

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 26, 2017

Date

Committee on Agriculture, Natural Resources, & Energy.

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

SB17-275 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 4, line 4, after the period, insert
2 "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEDICAL
3 RESEARCH FACILITY AUTHORIZED PURSUANT TO THIS SECTION TO
4 CONDUCT MEDICAL RESEARCH REGARDING MARIJUANA IS EXEMPT FROM
5 ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE
6 OF MARIJUANA; EXCEPT THAT THE FACILITY SHALL USE THE MARIJUANA
7 ONLY FOR THE MEDICAL RESEARCH AUTHORIZED PURSUANT TO THIS
8 SECTION AND SHALL DESTROY ALL MARIJUANA REMAINING AFTER THE
9 RESEARCH HAS BEEN COMPLETED."

10 Page 4, line 15, strike "(1)(h)" and substitute "(1)(h); and **add**
11 (2.5)(a)(I)(G)".

12 Page 4, strike lines 20 to 27 and substitute "until the medical marijuana
13 or medical marijuana-infused product is sold to a customer at a medical
14 marijuana center to ensure that no medical marijuana grown or processed
15 by a medical marijuana establishment is sold or otherwise transferred
16 except by a medical marijuana center; EXCEPT THAT THE MEDICAL
17 MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IS NO LONGER
18 SUBJECT TO THE TRACKING SYSTEM ONCE THE MEDICAL MARIJUANA OR
19 MEDICAL MARIJUANA-INFUSED PRODUCT HAS BEEN:

20 (I) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT
21 TO SECTION 25-1.5-106.5 (5)(b); OR

22 (II) USED BY A PESTICIDE MANUFACTURER IN QUANTITIES THAT
23 ARE LIMITED".

1 Page 5, line 4, after the period, add "NOTWITHSTANDING ANY OTHER
2 PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT
3 TO THIS SUBSECTION (1)(h)(II) TO CONDUCT PESTICIDE RESEARCH
4 REGARDING MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE
5 RESTRICTIONS ON THE POSSESSION AND USE OF MEDICAL MARIJUANA OR
6 MEDICAL MARIJUANA-INFUSED PRODUCT; EXCEPT THAT THE
7 MANUFACTURER SHALL:

8 (A) NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL
9 MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE
10 LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING
11 AUTHORITY;

12 (B) USE THE MEDICAL MARIJUANA AND MEDICAL
13 MARIJUANA-INFUSED PRODUCT ONLY FOR THE PESTICIDE RESEARCH
14 AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II); AND

15 (C) DESTROY ALL MEDICAL MARIJUANA AND MEDICAL
16 MARIJUANA-INFUSED PRODUCT REMAINING AFTER THE RESEARCH HAS
17 BEEN COMPLETED.

18 (2.5) (a) Rules promulgated pursuant to paragraph (b) of
19 subsection (1) of this section must include, but need not be limited to, the
20 following subjects:

21 (I)(G) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT
22 EMPLOY OR USE THE RESULTS OF ANY TEST OF MEDICAL MARIJUANA OR
23 MEDICAL MARIJUANA-INFUSED PRODUCTS CONDUCTED BY AN ANALYTICAL
24 LABORATORY THAT IS NOT CERTIFIED PURSUANT TO THIS SUBSECTION
25 (2.5)(a)(I) FOR THE PARTICULAR INTENDED USE CATEGORY OR
26 ACCREDITED TO THE INTERNATIONAL ORGANIZATION FOR
27 STANDARDIZATION / INTERNATIONAL ELECTROTECHNICAL COMMISSION
28 17025 STANDARD FOR THAT FIELD OF TESTING."

29 Page 5, line 6, strike "(1)" and substitute "(1); and **add** (3)(a)(IV)(H)".

30 Page 5, strike lines 13 to 19 and substitute: "plant stage until the
31 marijuana or retail marijuana product is sold to a customer at a retail
32 marijuana store; ~~to ensure that no marijuana grown or processed by a~~
33 ~~retail marijuana establishment is sold or otherwise transferred except by~~
34 ~~a retail marijuana store~~ EXCEPT THAT RETAIL MARIJUANA IS NO LONGER
35 SUBJECT TO THE TRACKING SYSTEM ONCE THE RETAIL MARIJUANA HAS
36 BEEN:

37 (a) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT
38 TO SECTION 25-1.5-106.5 (5)(b); OR

1 (b) USED BY A PESTICIDE MANUFACTURER IN QUANTITIES THAT
2 ARE LIMITED".

3 Page 5, line 23, after the period, add "NOTWITHSTANDING ANY OTHER
4 PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT
5 TO THIS SUBSECTION (1)(b) TO CONDUCT PESTICIDE RESEARCH REGARDING
6 RETAIL MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE
7 RESTRICTIONS ON THE POSSESSION AND USE OF RETAIL MARIJUANA;
8 EXCEPT THAT THE MANUFACTURER SHALL:

9 (I) NOT POSSESS AT ANY TIME A QUANTITY OF RETAIL MARIJUANA
10 IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE
11 STATE LICENSING AUTHORITY;

12 (II) USE THE RETAIL MARIJUANA ONLY FOR THE PESTICIDE
13 RESEARCH AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(b); AND

14 (III) DESTROY ALL RETAIL MARIJUANA REMAINING AFTER THE
15 RESEARCH HAS BEEN COMPLETED.

16 (3) (a) Rules promulgated pursuant to paragraph (b) of subsection
17 (2) of this section must include, but need not be limited to, the following
18 subjects:

19 (IV) (H) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT
20 EMPLOY OR USE THE RESULTS OF ANY TEST OF MARIJUANA OR MARIJUANA
21 PRODUCTS CONDUCTED BY AN ANALYTICAL LABORATORY THAT IS NOT
22 CERTIFIED PURSUANT TO THIS SUBSECTION (3)(a)(IV) FOR THE
23 PARTICULAR INTENDED USE CATEGORY AND FOR THE SPECIFIC MATRIX
24 AND ACCREDITED BY A THIRD-PARTY FOR THAT FIELD OF TESTING."

25 Page 5, strike lines 24 through 27.

26 Strike pages 6 through 9.

27 Page 10, strike lines 1 through 3.

28 Renumber succeeding sections accordingly.

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