHALL ISSUE A REPORT OF EACH SCIENTIFIC
2 STUDY AND PROVIDE IT TO THE JUDICIARY COMMITTEES OF THE SENATE
3 AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, THE
4 JOINT BUDGET COMMITTEE, AND THE DEPARTMENT OF REVENUE AND
5 SHALL POST A COPY ON THE DIVISION'S WEBSITE.

6 **SECTION 4.** In Colorado Revised Statutes, 24-38.3-101, **amend**
7 (2) as follows:

8 **24-38.3-101. Office of marijuana coordination - creation.**

9 (2) The office of marijuana coordination shall coordinate the executive
10 branch response to the legalization of retail marijuana as directed by the
11 governor. The coordination of the executive branch response includes
12 strategic planning, coordination of regulations, educational content
13 planning and implementation, community engagement, budget
14 coordination, data collection, DATA SHARING, and analysis functions, and
15 any other duties deemed necessary and appropriate by the director of the
16 office or the governor.

17 **SECTION 5.** In Colorado Revised Statutes, 24-38.3-102, **amend**
18 (2) (d) as follows:

19 **24-38.3-102. Coordination among agencies - marijuana**

20 **messaging.** (2) In furtherance of coordinating the oversight of retail and
21 medical marijuana across state agencies, the office of marijuana
22 coordination shall:

23 (d) Identify AND ADDRESS data gaps in the impact of marijuana
24 legalization on public health, safety, or economics across the state;

25 **SECTION 6. Appropriation.** (1) For the 2016-17 state fiscal
26 year, \$1,109,625 is appropriated to the office of the governor. This
27 appropriation is from the marijuana tax cash fund created in section

1 39-28.8-501 (1), C.R.S. To implement this act, the office of the governor
2 may use this appropriation for the office of marijuana coordination.

3 (2) For the 2016-17 state fiscal year, \$1,109,625 is appropriated
4 to the office of the governor for use by the office of information
5 technology. This appropriation is from reappropriated funds received
6 from the office of marijuana coordination under subsection (1) of this
7 section. To implement this act, the office of information technology may
8 use this appropriation to provide information technology services for the
9 office of marijuana coordination for statewide marijuana data
10 coordination.

11 **SECTION 7. Appropriation.** For the 2016-17 state fiscal year,
12 \$900,000 is appropriated to the department of higher education for use by
13 the board of governors of the Colorado state university system. This
14 appropriation is from the marijuana tax cash fund created in section
15 39-28.8-501 (1), C.R.S. To implement this act, the board of governors
16 may use this appropriation for cannabis-related research and education
17 programs at Colorado state university - Pueblo.

18 **SECTION 8. Appropriation.** For the 2016-17 state fiscal year,
19 \$79,992 is appropriated to the department of public safety for use by the
20 division of criminal justice. This appropriation is from the marijuana tax
21 cash fund created in section 39-28.8-501 (1), C.R.S., and is based on an
22 assumption that the department will require an additional 1.0 FTE. To
23 implement this act, the department may use this appropriation for the
24 study of marijuana implementation.

25 **SECTION 9. Effective date.** This act takes effect July 1, 2016.

26 **SECTION 10. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.