

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 22-0250.01 Yelana Love x2295

**HOUSE BILL 22-1037**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF A PERSON TO OPERATE A DUAL**  
102 **MARIJUANA BUSINESS AT THE SAME LOCATION.**

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**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://leg.colorado.gov>.)*

The bill allows a person to operate a licensed medical marijuana business and a licensed retail marijuana business at the same location if permitted by the local licensing authority and the local jurisdiction where the businesses are located and subject to requirements regarding separation of operations.

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

SENATE  
3rd Reading Unamended  
March 21, 2022

SENATE  
2nd Reading Unamended  
March 18, 2022

HOUSE  
3rd Reading Unamended  
February 22, 2022

HOUSE  
2nd Reading Unamended  
February 18, 2022

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

2           **SECTION 1.** In Colorado Revised Statutes, 44-10-313, **add** (14)  
3 as follows:

4           **44-10-313. Licensing in general - rules.** (14) (a) ON OR AFTER  
5 JANUARY 1, 2023, A PERSON MAY OPERATE A LICENSED MEDICAL  
6 MARIJUANA BUSINESS AND A LICENSED RETAIL MARIJUANA BUSINESS AT  
7 THE SAME LOCATION PURSUANT TO THIS SUBSECTION (14) AND RULES  
8 PROMULGATED BY THE STATE LICENSING AUTHORITY IF THE LOCAL  
9 LICENSING AUTHORITY AND LOCAL JURISDICTION WHERE THE BUSINESSES  
10 ARE LOCATED ALLOW LICENSED MEDICAL MARIJUANA AND LICENSED  
11 RETAIL MARIJUANA BUSINESSES TO BE OPERATED AT THE SAME LOCATION.

12           (b) (I) EXCEPT AS PROVIDED IN SUBSECTION (14)(b)(II) OF THIS  
13 SECTION, IF A LICENSED MEDICAL MARIJUANA STORE AND A LICENSED  
14 RETAIL MARIJUANA STORE OPERATE AT THE SAME LOCATION, EACH STORE  
15 SHALL MAINTAIN SEPARATE LICENSED PREMISES AND SEPARATE BUSINESS  
16 OPERATIONS, INCLUDING SEPARATE ENTRANCES AND EXITS, INVENTORY,  
17 POINT OF SALE OPERATIONS, AND RECORD KEEPING.

18           (II) THE STATE LICENSING AUTHORITY SHALL ADOPT RULES  
19 CONCERNING WHETHER ASPECTS OF THE LICENSED PREMISES AND  
20 BUSINESS OPERATIONS MAY BE COMBINED WHEN A LICENSED MEDICAL  
21 MARIJUANA STORE THAT OPERATES AT THE SAME LOCATION AS A LICENSED  
22 RETAIL MARIJUANA STORE SELLS MEDICAL MARIJUANA ONLY TO PERSONS  
23 TWENTY-ONE YEARS OF AGE OR OLDER. THE RULES MUST ADDRESS  
24 WHETHER TO ALLOW SINGLE ENTRANCES AND EXITS AND VIRTUAL  
25 SEPARATION OF INVENTORY.

26           (c) A LICENSED MEDICAL MARIJUANA CULTIVATION FACILITY AND

1 A LICENSED RETAIL MARIJUANA CULTIVATION FACILITY LOCATED AT THE  
2 SAME LOCATION MUST MAINTAIN EITHER PHYSICAL OR VIRTUAL  
3 SEPARATION OF THE TWO FACILITIES AND THE PLANTS AND INVENTORY OF  
4 THE TWO FACILITIES.

5 **SECTION 2.** In Colorado Revised Statutes, 44-10-203, **add**  
6 (2)(jj) as follows:

7 **44-10-203. State licensing authority - rules. (2) Mandatory**  
8 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)  
9 must include but need not be limited to the following subjects:

10 (jj) ALLOWING A PERSON TO OPERATE A LICENSED MEDICAL  
11 MARIJUANA BUSINESS AND A LICENSED RETAIL MARIJUANA BUSINESS AT  
12 THE SAME LOCATION PURSUANT TO SECTION 44-10-313 (14).

13 **SECTION 3. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within such period, then the act, item, section, or part will not take  
19 effect unless approved by the people at the general election to be held in  
20 November 2022 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.