



Colorado  
Legislative  
Council  
Staff

HB16-1359

REVISED  
FISCAL NOTE

(replaces fiscal note dated March 22, 2016)

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-1104  
**Prime Sponsor(s):** Rep. Salazar  
Sen. Guzman

**Date:** April 22, 2016  
**Bill Status:** Senate Judiciary  
**Fiscal Analyst:** Kerry White (303-866-3469)

**BILL TOPIC:** USE OF MEDICAL MARIJUANA WHILE ON PROBATION

### Summary of Legislation

This *reengrossed* bill alters one of two exceptions to the prohibition against a court requiring that a person on probation refrain from possessing or using medical marijuana. Under current law, a court may not prohibit the authorized possession or use of medical marijuana as a condition of probation unless the defendant was convicted of a medical marijuana-related crime or the court determines, based on a substance abuse assessment, it is necessary and appropriate to accomplish sentencing goals. The bill amends the latter exception by requiring the court determination to be based on material evidence rather than a substance abuse assessment.

### Assessment

While this bill changes the basis the court uses to make determinations about medical marijuana use while on probation, it does not increase or decrease workload for the courts or materially affect its decisions. As such, this bill is assessed as having no fiscal impact for any agency of state or local government.

### Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

### State and Local Government Contacts

Corrections  
Human Services

Corrections  
Information Technology

District Attorneys  
Judicial

### Research Note Available

An LCS Research Note for HB 16-1359 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: [www.colorado.gov/fiscalnotes](http://www.colorado.gov/fiscalnotes).