

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0029.01 Jacob Baus x2173

HOUSE BILL 23-1020

HOUSE SPONSORSHIP

Ricks and English, Bacon, Epps, Garcia, Gonzales-Gutierrez, Herod, Mabrey, Snyder, Velasco

SENATE SPONSORSHIP

Fields,

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SOCIAL EQUITY LICENSES IN THE REGULATED**
102 **MARIJUANA BUSINESS, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN 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://leg.colorado.gov>.)

The bill creates an accelerator hospitality business license, accelerator transporter license, and accelerator retail deliverer permittee for social equity licensees qualified to participate in the accelerator program.

The bill requires the department of revenue to provide an annual

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

HOUSE
3rd Reading Unamended
May 3, 2023

HOUSE
Amended 2nd Reading
May 2, 2023

report to the finance committees of the house of representatives and the senate concerning active social equity licenses, any recommendations for new social equity licenses and permits, and any recommendations for new or innovating funding sources for the social equity licensees or permittees.

Effective January 2, 2024, the bill amends the eligibility requirements for a person to qualify as a social equity licensee. The bill clarifies that the new eligibility requirements only apply to social equity licensee applications received on or after January 2, 2024, or to the reinstatement or reactivation of social equity licenses originally issued before January 2, 2024. The new eligibility requirements do not apply to the renewal of social equity licenses applied for or issued before January 2, 2024.

The bill authorizes a social equity licensee who satisfies the eligibility requirements effective January 2, 2024, with a retail marijuana transporter licensee and a retail marijuana delivery permit or an accelerator retail deliverer permit, to exercise the privileges of a retail marijuana store license without needing to obtain a retail marijuana store license or accelerator store license.

The bill requires the department of revenue to create incentives for social equity licensees and accelerator-endorsed licensees, including reducing or waiving fees.

The bill creates, in the office of economic development, a grant committee that is responsible for reviewing grant applications, selecting grant recipients, and determining grant awards that are issued pursuant to an existing grant program for supporting entrepreneurs in the marijuana industry.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **amend**
3 **(2); and add (1.3) and (4.7) as follows:**

4 **44-10-103. Rules - definitions.** As used in this article 10, unless
5 the context otherwise requires:

6 (1.3) "ACCELERATOR HOSPITALITY BUSINESS" MEANS A SOCIAL
7 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR
8 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED
9 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF A MARIJUANA
10 HOSPITALITY BUSINESS ON THE PREMISES OF AN ACCELERATOR-ENDORSED

1 MARIJUANA HOSPITALITY BUSINESS LICENSEE.

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3 (2) "Accelerator-endorsed licensee" means a retail marijuana
4 cultivation facility licensee, retail marijuana products manufacturer
5 licensee, ~~or~~ retail marijuana store, ~~who~~, MARIJUANA HOSPITALITY
6 BUSINESS LICENSEE, OR RETAIL MARIJUANA TRANSPORTER LICENSEE THAT
7 has, pursuant to rule, been endorsed to host and offer technical and capital
8 support to a social equity licensee pursuant to the requirements of the
9 accelerator program established pursuant to this article 10.

10 (4.7) "ACCELERATOR TRANSPORTER" MEANS A SOCIAL EQUITY
11 LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR PROGRAM
12 ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT
13 TO RULE TO EXERCISE THE PRIVILEGES OF THE ACCELERATOR-ENDORSED
14 RETAIL MARIJUANA TRANSPORTER LICENSEE.

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16 **SECTION 2.** In Colorado Revised Statutes, 44-10-104, **amend**
17 (2)(a) as follows:

18 **44-10-104. Applicability - medical marijuana - retail**
19 **marijuana.** (2) (a) A person applying for licensure pursuant to this
20 article 10 must complete forms as provided by the state licensing
21 authority and must pay the application fee and the licensing fee, which
22 must be credited to the marijuana cash fund established pursuant to
23 section 44-10-801. The state licensing authority shall forward, within
24 seven days, one-half of the retail marijuana business license application
25 fee to the local jurisdiction unless the application is for an accelerator
26 cultivator, accelerator manufacturer, ~~or~~ accelerator store, ACCELERATOR
27 HOSPITALITY BUSINESS, OR ACCELERATOR TRANSPORTER license, or unless

1 the local jurisdiction has prohibited the operation of retail marijuana
2 businesses pursuant to section 16 (5)(f) of article XVIII of the state
3 constitution. If the license is denied, the state licensing authority shall
4 refund the licensing fee to the applicant.

5 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **amend**
6 **(2)(aa); and add (1)(j.3) as follows:**

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

10 (j.3) THE DOCUMENTATION NECESSARY TO BE PROVIDED BY A
11 PERSON APPLYING FOR A SOCIAL EQUITY LICENSE AND REQUIREMENTS
12 DEEMED NECESSARY BY THE STATE LICENSING AUTHORITY TO VERIFY THE
13 DOCUMENTATION.

14 (2) **Mandatory rule-making.** Rules promulgated pursuant to
15 section 44-10-202 (1)(c) must include but need not be limited to the
16 following subjects:

17 (aa) The implementation of an accelerator program including but
18 not limited to rules to establish requirements for social equity licensees
19 operating on the same licensed premises or on separate premises
20 possessed by an accelerator-endorsed licensee. THE STATE LICENSING
21 AUTHORITY'S RULES MUST INCLUDE THE ABILITY FOR AN
22 ACCELERATOR-ENDORSED LICENSEE TO HOST AND OFFER TECHNICAL AND
23 CAPITAL SUPPORT TO MORE THAN ONE SOCIAL EQUITY LICENSEE OF THE
24 SAME LICENSE TYPE. The state licensing authority's rules establishing an
25 accelerator program may include requirements for severed custodianship
26 of regulated marijuana products, protections of the intellectual property
27 of a social equity licensee, incentives for accelerator-endorsed licensees,

1 and additional requirements if a person applying for an accelerator
2 endorsement has less than two years' experience operating a licensed
3 facility pursuant to this article 10. An accelerator-endorsed licensee is not
4 required to exercise the privileges of its license on the premises where a
5 social equity licensee operates. THE STATE LICENSING AUTHORITY'S RULES
6 MAY ALLOW FOR A SOCIAL EQUITY LICENSEE APPLICANT TO ATTEST THAT
7 THE PERSON SATISFIES THE ELIGIBILITY CRITERIA PURSUANT TO SECTION
8 44-10-308 (5). The state licensing authority's implementation of an
9 accelerator program is extended from July 1, 2020, to January 1, 2021.

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11 **SECTION 4.** In Colorado Revised Statutes, **add** 44-10-207 as
12 follows:

13 **44-10-207. Social equity report.** (1) BY JANUARY 31, 2025, AND
14 BY JANUARY 31 EACH YEAR THEREAFTER, THE STATE LICENSING
15 AUTHORITY SHALL SUBMIT A REPORT CONCERNING SOCIAL EQUITY
16 LICENSES TO THE FINANCE COMMITTEES OF THE HOUSE OF
17 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT
18 A MINIMUM, THE REPORT MUST INCLUDE:

19 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO
20 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY
21 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES
22 THAT ARE OPERATIONAL;

23 (b) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES;

24 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES THAT
25 ARE OPERATIONAL;

26 (d) THE TOTAL NUMBER OF SOCIAL EQUITY LICENSES THAT ARE
27 ENDORSED BY EACH ACCELERATOR-ENDORSED LICENSE TYPE;

1 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED
2 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308
3 (8);

4 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY LICENSE TYPES;
5 AND

6 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING
7 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

8 (2) THE STATE LICENSING AUTHORITY SHALL CONVENE A NEW, OR
9 UTILIZE AN EXISTING, WORKING GROUP OF PERSONS INTERESTED IN SOCIAL
10 EQUITY OPPORTUNITIES AND THE ACCELERATOR PROGRAM ESTABLISHED
11 PURSUANT TO THIS ARTICLE 10 FOR THE PURPOSE OF DEVELOPING
12 RECOMMENDATIONS PURSUANT TO SUBSECTIONS (1)(f) AND (1)(g) OF THIS
13 SECTION.

14 (3) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
15 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS
16 SECTION CONTINUES INDEFINITELY.

17 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**
18 (4) introductory portion and (5); and **add** (4)(e), (6), (7), (8), and (9) as
19 follows:

20 **44-10-308. Business and owner requirements - rules -**
21 **legislative declaration - definition.** (4) Effective January 1, 2021,
22 THROUGH FEBRUARY 29, 2024, a person who qualifies as a social equity
23 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated
24 marijuana business license or permit, including but not limited to
25 accelerator store, accelerator cultivator, and accelerator manufacturer
26 licenses, issued pursuant to this article 10. A PERSON WHO QUALIFIES FOR
27 A SOCIAL EQUITY LICENSE PURSUANT TO THIS SUBSECTION (4) MAY APPLY

1 FOR ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT ON OR
2 AFTER MARCH 1, 2024, WITHOUT HAVING TO QUALIFY AS A SOCIAL EQUITY
3 LICENSEE PURSUANT TO SUBSECTION (5) OF THIS SECTION, UNLESS THE
4 QUALIFICATION WAS BASED UPON THE SOCIAL EQUITY LICENSEE'S INCOME.

5 A person qualifies as a social equity licensee if such person meets the
6 following criteria, in addition to any criteria established by rule of the
7 state licensing authority:

8 (e) THIS SUBSECTION (4) APPLIES TO SOCIAL EQUITY LICENSEE
9 APPLICATIONS RECEIVED BEFORE MARCH 1, 2024, AND TO THE RENEWAL
10 OF A SOCIAL EQUITY LICENSE APPLIED FOR OR ISSUED BEFORE MARCH 1,
11 2024.

12 (5) ~~A person who meets the criteria in this section for a social~~
13 ~~equity licensee, pursuant to rule and agency discretion, may be eligible for~~
14 ~~incentives available through the department of revenue or office of~~
15 ~~economic development and international trade, including but not limited~~
16 ~~to a reduction in application or license fees. EFFECTIVE MARCH 1, 2024,~~
17 A PERSON WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR
18 ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING,
19 BUT NOT LIMITED TO, ACCELERATOR STORE, ACCELERATOR CULTIVATOR,
20 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS, OR
21 ACCELERATOR TRANSPORTER LICENSES, ISSUED PURSUANT TO THIS
22 ARTICLE 10. A PERSON QUALIFIES AS A SOCIAL EQUITY LICENSEE IF THE
23 PERSON MEETS THE FOLLOWING CRITERIA, IN ADDITION TO ANY CRITERIA
24 ESTABLISHED BY RULE OF THE STATE LICENSING AUTHORITY:

25 (a) HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE SUBJECT
26 TO DISCIPLINARY OR LEGAL ACTION FROM THE STATE LICENSING
27 AUTHORITY RESULTING IN THE REVOCATION OF A LICENSE ISSUED

1 PURSUANT TO THIS ARTICLE 10; AND

2 (b) HAS DEMONSTRATED AT LEAST ONE OF THE FOLLOWING:

3 (I) THE APPLICANT HAS RESIDED:

4 (A) FOR AT LEAST ANY FIVE YEARS OF THE THIRTY-YEAR PERIOD

5 PRIOR TO THE APPLICATION IN WHICH DATA IS AVAILABLE IN A CENSUS

6 TRACT DESIGNATED BY THE OFFICE OF ECONOMIC DEVELOPMENT AND

7 INTERNATIONAL TRADE AS AN OPPORTUNITY ZONE OR DESIGNATED AS A

8 DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO

9 SECTION 44-10-203 (1)(j); OR

10 (B) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE

11 APPLICATION IN HOUSING WITH FUNDING PROVIDED PURSUANT TO SECTION

12 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS

13 AMENDED, 42 U.S.C. SECS. 1437f AND 1437g; OR

14 (C) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE

15 APPLICATION IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME

16 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,

17 OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM

18 THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE

19 INCOME THAT AT THE TIME OF RESIDENCE WAS SUBJECT TO A USE

20 RESTRICTION THAT WAS MONITORED TO ENSURE COMPLIANCE BY THE

21 FEDERAL GOVERNMENT, THE STATE GOVERNMENT, A COUNTY

22 GOVERNMENT, OR A MUNICIPAL GOVERNMENT, OR BY ANY POLITICAL

23 SUBDIVISION OR DESIGNATED AGENCY THEREOF; OR

24 (II) THE APPLICANT OR THE APPLICANT'S SPOUSE, PARENT, OR

25 LEGAL GUARDIAN WAS CONVICTED OF A MARIJUANA OFFENSE; OR

26 (III) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE

27 APPLICANT'S GUARDIANSHIP WAS ARRESTED OR CONVICTED OF A

1 MARIJUANA OFFENSE; AND

2 (A) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
3 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED OR CONVICTED OF A
4 MARIJUANA OFFENSE RESIDED IN A DISPROPORTIONATE IMPACTED AREA AS
5 DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j) FOR ANY OF THE
6 FIVE YEARS OF THE THIRTY-YEAR PERIOD PRIOR TO APPLICATION; OR

7 (B) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
8 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED OR CONVICTED OF A
9 MARIJUANA OFFENSE HAS RECEIVED ASSISTANCE FROM AT LEAST ONE OF
10 THE PROGRAMS LISTED IN SUBSECTIONS (5)(b)(V)(A) TO (5)(b)(V)(E) OF
11 THIS SECTION FOR AT LEAST ANY FIVE OF THE TEN YEARS PRIOR TO
12 APPLICATION; OR

13 (IV) THE APPLICANT WAS A MEMBER OF THE MILITARY AND WAS
14 DISHONORABLY DISCHARGED BECAUSE THE APPLICANT WAS CONVICTED
15 OF A MARIJUANA OFFENSE; OR

16 (V) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST
17 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN
18 YEARS PRIOR TO APPLICATION:

19 (A) THE LOW-INCOME ENERGY ASSISTANCE PROGRAM DESCRIBED
20 IN SECTION 26-2-122.5;

21 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
22 DESCRIBED IN PART 3 OF ARTICLE 2 OF TITLE 26;

23 (C) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS DEFINED IN
24 SECTION 26-2-703 (19);

25 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
26 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.
27 1786; OR

1 (E) THE "COLORADO MEDICAL ASSISTANCE ACT", PURSUANT TO
2 PART 1 OF ARTICLE 4 OF TITLE 25.5; AND

3 (c) THE SOCIAL EQUITY LICENSEE, OR COLLECTIVELY ONE OR MORE
4 SOCIAL EQUITY LICENSEES, HOLDS AT LEAST FIFTY-ONE PERCENT OF THE
5 BENEFICIAL OWNERSHIP OF THE REGULATED MARIJUANA BUSINESS
6 LICENSE.

7 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF
8 THE APPLICANT, OR COLLECTIVELY ONE OR MORE APPLICANTS, IS A
9 CONTROLLING BENEFICIAL OWNER, UPON ATTESTATION ON THE
10 APPLICATION OF THE LICENSES TO WHICH THE APPLICANT IS A PASSIVE
11 BENEFICIAL OWNER, OR PASSIVE BENEFICIAL OWNER OF THREE OR MORE
12 RETAIL MARIJUANA STORE LICENSES, MEDICAL MARIJUANA STORE
13 LICENSES, RETAIL MARIJUANA CULTIVATION FACILITY LICENSES, OR
14 MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR ANY
15 COMBINATION THEREOF, THE APPLICANT IS NOT ELIGIBLE FOR A SOCIAL
16 EQUITY LICENSE;

17 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,
18 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE
19 LICENSES, OR CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY
20 AND MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, CONSTITUTE
21 ONE LICENSE.

22 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL
23 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER MARCH 1, 2024,
24 OR THE RENEWAL OF A SOCIAL EQUITY LICENSE FIRST APPLIED FOR ON OR
25 AFTER MARCH 1, 2024.

26 (b) SUBSECTION (5) OF THIS SECTION DOES NOT APPLY TO THE
27 RENEWAL OF SOCIAL EQUITY LICENSES APPLIED FOR OR ISSUED BEFORE

1 MARCH 1, 2024.

2 (8) A PERSON WHO MEETS THE CRITERIA IN THIS SECTION FOR A
3 SOCIAL EQUITY LICENSE MAY BE ELIGIBLE FOR INCENTIVES AVAILABLE
4 THROUGH THE DEPARTMENT OF REVENUE OR OFFICE OF ECONOMIC
5 DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT NOT LIMITED
6 TO, A REDUCTION IN APPLICATION OR LICENSE FEES. THE STATE LICENSING
7 AUTHORITY MAY PROMULGATE RULES TO CREATE INCENTIVES REQUIRED
8 BY THIS SUBSECTION (8).

9 (9) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE STATE
10 LICENSING AUTHORITY SHALL NOT ISSUE NEW SOCIAL EQUITY LICENSES
11 BEGINNING ON THE EFFECTIVE DATE OF HOUSE BILL 23-1020 THROUGH
12 FEBRUARY 29, 2024.

13 **SECTION 6.** In Colorado Revised Statutes, 44-10-401, **amend**
14 (2)(b)(X); and add (2)(b)(XII) and (2)(b)(XIII) as follows:

15 **44-10-401. Classes of licenses.** (2) (b) The following are retail
16 marijuana licenses:

- 17 (X) Retail marijuana hospitality and sales business license; **and**
18 (XII) ACCELERATOR TRANSPORTER LICENSE; AND
19 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE.

20 **SECTION 7.** In Colorado Revised Statutes, 44-10-601, **amend**
21 (16) as follows:

22 **44-10-601. Retail marijuana store license - rules - definitions.**

23 (16) A retail marijuana store pursuant to rule and the state licensing
24 authority discretion, may be THAT HOSTS AN ACCELERATOR STORE
25 LICENSE MAY BE eligible for incentives available through the department
26 of revenue or the office of economic development and international trade,
27 including, but not limited to, a reduction in application or license fees.

1 **SECTION 8.** In Colorado Revised Statutes, 44-10-602, **amend**
2 (11) as follows:

3 **44-10-602. Retail marijuana cultivation facility license - rules**
4 **- definitions.** (11) A retail marijuana cultivation facility licensee that
5 hosts an accelerator cultivator licensee ~~pursuant to rule and the state~~
6 ~~licensing authority discretion, may be~~ MAY BE eligible for incentives
7 available through the department of revenue or the office of economic
8 development and international trade, including, but not limited to, a
9 reduction in application or license fees.

10 **SECTION 9.** In Colorado Revised Statutes, 44-10-603, **amend**
11 (14) as follows:

12 **44-10-603. Retail marijuana products manufacturer license -**
13 **rules - definition.** (14) A retail marijuana products manufacturer
14 licensee ~~pursuant to rule and the state licensing authority discretion, may~~
15 ~~be~~ THAT HOSTS AN ACCELERATOR MANUFACTURER LICENSE MAY BE
16 eligible for incentives through the department of revenue or the office of
17 economic development and international trade, including, but not limited
18 to, a reduction in application or license fees.

19 **SECTION 10.** In Colorado Revised Statutes, 44-10-605, **add** (6),
20 (7), and (8) as follows:

21 **44-10-605. Retail marijuana transporter license - definition.**
22 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON THE
23 PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF, BEFORE
24 EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE RETAIL
25 MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED
26 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS
27 APPROVED TO OPERATE ON THAT PREMISES.

1 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
2 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,
3 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
4 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON
5 ITS PREMISES.

6 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
7 ACCELERATOR TRANSPORTER LICENSEE MAY BE ELIGIBLE FOR INCENTIVES
8 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF
9 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT
10 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

11 **SECTION 11.** In Colorado Revised Statutes, 44-10-609, **add (5),**
12 **(6), and (7) as follows:**

13 **44-10-609. Marijuana hospitality business license. (5) AN**
14 **ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON THE**
15 **PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF, BEFORE**
16 **EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES, THE**
17 **MARIJUANA HOSPITALITY BUSINESS LICENSEE HAS ITS PREMISES ENDORSED**
18 **PURSUANT TO RULE AND EACH ACCELERATOR HOSPITALITY BUSINESS**
19 **LICENSEE IS APPROVED TO OPERATE ON THAT PREMISES.**

20 (6) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
21 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY, PURSUANT TO
22 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
23 ASSISTANCE TO AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE
24 OPERATING ON ITS PREMISES.

25 (7) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
26 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY BE ELIGIBLE FOR
27 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE

1 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,
2 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR
3 LICENSE FEES.

4 **SECTION 12.** In Colorado Revised Statutes, **add** 44-10-612 as
5 follows:

6 **44-10-612. Retail marijuana accelerator hospitality business**

7 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS
8 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE
9 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON
10 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA
11 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR
12 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE
13 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY
14 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

15 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
16 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY
17 BUSINESS LICENSES ON MARCH 1, 2024.

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19 **SECTION 13.** In Colorado Revised Statutes, **add** 44-10-613 as
20 follows:

21 **44-10-613. Retail marijuana accelerator transporter license.**

22 (1) A RETAIL MARIJUANA ACCELERATOR TRANSPORTER LICENSE MAY BE
23 ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE PRIVILEGES OF A
24 RETAIL MARIJUANA TRANSPORTER LICENSEE ON THE PREMISES OF AN
25 ACCELERATOR-ENDORSED TRANSPORTER LICENSEE. THE RETAIL
26 MARIJUANA ACCELERATOR TRANSPORTER LICENSEE MAY RECEIVE
27 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL

1 MARIJUANA TRANSPORTER LICENSEE WITH AN ACCELERATOR
2 ENDORSEMENT.

3 (2) THE STATE LICENSING AUTHORITY MAY BEGIN ACCEPTING
4 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR TRANSPORTER
5 LICENSES ON MARCH 1, 2024.

6 **SECTION 14.** In Colorado Revised Statutes, 44-10-1401, **amend**
7 (2) as follows:

8 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the
9 repeal of this article 10, the department of regulatory agencies shall
10 conduct a sunset review as described in section 24-34-104 (5). AS A PART
11 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES
12 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS
13 CONCERNING SOCIAL EQUITY LICENSING.

14 **SECTION 15.** In Colorado Revised Statutes, 24-34-104, **amend**
15 (29)(a)(XII) as follows:

16 **24-34-104. General assembly review of regulatory agencies**
17 **and functions for repeal, continuation, or reestablishment - legislative**
18 **declaration - repeal.** (29) (a) The following agencies, functions, or both,
19 are scheduled for repeal on September 1, 2028:

20 (XII) The "Colorado Marijuana Code", article 10 of title 44,
21 INCLUDING SOCIAL EQUITY LICENSING;

22 **SECTION 16.** In Colorado Revised Statutes, 24-48.5-128, **add**
23 (3)(e) as follows:

24 **24-48.5-128. Program - marijuana entrepreneurs - social**
25 **equity licensees - committee - report - marijuana entrepreneur fund**
26 **- creation - legislative declaration - definitions.** (3) **Loans, grants, and**
27 **technical assistance.** (e) (I) THERE IS CREATED IN THE OFFICE THE

1 PROGRAM GRANT COMMITTEE THAT IS RESPONSIBLE FOR REVIEWING
2 GRANT APPLICATIONS, SELECTING GRANT RECIPIENTS, AND DETERMINING
3 GRANT AWARDS ISSUED PURSUANT TO THIS SECTION. ON OR BEFORE
4 SEPTEMBER 1, 2023, OR UPON REAUTHORIZATION OF THE PROGRAM, THE
5 OFFICE DIRECTOR SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE ON
6 THE COMMITTEE:

7 (A) FIVE PERSONS WHO OWN A BUSINESS THAT IS CURRENTLY
8 LOCATED AND OPERATING IN COLORADO;

9 (B) FIVE PERSONS WITH EXPERIENCE REPRESENTING MARIJUANA
10 LICENSEES; AND

11 (C) FIVE PERSONS WHO ARE INTERESTED COMMUNITY MEMBERS.

12 (II) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
13 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND
14 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

15 (III) THE MEMBERSHIP OF THE COMMITTEE MUST INCLUDE NOT
16 MORE THAN THREE LICENSEES, AS DEFINED BY SECTION 44-10-103 (25).

17 (IV) MEMBERS OF THE COMMITTEE SERVE TWO-YEAR TERMS AND
18 MAY BE REAPPOINTED FOR AN ADDITIONAL TWO-YEAR TERM. MEMBERS OF
19 THE COMMITTEE SERVE AT THE PLEASURE OF THE OFFICE DIRECTOR. IF A
20 MEMBER OF THE COMMITTEE LEAVES THE COMMITTEE PRIOR TO THE
21 EXPIRATION OF THE MEMBER'S TERM, THE OFFICE DIRECTOR SHALL
22 APPOINT A NEW MEMBER TO SERVE FOR THE REMAINDER OF THE TERM.

23 (V) MEMBERS OF THE COMMITTEE SERVE WITHOUT COMPENSATION
24 OR REIMBURSEMENT OF EXPENSES.

25 **SECTION 17.** In Colorado Revised Statutes, 39-28.8-202,
26 **amend** (1)(a)(I) as follows:

27 **39-28.8-202. Retail marijuana sales tax.** (1) (a) (I) In addition

1 to the tax imposed pursuant to part 1 of article 26 of this title 39 and the
2 sales tax imposed by a local government pursuant to title 29, 30, 31, or
3 32, but except as otherwise set forth in subsections (1)(a)(II) and
4 (1)(a)(III) of this section, beginning January 1, 2014, and through June
5 30, 2017, there is imposed upon all RETAIL sales of retail marijuana and
6 retail marijuana products by a retailer a tax at the rate of ten percent of the
7 amount of the sale. Beginning July 1, 2017, there is imposed upon all
8 sales of retail marijuana and retail marijuana products by a retailer a tax
9 at the rate of fifteen percent of the amount of the sale. The tax imposed
10 by this section is computed in accordance with schedules or forms
11 prescribed by the executive director of the department; except that a ~~retail~~
12 ~~marijuana store~~ RETAILER is not allowed to retain any portion of the retail
13 marijuana sales tax collected pursuant to this part 2 to cover the expenses
14 of collecting and remitting the tax. The executive director may
15 promulgate rules to implement this section.

16 **SECTION 18. Appropriation.** (1) For the 2023-24 state fiscal
17 year, \$330,625 is appropriated to the marijuana cash fund created in
18 section 44-10-801 (1)(a), C.R.S. This appropriation is from the general
19 fund. The department of revenue is responsible for the accounting related
20 to this appropriation.

21 (2) For the 2023-24 state fiscal year, \$330,625 is appropriated to
22 the department of revenue. This appropriation is from reappropriated
23 funds in the marijuana cash funds fund under subsection (1) of this
24 section. Any money appropriated in this subsection (2) not expended prior
25 to July 1, 2024, is further appropriated to the department for the 2024-25
26 state fiscal year for the same purposes. To implement this act, the
27 department may use the appropriation as follows:

1 (a) \$216,426 for marijuana enforcement, which amount is based
2 on an assumption that the department will require an additional 1.1 FTE;
3 and

4 (b) \$114,199 for the purchase of legal services.

5 (3) For the 2023-24 state fiscal year, \$114,199 is appropriated to
6 the department of law. This appropriation is from reappropriated funds
7 received from the department of revenue under subsection (2)(b) of this
8 section and is based on an assumption that the department of law will
9 require an additional 0.4 FTE. To implement this act, the department of
10 law may use this appropriation to provide legal services for the
11 department of revenue. Any money appropriated in this subsection (3) not
12 expended prior to July 1, 2024, is further appropriated to the department
13 for the 2024-25 state fiscal year for the same purpose.

14 **SECTION 19. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2024 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.