

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

**INTRODUCED**

LLS NO. 23-0271.07 Jacob Baus x2173

**SENATE BILL 23-290**

---

**SENATE SPONSORSHIP**

**Fenberg,**

**HOUSE SPONSORSHIP**

**(None),**

---

**Senate Committees**  
Finance

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING NATURAL MEDICINE.**

---

**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 amends the regulatory framework for natural medicine and natural medicine product.

The bill requires the director of the division of professions and occupations to:

- Regulate facilitators and the practice of regulation, including issuing licenses for facilitators;
- Promulgate rules necessary for the regulation of facilitators and the practice of facilitation; and

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.

- Perform duties necessary for the implementation and administration of the "Natural Medicine Health Act of 2022", including investigatory and disciplinary authority.

The bill creates the natural medicine advisory board (board). The board's duties include examining issues related to natural medicine and natural medicine product, and making recommendations to the director of the division of professions and occupations and the executive director of the state licensing authority.

The bill creates within the department of revenue the division of natural medicine for the purpose of regulating and licensing the cultivation, manufacturing, testing, storage, distribution, transport, transfer, and dispensation of natural medicine or natural medicine product between natural medicine licensees. The bill requires the division of natural medicine to:

- Regulate natural medicine, natural medicine product, and natural medicine businesses, including healing centers, cultivators, manufacturers, and testers, and issue licenses for such businesses;
- Promulgate rules necessary for the regulation of natural medicine, natural medicine product, and natural medicine businesses; and
- Perform duties necessary for the regulation of natural medicine, natural medicine product, and natural medicine businesses, including investigatory and disciplinary authority.

The bill requires the department of revenue to coordinate with the department of public health and environment concerning testing standards of regulated natural medicine and natural medicine product.

The bill requires a sunset review for the articles governing the department of regulatory affairs and the department of revenue in the regulation of natural medicine, natural medicine product, facilitators, and natural medicine businesses.

The bill states that:

- A person who is under 21 years of age who knowingly possesses or consumes natural medicine or natural medicine product commits a drug petty offense and is subject to a fine of not more than \$100 or not more than 4 hours of substance use education or counseling; except that a second or subsequent offense is subject to a fine of not more than \$100, not more than 4 hours of substance use education or counseling, and not more than 24 hours of useful public service;
- A person who openly and publicly consumes natural medicine or natural medicine product commits a drug petty offense and is subject to a fine of not more than \$100 and

- not more than 24 hours of useful public service;
- A person who cultivates natural medicine shall do so on the person's private property, subject to area and physical security requirements. A person who violates this provision commits a drug petty offense and is subject to a fine of not more than \$1,000.
- A person who is not licensed to manufacture natural medicine product and who knowingly manufactures natural medicine product using an inherently hazardous substance commits a level 2 drug felony;
- Unless expressly limited, a person who for the purpose of personal use and without remuneration, possesses, consumes, shares, cultivates, or manufactures natural medicine or natural medicine product, does not violate state or local law, except that nothing permits a person to distribute natural medicine or natural medicine product to a person for certain unlawful purposes;
- A peace officer is prohibited from arresting, and a district attorney is prohibited from charging or prosecuting, a person for a criminal offense under part 4 of article 18 of title 18 involving natural medicine or natural medicine product, unless expressly provided by the bill;
- A lawful action related to natural medicine or natural medicine product must not be the sole reason to subject a person to a civil penalty, deny a right or privilege, or seize assets;
- A lawful action related to natural medicine or natural medicine product must not be used as the sole factor in a probable cause or reasonable suspicion determination of any criminal offense; except that an action may be used in such determination if the original stop or search was lawful and other factors are present to support a probable cause or reasonable suspicion determination of any criminal offense;
- The fact that a person is entitled to consume natural medicine or natural medicine product does not constitute a defense against any charge for violation of an offense related to operation of a vehicle, aircraft, boat, machinery, or other device;
- A local jurisdiction is prohibited from adopting, enacting, or enforcing a conflicting law;
- A person or entity who occupies, owns, or controls a property may prohibit or otherwise regulate the cultivation or manufacture of natural medicine or natural medicine product on or in that property.

The bill states that an act involving natural medicine or natural

medicine product that is performed by a person:

- Does not solely constitute child abuse or neglect, or grounds for restricting or prohibiting family time;
- Does not solely constitute grounds for denying health insurance coverage;
- Does not solely constitute grounds for discrimination for organ donation; and
- Must not be considered for public assistance benefits eligibility, unless required by federal law.

The bill makes a person eligible to file a motion to have conviction records related to natural medicine or natural medicine product sealed immediately after the later date of final disposition or release from supervision.

Under federal law, certain expenses are disallowed under section 280E of the internal revenue code. Under state law, the state income tax code permits taxpayers who are licensed under the "Colorado Marijuana Code" to subtract expenses that are disallowed by section 280E of the internal revenue code. The bill expands this permission to taxpayers who are licensed under the "Colorado Natural Medicine Code".

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-170-102, **amend**  
3 (1)(b); and **add** (2) as follows:

4 **12-170-102. Legislative declaration.** (1) The voters of the state  
5 of Colorado find and declare that:

6 (b) Coloradans are experiencing problematic mental health issues,  
7 including but not limited to suicidality, addiction, END-OF-LIFE DISTRESS,  
8 depression, and anxiety.

9 (2) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

10 (a) CONSIDERABLE HARM MAY OCCUR TO INDIGENOUS PEOPLE,  
11 COMMUNITIES, CULTURES, AND RELIGIONS IF NATURAL MEDICINE IS  
12 OVERLY COMMODIFIED, COMMERCIALIZED, AND EXPLOITED IN A MANNER  
13 THAT RESULTS IN THE ERASURE OF IMPORTANT CULTURAL AND RELIGIOUS  
14 CONTEXT;

1 (b) CONSIDERABLE HARM MAY OCCUR TO INDIGENOUS PEOPLE,  
2 COMMUNITIES, CULTURES, AND RELIGIONS IF FACILITATORS, HEALING  
3 CENTERS, AND OTHER NATURAL MEDICINE LICENSEES WITH MINIMAL OR  
4 NO CONNECTION TO TRADITIONAL USE OF NATURAL MEDICINE  
5 MISAPPROPRIATE OR EXPLOIT INDIGENOUS CULTURES AND RELIGIONS;

6 (c) IT IS THE GENERAL ASSEMBLY'S INTENT TO ENSURE THAT  
7 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS ARE  
8 HONORED AND RESPECTED AS THE STATE LEGALIZES AND REGULATES  
9 NATURAL MEDICINE. BY ENACTING LAWS, RULES, AND ORDERS TO  
10 IMPLEMENT THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44, THE GENERAL  
11 ASSEMBLY, DIVISION, AND STATE LICENSING AUTHORITY SHALL CONSIDER  
12 THE POTENTIAL FOR DIRECT AND INDIRECT HARM THAT MAY OCCUR TO  
13 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS THAT  
14 HAVE A CONNECTION TO NATURAL MEDICINE; AND

15 (d) ALTHOUGH THERE MAY BE TREMENDOUS POTENTIAL IN  
16 UTILIZING NATURAL MEDICINE FOR MANAGING VARIOUS MENTAL HEALTH  
17 CONDITIONS, HEALING, AND SPIRITUAL GROWTH, THIS POTENTIAL MUST BE  
18 APPROPRIATELY BALANCED WITH THE HEALTH AND SAFETY RISKS THAT IT  
19 COULD POSE TO CONSUMERS AS WELL AS THE CULTURAL HARMS IT COULD  
20 POSE TO INDIGENOUS AND TRADITIONAL COMMUNITIES THAT HAVE  
21 CONNECTIONS TO NATURAL MEDICINE.

22 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
23 **with amendments,** 12-170-103 as follows:

24 **12-170-103. Applicability of common provisions.** ARTICLES 1  
25 AND 20 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS  
26 ARTICLE 170.

27 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**

1       **with amendments**, 12-170-104 as follows:

2               **12-170-104. Definitions.** AS USED IN THIS ARTICLE 170, UNLESS  
3 THE CONTEXT OTHERWISE REQUIRES:

4               (1) "ADMINISTRATION SESSION" MEANS A SESSION CONDUCTED AT  
5 A HEALING CENTER, OR ANOTHER LOCATION AS ALLOWED BY THIS ARTICLE  
6 170 AND ARTICLE 50 OF TITLE 44, DURING WHICH A PARTICIPANT  
7 CONSUMES AND EXPERIENCES THE EFFECTS OF REGULATED NATURAL  
8 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT UNDER THE  
9 SUPERVISION OF A FACILITATOR.

10              (2) "BOARD" MEANS THE STATE NATURAL MEDICINE ADVISORY  
11 BOARD CREATED IN SECTION 12-170-106.

12              (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OR THE  
13 DIRECTOR'S DESIGNEE.

14              (4) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND  
15 OCCUPATIONS CREATED IN THE DEPARTMENT PURSUANT TO SECTION  
16 12-20-103.

17              (5) "FACILITATION" MEANS THE PERFORMANCE AND SUPERVISION  
18 OF NATURAL MEDICINE SERVICES FOR A PARTICIPANT.

19              (6) "FACILITATOR" MEANS AN INDIVIDUAL WHO IS TWENTY-ONE  
20 YEARS OF AGE OR OLDER; HAS THE NECESSARY QUALIFICATIONS,  
21 TRAINING, EXPERIENCE, AND KNOWLEDGE, AS REQUIRED PURSUANT TO  
22 THIS ARTICLE 170 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE  
23 170, TO PERFORM AND SUPERVISE NATURAL MEDICINE SERVICES FOR A  
24 PARTICIPANT; AND IS LICENSED BY THE DIRECTOR TO ENGAGE IN THE  
25 PRACTICE OF FACILITATION.

26              (7) "HEALING CENTER" MEANS AN ENTITY LICENSED BY THE STATE  
27 LICENSING AUTHORITY PURSUANT TO ARTICLE 50 OF TITLE 44 THAT

1 PERMITS A FACILITATOR TO PROVIDE AND SUPERVISE NATURAL MEDICINE  
2 SERVICES FOR A PARTICIPANT.

3 (8) "HEALTH-CARE FACILITY" MEANS AN ENTITY THAT IS  
4 LICENSED, CERTIFIED, OR OTHERWISE PERMITTED BY LAW TO ADMINISTER  
5 MEDICAL TREATMENT IN THIS STATE, INCLUDING A HOSPITAL, CLINIC,  
6 HOSPICE ENTITY, COMMUNITY MENTAL HEALTH CENTER, FEDERALLY  
7 QUALIFIED HEALTH CENTER, RURAL HEALTH CLINIC, ORGANIZATION  
8 PROVIDING A PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY,  
9 LONG-TERM CARE FACILITY, CONTINUING CARE RETIREMENT COMMUNITY,  
10 OR OTHER TYPE OF ENTITY WHERE HEALTH CARE IS PROVIDED.

11 (9) "INTEGRATION SESSION" MEANS A MEETING BETWEEN A  
12 PARTICIPANT AND FACILITATOR THAT OCCURS AFTER THE COMPLETION OF  
13 AN ADMINISTRATION SESSION.

14 (10) "LOCAL JURISDICTION" MEANS A COUNTY, MUNICIPALITY, OR  
15 CITY AND COUNTY.

16 (11) (a) "NATURAL MEDICINE" MEANS THE FOLLOWING  
17 SUBSTANCES:

18 (I) PSILOCYBIN; OR

19 (II) PSILOCYN.

20 (b) IN ADDITION TO THE SUBSTANCES LISTED IN SUBSECTION  
21 (11)(a) OF THIS SECTION, "NATURAL MEDICINE" INCLUDES:

22 (I) DIMETHYLTRYPTAMINE, IF RECOMMENDED BY THE BOARD AND  
23 APPROVED BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE  
24 LICENSING AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026;

25 (II) IBOGAIN, IF RECOMMENDED BY THE BOARD AND APPROVED  
26 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
27 AUTHORITY; OR

1 (III) Mescaline, if recommended by the board and approved  
2 by the director and the executive director of the state licensing  
3 authority for inclusion on or after June 1, 2026.

4 (c) "Natural medicine" does not mean a synthetic or  
5 synthetic analog of the substances listed in subsections (11)(a)  
6 and (11)(b) of this section, including a derivative of a naturally  
7 occurring compound of natural medicine that is produced using  
8 chemical synthesis, chemical modification, or chemical  
9 conversion.

10 (d) Notwithstanding subsection (11)(b)(III) of this section,  
11 "mescaline" does not include peyote, meaning all parts of the  
12 plant classified botanically as *Lophophora williamsii* Lemaire,  
13 whether growing or not; its seed; any extract from any part of  
14 the plant, and every compound, salt, derivative, mixture, or  
15 preparation of the plant; or its seeds or extracts.

16 (12) "Natural medicine product" means a product infused  
17 with natural medicine that is intended for consumption.

18 (13) "Natural medicine services" means a preparation  
19 session, administration session, and integration session provided  
20 pursuant to this article 170.

21 (14) "Participant" means an individual who is twenty-one  
22 years of age or older and who receives natural medicine  
23 services performed by and under the supervision of a facilitator.

24 (15) "Preparation session" means a meeting between a  
25 participant and facilitator that occurs before an  
26 administration session. "Preparation session" does not mean an  
27 initial consultation, an inquiry, or response about natural

1 MEDICINE SERVICES.

2 (16) "REGULATED NATURAL MEDICINE" MEANS NATURAL  
3 MEDICINE THAT IS CULTIVATED, MANUFACTURED, TESTED, STORED,  
4 DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED PURSUANT TO  
5 ARTICLE 50 OF TITLE 44.

6 (17) "REGULATED NATURAL MEDICINE PRODUCT" MEANS NATURAL  
7 MEDICINE PRODUCT THAT IS CULTIVATED, MANUFACTURED, TESTED,  
8 STORED, DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED  
9 PURSUANT TO ARTICLE 50 OF TITLE 44.

10 (18) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
11 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
12 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, AND ANY RIGHT  
13 OF USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
14 THEREWITH.

15 (19) "STATE LICENSING AUTHORITY" MEANS THE AUTHORITY  
16 CREATED FOR THE PURPOSE OF REGULATING AND CONTROLLING THE  
17 LICENSING OF THE CULTIVATION, MANUFACTURING, TESTING, STORING,  
18 DISTRIBUTION, TRANSPORTATION, TRANSFER, AND DISPENSATION OF  
19 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
20 PRODUCT IN THIS STATE PURSUANT TO SECTION 44-50-201.

21 **SECTION 4.** In Colorado Revised Statutes, **repeal and reenact,**  
22 **with amendments,** 12-170-105 as follows:

23 **12-170-105. Director powers and duties - prohibition - rules.**

24 (1) IN ADDITION TO ANY OTHER POWERS AND DUTIES GRANTED OR  
25 IMPOSED ON THE DIRECTOR PURSUANT TO THIS ARTICLE 170 OR BY ANY  
26 OTHER LAW, THE DIRECTOR HAS THE FOLLOWING POWERS AND DUTIES:

27 (a) TO PROMULGATE RULES PURSUANT TO SECTION 12-20-204

1 CONCERNING THE FOLLOWING SUBJECTS:

2 (I) REQUIREMENTS FOR THE SAFE PROVISION OF REGULATED  
3 NATURAL MEDICINE, REGULATED NATURAL MEDICINE PRODUCT, AND  
4 NATURAL MEDICINE SERVICES TO A PARTICIPANT, INCLUDING:

5 (A) PARAMETERS FOR A PREPARATION SESSION, AN  
6 ADMINISTRATION SESSION, AND AN INTEGRATION SESSION, INCLUDING  
7 REQUIREMENTS FOR PROVIDING AND VERIFYING THE COMPLETION OF EACH  
8 SESSION; WHETHER ANY OF THE SESSIONS MAY BE CONDUCTED USING  
9 TELEPHONE OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY; AND ANY  
10 TIMELINESS REQUIREMENTS FOR WHEN EACH SESSION MUST BE COMPLETED  
11 IN RELATION TO THE OTHER SESSIONS;

12 (B) HEALTH AND SAFETY WARNINGS THAT MUST BE PROVIDED TO  
13 A PARTICIPANT BEFORE THE PREPARATION SESSION, ADMINISTRATION  
14 SESSION, AND INTEGRATION SESSION BEGIN;

15 (C) EDUCATIONAL MATERIALS THAT MUST BE PROVIDED TO A  
16 PARTICIPANT BEFORE THE PREPARATION SESSION, ADMINISTRATION  
17 SESSION, AND INTEGRATION SESSION BEGIN;

18 (D) A FORM THAT A PARTICIPANT, FACILITATOR, AND AN  
19 AUTHORIZED REPRESENTATIVE OF THE HEALING CENTER MUST SIGN,  
20 UNLESS THE FACILITATOR IS A SOLE PRACTITIONER, THEN ONLY THE  
21 PARTICIPANT AND FACILITATOR MUST SIGN, BEFORE THE PREPARATION  
22 SESSION, ADMINISTRATION SESSION, AND INTEGRATION SESSION BEGIN. AT  
23 A MINIMUM, THE FORM MUST PROVIDE THAT THE PARTICIPANT PROVIDED  
24 THE PARTICIPANT'S COMPLETE AND ACCURATE HEALTH INFORMATION TO  
25 THE FACILITATOR AND THAT THE FACILITATOR PROVIDED TO THE  
26 PARTICIPANT IDENTIFIED RISK FACTORS BASED UPON THE PARTICIPANT'S  
27 PROVIDED HEALTH INFORMATION AND DRUG CONTRAINDICATIONS;

1 PARTICIPANT EXPECTATIONS OF THE NATURAL MEDICINE SERVICES;  
2 PARAMETERS FOR PHYSICAL CONTACT DURING NATURAL MEDICINE  
3 SERVICES, THE REQUIREMENT OF INFORMED CONSENT PERMITTING  
4 PHYSICAL CONTACT, AND THE RIGHT TO WITHDRAW CONSENT FOR  
5 PHYSICAL CONTACT; AND RISKS OF PARTICIPATING IN NATURAL MEDICINE  
6 SERVICES.

7 (E) PROPER SUPERVISION BY THE FACILITATOR DURING THE  
8 ADMINISTRATION SESSION, AND REQUIREMENTS TO ENSURE THAT THE  
9 PARTICIPANT HAS A DISCHARGE PLAN OR SAFE TRANSPORTATION FROM  
10 THE HEALING CENTER;

11 (F) PROVISIONS FOR GROUP ADMINISTRATION SESSIONS,  
12 INCLUDING REQUIREMENTS FOR AN ADMINISTRATION SESSION THAT HAS  
13 ONE OR MORE FACILITATORS PERFORMING AND SUPERVISING THE  
14 ADMINISTRATION SESSION FOR MORE THAN ONE PARTICIPANT;

15 (G) PROVISIONS TO PERMIT A FACILITATOR TO REFUSE TO PROVIDE  
16 NATURAL MEDICINE SERVICES TO A PERSON BASED UPON HEALTH AND  
17 SAFETY RISKS, OR CIRCUMSTANCES PROMULGATED BY RULE; AND

18 (H) THE DOSAGE LIMIT OF REGULATED NATURAL MEDICINE OR  
19 REGULATED NATURAL MEDICINE PRODUCT THAT MAY BE PROVIDED TO A  
20 PARTICIPANT FOR CONSUMPTION DURING AN ADMINISTRATION SESSION.

21 (II) REQUIREMENTS FOR THE LICENSING OF FACILITATORS,  
22 PRACTICE OF FACILITATION, AND PROFESSIONAL CONDUCT OF  
23 FACILITATORS, INCLUDING:

24 (A) THE FORM AND PROCEDURES FOR APPLYING FOR A NEW  
25 LICENSE OR RENEWING OR REINSTATING A LICENSE ISSUED PURSUANT TO  
26 THIS ARTICLE 170;

27 (B) THE EDUCATIONAL AND EXPERIENTIAL REQUIREMENTS AND

1 QUALIFICATIONS FOR AN INDIVIDUAL TO BECOME A FACILITATOR,  
2 INCLUDING EDUCATION AND TRAINING ON PARTICIPANT SAFETY, DRUG  
3 INTERACTIONS, CONTRAINDICATIONS, MENTAL HEALTH AND STATE,  
4 PHYSICAL HEALTH AND STATE, SOCIAL AND CULTURAL CONSIDERATIONS,  
5 PREPARATION, ADMINISTRATION, INTEGRATION, AND ETHICS. THE  
6 EDUCATIONAL REQUIREMENTS MUST NOT REQUIRE A PROFESSIONAL  
7 LICENSE OR PROFESSIONAL DEGREE OTHER THAN A FACILITATOR LICENSE  
8 ISSUED PURSUANT TO THIS ARTICLE 170, EXCEPT THAT IF THERE ARE  
9 MULTIPLE TIERS OF FACILITATOR LICENSES, AN ADVANCED TIER OF  
10 FACILITATOR LICENSES MAY REQUIRE ANOTHER PROFESSIONAL LICENSE OR  
11 PROFESSIONAL DEGREE;

12 (C) OVERSIGHT AND SUPERVISION REQUIREMENTS, INCLUDING  
13 PROFESSIONAL RESPONSIBILITY STANDARDS AND CONTINUING EDUCATION  
14 REQUIREMENTS;

15 (D) ESTABLISHMENT OF PROFESSIONAL STANDARDS OF CONDUCT  
16 TO PRACTICE FACILITATION, OR A LICENSE, REGISTRATION, PERMIT, OR  
17 CERTIFICATION PURSUANT TO THIS ARTICLE 170;

18 (E) PARAMETERS FOR PHYSICAL CONTACT WITH A PARTICIPANT  
19 DURING NATURAL MEDICINE SERVICES, INCLUDING REQUIREMENTS FOR  
20 OBTAINING SIGNED INFORMED CONSENT FOR PERMISSIBLE PHYSICAL  
21 CONTACT AND PERMITTING A PARTICIPANT TO WITHDRAW CONSENT FOR  
22 PERMISSIBLE PHYSICAL CONTACT WITH A PARTICIPANT IN ANY MANNER  
23 AND AT ANY TIME;

24 (F) PERMITTING REMUNERATION FOR THE PROVISION OF NATURAL  
25 MEDICINE SERVICES;

26 (G) PERMITTING PROVISION OF GROUP ADMINISTRATION SESSIONS  
27 BY ONE FACILITATOR WHO IS PERFORMING AND SUPERVISING THE

1 ADMINISTRATION SESSION FOR MORE THAN ONE PARTICIPANT, AND  
2 ESTABLISH A LIMIT ON THE TOTAL NUMBER OF PARTICIPANTS WHO MAY  
3 PARTICIPATE IN A GROUP ADMINISTRATION SESSION THAT IS PERFORMED  
4 AND SUPERVISED BY ONE FACILITATOR;

5 (H) RECORD-KEEPING, PRIVACY, AND CONFIDENTIALITY  
6 REQUIREMENTS FOR LICENSEES, REGISTRANTS, PERMITTEES, AND  
7 CERTIFICATE HOLDERS, INCLUDING PROTECTIONS PREVENTING DISCLOSURE  
8 OF A PROSPECTIVE PARTICIPANT'S OR PARTICIPANT'S PERSONALLY  
9 IDENTIFIABLE INFORMATION TO THE PUBLIC, THIRD PARTIES, OR ANY  
10 GOVERNMENT AGENCY, EXCEPT AS ALLOWED FOR PURPOSES EXPRESSLY  
11 STATED PURSUANT TO THIS ARTICLE 170, RULES PROMULGATED PURSUANT  
12 TO THIS ARTICLE 170, ARTICLE 50 OF TITLE 44, OR RULES PROMULGATED  
13 PURSUANT TO ARTICLE 50 OF TITLE 44. THE INFORMATION OR RECORDS  
14 RELATED TO A PARTICIPANT CONSTITUTE MEDICAL DATA AS DESCRIBED IN  
15 SECTION 24-72-204 (3)(a)(I), AND THE INFORMATION OR RECORDS MAY  
16 ONLY BE DISCLOSED TO THOSE PERSONS DIRECTLY INVOLVED WITH AN  
17 ACTIVE INVESTIGATION OR PROCEEDING.

18 (I) PARAMETERS FOR A FACILITATOR'S PERMISSIBLE AND  
19 PROHIBITED FINANCIAL INTERESTS IN A HEALING CENTER, LICENSE  
20 PURSUANT TO THIS ARTICLE 170, OR LICENSE PURSUANT TO ARTICLE 50 OF  
21 TITLE 44; EXCEPT THAT A FACILITATOR MAY NOT HAVE A FINANCIAL  
22 INTEREST IN MORE THAN THREE NATURAL MEDICINE BUSINESS LICENSES  
23 PURSUANT TO ARTICLE 50 OF TITLE 44.

24 (J) PARAMETERS FOR A FACILITATOR TO PROVIDE AND SUPERVISE  
25 NATURAL MEDICINE SERVICES AT AN AUTHORIZED LOCATION THAT IS NOT  
26 A HEALING CENTER'S LICENSED PREMISES, INCLUDING A HEALTH-CARE  
27 FACILITY OR A PRIVATE RESIDENCE;

1 (K) STANDARDS FOR ADVERTISING AND MARKETING A LICENSEE'S  
2 SERVICES, INCLUDING: AVOIDING THE MISAPPROPRIATION AND  
3 EXPLOITATION OF INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND  
4 RELIGIONS; AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL  
5 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
6 SERVICES; PROHIBITING ADVERTISING AND MARKETING OF NATURAL  
7 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
8 SERVICES DIRECTED TO INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS  
9 OF AGE; AND OTHER PARAMETERS DETERMINED NECESSARY BY THE  
10 DIRECTOR.

11 (III) ANY RULES NECESSARY TO DIFFERENTIATE BETWEEN THE  
12 TYPES OF REGULATED NATURAL MEDICINE OR REGULATED NATURAL  
13 MEDICINE PRODUCT PROVIDED FOR PARTICIPANT CONSUMPTION DURING AN  
14 ADMINISTRATION SESSION BASED ON QUALITIES, TRADITIONAL USES, AND  
15 SAFETY PROFILE;

16 (IV) ANY RULES DETERMINED NECESSARY BY THE DIRECTOR  
17 RELATED TO THE POWERS OR DUTIES GRANTED OR IMPOSED ON THE  
18 DIRECTOR PURSUANT TO THIS ARTICLE 170 OR BY ANY OTHER LAW; AND

19 (V) ANY OTHER MATTERS DETERMINED NECESSARY BY THE  
20 DIRECTOR TO IMPLEMENT OR ADMINISTER THIS ARTICLE 170.

21 (b) BEGINNING ON OR BEFORE DECEMBER 31, 2024, TO REVIEW  
22 APPLICATIONS IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR  
23 FOR NEW LICENSES, REGISTRATIONS, PERMITS, OR CERTIFICATES AFTER  
24 PAYMENT OF THE REQUIRED FEE AND TO GRANT OR DENY LICENSES,  
25 REGISTRATIONS, PERMITS, OR CERTIFICATES AS PROVIDED IN THIS ARTICLE  
26 170 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 170. THE  
27 DIVISION SHALL PRIORITIZE REVIEWING APPLICATIONS FROM APPLICANTS

1 WHO HAVE ESTABLISHED RESIDENCY IN COLORADO.

2 (c) TO ESTABLISH LICENSES, REGISTRATIONS, PERMITS, OR  
3 CERTIFICATES DETERMINED NECESSARY BY THE DIRECTOR TO IMPLEMENT  
4 OR ADMINISTER THIS ARTICLE 170, AND TO ESTABLISH ELIGIBILITY  
5 REQUIREMENTS AND PRIVILEGES UNDER THE LICENSES, REGISTRATIONS,  
6 PERMITS, OR CERTIFICATES;

7 (d) TO ESTABLISH, WHEN FINANCIALLY FEASIBLE, PROCEDURES,  
8 POLICIES, AND PROGRAMS TO ENSURE THIS ARTICLE 170 AND RULES  
9 PROMULGATED PURSUANT TO THIS ARTICLE 170 ARE EQUITABLE AND  
10 INCLUSIVE AND PROMOTE THE LICENSING, REGISTRATION, AND PERMITTING  
11 OF, AND PROVISION OF NATURAL MEDICINE AND NATURAL MEDICINE  
12 PRODUCT TO, PERSONS FROM COMMUNITIES THAT HAVE BEEN  
13 DISPROPORTIONATELY HARMED BY HIGH RATES OF ARREST FOR  
14 CONTROLLED SUBSTANCES, PERSONS WHO FACE BARRIERS TO  
15 HEALTH-CARE ACCESS, PERSONS WHO HAVE TRADITIONAL OR INDIGENOUS  
16 HISTORY WITH NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, OR  
17 TO PERSONS WHO ARE VETERANS. THE DIRECTOR MAY CONSULT THE  
18 BOARD WHEN CONSIDERING PROCEDURES, POLICIES, AND PROGRAMS  
19 PURSUANT TO THIS SUBSECTION (1)(d).

20 (e) TO CONDUCT INVESTIGATIONS AND HEARINGS, GATHER  
21 EVIDENCE, AND PURSUE DISCIPLINARY ACTIONS PURSUANT TO SECTIONS  
22 12-20-403, 12-20-404, AND 24-4-105, AND THIS ARTICLE 170, WITH  
23 RESPECT TO LICENSES, REGISTRATIONS, PERMITS, OR CERTIFICATES WHEN  
24 THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT AN INDIVIDUAL  
25 OR ENTITY IS VIOLATING THIS ARTICLE 170 OR A RULE PROMULGATED  
26 PURSUANT TO THIS ARTICLE 170;

27 (f) TO TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED IN

1 SECTION 12-20-404 OR LIMIT THE SCOPE OF PRACTICE OF AN APPLICANT,  
2 LICENSEE, REGISTRANT, PERMITTEE, OR CERTIFICATE HOLDER UPON PROOF  
3 OF A VIOLATION OF THIS ARTICLE 170 OR A RULE PROMULGATED  
4 PURSUANT TO THIS ARTICLE 170;

5 (g) TO ISSUE CEASE-AND-DESIST ORDERS UNDER THE  
6 CIRCUMSTANCES AND IN ACCORDANCE WITH THE PROCEDURES SPECIFIED  
7 IN SECTION 12-20-405;

8 (h) (I) TO PETITION A DISTRICT COURT FOR AN INVESTIGATIVE  
9 SUBPOENA APPLICABLE TO A PERSON WHO IS NOT LICENSED, REGISTERED,  
10 PERMITTED, OR CERTIFIED PURSUANT TO THIS ARTICLE 170 TO OBTAIN  
11 DOCUMENTS OR INFORMATION NECESSARY TO ENFORCE A PROVISION OF  
12 THIS ARTICLE 170 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE  
13 170 AFTER REASONABLE EFFORTS HAVE BEEN MADE TO OBTAIN  
14 REQUESTED DOCUMENTS OR INFORMATION WITHOUT A SUBPOENA;

15 (II) TO APPLY TO ANY COURT OF COMPETENT JURISDICTION TO  
16 TEMPORARILY RESTRAIN OR PRELIMINARILY OR PERMANENTLY ENJOIN THE  
17 ACT IN QUESTION OF AN INDIVIDUAL WHO OR ENTITY THAT IS NOT  
18 LICENSED, REGISTERED, PERMITTED, OR CERTIFIED PURSUANT TO THIS  
19 ARTICLE 170 AND TO ENFORCE COMPLIANCE WITH THIS ARTICLE 170 OR A  
20 RULE PROMULGATED PURSUANT TO THIS ARTICLE 170 WHENEVER IT  
21 APPEARS TO THE DIRECTOR UPON SUFFICIENT EVIDENCE SATISFACTORY TO  
22 THE DIRECTOR THAT AN INDIVIDUAL OR ENTITY HAS BEEN OR IS  
23 COMMITTING AN ACT PROHIBITED BY THIS ARTICLE 170 OR A RULE  
24 PROMULGATED PURSUANT TO THIS ARTICLE 170, AND THE ACT:

25 (A) THREATENS PUBLIC HEALTH OR SAFETY; OR

26 (B) CONSTITUTES AN UNLAWFUL ACT FOR WHICH THE INDIVIDUAL  
27 OR ENTITY DOES NOT HOLD THE REQUIRED LICENSE, REGISTRATION,

1 PERMIT, OR CERTIFICATE PURSUANT TO THIS ARTICLE 170 OR A RULE  
2 PROMULGATED PURSUANT TO THIS ARTICLE 170;

3 (i) TO MAINTAIN AND UPDATE AN ONLINE LIST THAT IS ACCESSIBLE  
4 TO THE PUBLIC OF LICENSEES, REGISTRANTS, PERMITTEES, AND  
5 CERTIFICATE HOLDERS THAT INCLUDES WHETHER THE LICENSEE,  
6 REGISTRANT, PERMITTEE, OR CERTIFICATE HOLDER HAS HAD ITS LICENSE,  
7 REGISTRATION, PERMIT, OR CERTIFICATE LIMITED, SUSPENDED, OR  
8 REVOKED IN ACCORDANCE WITH A DISCIPLINARY ACTION PURSUANT TO  
9 THIS ARTICLE 170;

10 (j) IN COORDINATION WITH THE STATE LICENSING AUTHORITY  
11 PURSUANT TO SECTION 44-50-202 (1)(k), ANNUALLY PUBLISH A PUBLICLY  
12 AVAILABLE REPORT CONCERNING THE IMPLEMENTATION AND  
13 ADMINISTRATION OF THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44. THE  
14 REPORT MUST USE RELEVANT DATA, AS DETERMINED BY THE DIRECTOR  
15 AND THE STATE LICENSING AUTHORITY, AND MUST NOT DISCLOSE THE  
16 IDENTITY OF ANY PARTICIPANT OR INCLUDE ANY INFORMATION THAT  
17 COULD DISCLOSE THE IDENTITY OF A PARTICIPANT.

18 (k) PERFORM OTHER FUNCTIONS AND DUTIES NECESSARY TO  
19 ADMINISTER THIS ARTICLE 170.

20 (2) THE DIRECTOR SHALL CONSULT THE BOARD WHEN  
21 CONSIDERING AND PROMULGATING RULES PURSUANT TO THIS ARTICLE 170.

22 (3) THE DIVISION HAS AUTHORITY TO COLLECT AVAILABLE AND  
23 RELEVANT DATA NECESSARY TO PERFORM FUNCTIONS AND DUTIES  
24 NECESSARY TO ADMINISTER THIS ARTICLE 170.

25 (4) THE DIRECTOR OR A DIVISION EMPLOYEE WITH REGULATORY  
26 OVERSIGHT RESPONSIBILITIES FOR LICENSEES, PERMITTEES, REGISTRANTS,  
27 OR CERTIFICATE HOLDERS PURSUANT TO THIS ARTICLE 170 SHALL NOT

1 WORK FOR, REPRESENT, PROVIDE CONSULTING SERVICES TO, OR  
2 OTHERWISE DERIVE PECUNIARY GAIN FROM A LICENSEE, PERMITTEE,  
3 REGISTRANT, OR CERTIFICATE HOLDER THAT IS REGULATED PURSUANT TO  
4 THIS ARTICLE 170 OR ANY OTHER BUSINESS ESTABLISHED FOR THE  
5 PRIMARY PURPOSE OF PROVIDING SERVICES TO THE NATURAL MEDICINE  
6 INDUSTRY FOR A PERIOD OF SIX MONTHS AFTER THE EMPLOYEE'S LAST DAY  
7 OF EMPLOYMENT WITH THE DIVISION.

8 **SECTION 5.** In Colorado Revised Statutes, **repeal and reenact,**  
9 **with amendments,** 12-170-106 as follows:

10 **12-170-106. Board - creation - appointment - duties - report.**

11 (1) THERE IS CREATED WITHIN THE DIVISION A NATURAL MEDICINE  
12 ADVISORY BOARD, WHICH CONSISTS OF FIFTEEN MEMBERS, TO ADVISE THE  
13 DIVISION AND THE STATE LICENSING AUTHORITY CONCERNING THE  
14 IMPLEMENTATION OF THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44.

15 (2) THE GOVERNOR SHALL APPOINT INITIAL BOARD MEMBERS ON  
16 OR BEFORE JANUARY 31, 2023, WITH CONSENT OF THE SENATE. THE  
17 MEMBERS MUST INCLUDE:

18 (a) SEVEN MEMBERS WITH SIGNIFICANT EXPERTISE AND  
19 EXPERIENCE IN ONE OR MORE OF THE FOLLOWING AREAS: NATURAL  
20 MEDICINE THERAPY, MEDICINE, AND RESEARCH; MYCOLOGY AND NATURAL  
21 MEDICINE CULTIVATION; LICENSEE QUALIFICATIONS; EMERGENCY MEDICAL  
22 SERVICES AND SERVICES PROVIDED BY FIRST RESPONDERS; MENTAL AND  
23 BEHAVIORAL HEALTH CARE; HEALTH-CARE INSURANCE AND HEALTH-CARE  
24 POLICY; AND PUBLIC HEALTH, DRUG POLICY, AND HARM REDUCTION; AND

25 (b) EIGHT MEMBERS WITH SIGNIFICANT EXPERTISE AND  
26 EXPERIENCE IN ONE OR MORE OF THE FOLLOWING AREAS: RELIGIOUS USE  
27 OF NATURAL MEDICINES; ISSUES CONFRONTING VETERANS; TRADITIONAL

1 INDIGENOUS USE OF NATURAL MEDICINES; LEVELS AND DISPARITIES IN  
2 ACCESS TO HEALTH-CARE SERVICES AMONG DIFFERENT COMMUNITIES;  
3 AND PAST CRIMINAL JUSTICE REFORM EFFORTS IN COLORADO. AT LEAST  
4 ONE OF THE EIGHT MEMBERS MUST HAVE EXPERTISE OR EXPERIENCE IN  
5 TRADITIONAL INDIGENOUS USE OF NATURAL MEDICINES.

6 (3) THE BOARD INCLUDES THE EXECUTIVE DIRECTOR OF THE  
7 DEPARTMENT OF REVENUE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
8 SERVING AS A NON-VOTING MEMBER.

9 (4) (a) FOR THE INITIAL BOARD, SEVEN OF THE MEMBERS ARE  
10 APPOINTED TO A TERM OF TWO YEARS AND EIGHT MEMBERS ARE  
11 APPOINTED TO A TERM OF FOUR YEARS AS DESIGNATED IN THE  
12 GOVERNOR'S APPOINTMENT.

13 (b) AT THE EXPIRATION OF THE TERMS OF THE MEMBERS OF THE  
14 INITIAL BOARD PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE  
15 GOVERNOR SHALL APPOINT MEMBERS TO THE BOARD, WITHOUT CONSENT  
16 OF THE SENATE. EACH MEMBER APPOINTED BY THE GOVERNOR IS  
17 APPOINTED TO A TERM OF FOUR YEARS.

18 (c) EXCEPT FOR THE EXECUTIVE DIRECTOR OF THE STATE  
19 LICENSING AUTHORITY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
20 MEMBERS OF THE BOARD MAY SERVE UP TO TWO CONSECUTIVE TERMS.  
21 MEMBERS ARE SUBJECT TO REMOVAL FOR MISCONDUCT, INCOMPETENCE,  
22 NEGLECT OF DUTY, OR UNPROFESSIONAL CONDUCT.

23 (5) THE BOARD SHALL MAKE RECOMMENDATIONS TO THE  
24 DIRECTOR AND STATE LICENSING AUTHORITY RELATED TO, BUT NOT  
25 LIMITED TO, THE FOLLOWING AREAS:

26 (a) ACCURATE PUBLIC HEALTH APPROACHES REGARDING USE,  
27 EFFECT, AND RISK REDUCTION FOR NATURAL MEDICINE AND NATURAL

1 MEDICINE PRODUCT AND THE CONTENT AND SCOPE OF EDUCATIONAL  
2 CAMPAIGNS RELATED TO NATURAL MEDICINE AND NATURAL MEDICINE  
3 PRODUCT;

4 (b) RESEARCH RELATED TO THE EFFICACY AND REGULATION OF  
5 NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT, INCLUDING  
6 RECOMMENDATIONS RELATED TO PRODUCT SAFETY, HARM REDUCTION,  
7 AND CULTURAL RESPONSIBILITY;

8 (c) THE PROPER CONTENT OF TRAINING PROGRAMS, EDUCATIONAL  
9 AND EXPERIENTIAL REQUIREMENTS, AND QUALIFICATIONS FOR  
10 FACILITATORS. WHEN CONSIDERING RECOMMENDATIONS MADE PURSUANT  
11 TO THIS SUBSECTION (5)(c), THE BOARD MAY CONSIDER:

12 (I) TIERED FACILITATOR LICENSING, FOR THE PURPOSE OF  
13 REQUIRING VARYING LEVELS OF EDUCATION AND TRAINING DEPENDENT  
14 UPON THE TYPE OF PARTICIPANT THAT THE FACILITATOR WILL BE  
15 PROVIDING SERVICES TO AND THE TYPE OF SERVICES THE FACILITATOR  
16 WILL BE PROVIDING;

17 (II) LIMITED WAIVERS OF EDUCATION AND TRAINING  
18 REQUIREMENTS BASED UPON THE APPLICANT'S PRIOR EXPERIENCE,  
19 TRAINING, OR SKILLS, INCLUDING BUT NOT LIMITED TO NATURAL MEDICINE  
20 OR NATURAL MEDICINE PRODUCT; AND

21 (III) THE REMOVAL OF UNREASONABLE FINANCIAL OR LOGISTICAL  
22 BARRIERS THAT MAKE OBTAINING A FACILITATOR LICENSE COMMERCIALY  
23 UNREASONABLE FOR INDIVIDUALS, INCLUDING LOW-INCOME INDIVIDUALS.

24 (d) AFFORDABLE, EQUITABLE, ETHICAL, AND CULTURALLY  
25 RESPONSIBLE ACCESS TO NATURAL MEDICINE AND NATURAL MEDICINE  
26 PRODUCT AND REQUIREMENTS TO ENSURE THIS ARTICLE 170 IS EQUITABLE  
27 AND INCLUSIVE. IN PERFORMING THIS REQUIREMENT, THE BOARD MAY

1 CONSIDER MAKING RECOMMENDATIONS ON WAYS TO REDUCE THE COSTS  
2 OF LICENSURE FOR LOW-INCOME INDIVIDUALS, FOR PROVIDING INCENTIVES  
3 FOR THE PROVISION OF NATURAL MEDICINE SERVICES AT A REDUCED COST  
4 TO INDIVIDUALS WITH LOW INCOME, AND PROVIDING INCENTIVES FOR THE  
5 PROVISION OF NATURAL MEDICINE SERVICES IN GEOGRAPHIC AND  
6 CULTURALLY DIVERSE REGIONS OF THE STATE.

7 (e) APPROPRIATE REGULATORY CONSIDERATIONS FOR EACH TYPE  
8 OF NATURAL MEDICINE, AND THE PREPARATION SESSION, ADMINISTRATION  
9 SESSION, AND INTEGRATION SESSION;

10 (f) THE ADDITION OF OTHER TYPES OF NATURAL MEDICINE TO THIS  
11 ARTICLE 170 AND ARTICLE 50 OF TITLE 44 PURSUANT TO SECTION  
12 12-170-104 (11)(b)(I), (11)(b)(II), OR (11)(b)(III) BASED ON AVAILABLE  
13 MEDICAL, PSYCHOLOGICAL, AND SCIENTIFIC STUDIES, RESEARCH, AND  
14 OTHER INFORMATION RELATED TO THE SAFETY AND EFFICACY OF EACH  
15 NATURAL MEDICINE, AND SHALL PRIORITIZE CONSIDERING THE ADDITION  
16 OF IBOGAINE PURSUANT TO SECTION 12-170-104 (11)(b)(II), TO THIS  
17 ARTICLE 170, AND ARTICLE 50 OF TITLE 44;

18 (g) ALL RULES TO BE PROMULGATED BY THE DIRECTOR PURSUANT  
19 TO THIS ARTICLE 170, AND THE STATE LICENSING AUTHORITY PURSUANT  
20 TO ARTICLE 50 OF TITLE 44; AND

21 (h) REQUIREMENTS FOR ACCURATE AND COMPLETE DATA  
22 COLLECTION, REPORTING, AND PUBLICATION OF INFORMATION RELATED TO  
23 THE IMPLEMENTATION OF THIS ARTICLE 170.

24 (6) THE BOARD SHALL, ON AN ONGOING BASIS, REVIEW AND  
25 EVALUATE EXISTING RESEARCH, STUDIES, AND REAL-WORLD DATA  
26 RELATED TO NATURAL MEDICINE AND MAKE RECOMMENDATIONS TO THE  
27 GENERAL ASSEMBLY AND OTHER RELEVANT STATE AGENCIES AS TO

1 WHETHER NATURAL MEDICINE, NATURAL MEDICINE PRODUCT, NATURAL  
2 MEDICINE SERVICES, AND ASSOCIATED SERVICES SHOULD BE COVERED  
3 UNDER HEALTH FIRST COLORADO OR OTHER INSURANCE PROGRAMS AS A  
4 COST-EFFECTIVE INTERVENTION FOR VARIOUS MENTAL HEALTH  
5 CONDITIONS, INCLUDING, BUT NOT LIMITED TO, END-OF-LIFE DISTRESS,  
6 SUBSTANCE USE DISORDER, ALCOHOL USE DISORDER, DEPRESSIVE  
7 DISORDERS, NEUROLOGICAL DISORDERS, CLUSTER HEADACHES, AND  
8 POST-TRAUMATIC STRESS DISORDER.

9 (7) THE BOARD SHALL, ON AN ONGOING BASIS, REVIEW AND  
10 EVALUATE SUSTAINABILITY ISSUES RELATED TO NATURAL MEDICINE AND  
11 NATURAL MEDICINE PRODUCT AND THE IMPACT ON INDIGENOUS CULTURES  
12 AND DOCUMENT EXISTING RECIPROCITY EFFORTS AND CONTINUING  
13 SUPPORT MEASURES THAT ARE NEEDED.

14 (8) THE BOARD SHALL PUBLISH AN ANNUAL REPORT DESCRIBING  
15 ITS ACTIVITIES, INCLUDING THE RECOMMENDATIONS AND ADVICE  
16 PROVIDED TO THE DIRECTOR, THE STATE LICENSING AUTHORITY, AND THE  
17 GENERAL ASSEMBLY.

18 (9) THE DIVISION SHALL PROVIDE REASONABLE REQUESTED  
19 TECHNICAL, LOGISTICAL, AND OTHER SUPPORT TO THE BOARD TO ASSIST  
20 THE BOARD WITH ITS DUTIES AND OBLIGATIONS.

21 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**  
22 **with amendments,** 12-170-107 as follows:

23 **12-170-107. Indigenous community working group - creation**  
24 **- duties.** (1) THE DIRECTOR SHALL ESTABLISH AN INDIGENOUS  
25 COMMUNITY WORKING GROUP FOR THE PURPOSE OF ENGAGING AND  
26 CREATING A DIALOGUE TO IDENTIFY ISSUES RELATED TO THE  
27 COMMERCIALIZATION OF NATURAL MEDICINE, NATURAL MEDICINE

1 PRODUCT, AND NATURAL MEDICINE SERVICES FOR INDIGENOUS PEOPLE,  
2 COMMUNITIES, CULTURES, AND RELIGIONS. THE COMMUNITY WORKING  
3 GROUP SHALL STUDY THE FOLLOWING:

4 (a) AVOIDING THE MISAPPROPRIATION AND EXPLOITATION OF  
5 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS;

6 (b) AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL  
7 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
8 SERVICES;

9 (c) ANY CONSERVATION ISSUES ASSOCIATED WITH THE  
10 LEGALIZATION AND REGULATION OF NATURAL MEDICINE OR NATURAL  
11 MEDICINE PRODUCT, INCLUDING THE POTENTIAL FOR FURTHER DEPLETION  
12 OF PEYOTE DUE TO PEYOTE BEING A SOURCE OF MESCALINE; AND

13 (d) BEST PRACTICES AND OPEN COMMUNICATION TO BUILD TRUST  
14 AND UNDERSTANDING BETWEEN INDIGENOUS PEOPLE AND COMMUNITIES,  
15 THE BOARD, THE DIVISION, THE STATE LICENSING AUTHORITY, AND LAW  
16 ENFORCEMENT AGENCIES, FOR THE PURPOSE OF AVOIDING UNNECESSARY  
17 BURDENS AND CRIMINALIZATION OF TRADITIONAL INDIGENOUS USES OF  
18 NATURAL MEDICINE.

19 (2) THE WORKING GROUP SHALL ADVISE THE BOARD AND THE  
20 DIVISION ON ITS FINDINGS AND RECOMMENDATIONS PURSUANT TO THE  
21 SUBJECTS IDENTIFIED IN SUBSECTION (1) OF THIS SECTION.

22 (3) THE DIRECTOR IS ENCOURAGED TO ENGAGE WITH INDIGENOUS  
23 PEOPLE WHO HAVE SIGNIFICANT EXPERIENCE WITH TRADITIONAL USE OF  
24 NATURAL MEDICINE AND OTHER PERSONS DEEMED NECESSARY BY THE  
25 DIRECTOR FOR THE PURPOSE OF THIS SECTION.

26 **SECTION 7.** In Colorado Revised Statutes, **repeal and reenact,**  
27 **with amendments,** 12-170-108 as follows:

1           **12-170-108. License required - unauthorized practice -**  
2           **mandatory disclosure of information - rule.** (1) AN INDIVIDUAL SHALL  
3           NOT ENGAGE IN FACILITATION, OR REPRESENT TO THE PUBLIC OR IDENTIFY  
4           THE INDIVIDUAL'S SELF AS A FACILITATOR, IN THIS STATE UNTIL THE  
5           INDIVIDUAL HAS RECEIVED A LICENSE FROM THE DIRECTOR.

6           (2) A FACILITATOR SHALL CONSPICUOUSLY DISPLAY THE LICENSE  
7           ISSUED BY THE DIRECTOR IN THE HEALING CENTER, INCLUDING  
8           INFORMATION CONCERNING HOW TO FILE A COMPLAINT AGAINST THE  
9           FACILITATOR WITH THE DIRECTOR.

10          (3) EVERY LICENSEE, PERMITTEE, REGISTRANT, OR CERTIFICATE  
11          HOLDER SHALL PROVIDE THE FOLLOWING INFORMATION IN WRITING TO  
12          EACH PARTICIPANT PRIOR TO A PREPARATION SESSION, ADMINISTRATION  
13          SESSION, AND INTEGRATION SESSION:

14               (a) THE NAME, ADDRESS, AND PHONE NUMBER OF THE LICENSEE,  
15               PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER;

16               (b) AN EXPLANATION OF THE REGULATIONS APPLICABLE TO THE  
17               LICENSEE, PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER PURSUANT  
18               TO THIS ARTICLE 170 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE  
19               170;

20               (c) A LISTING OF TRAINING, EDUCATIONAL AND EXPERIENTIAL  
21               REQUIREMENTS, AND QUALIFICATIONS THE LICENSEE, PERMITTEE,  
22               REGISTRANT, OR CERTIFICATE HOLDER PURSUANT TO THIS ARTICLE 170 OR  
23               RULES PROMULGATED PURSUANT TO THIS ARTICLE 170 SATISFIED IN ORDER  
24               TO OBTAIN A LICENSE, PERMIT, REGISTRATION, OR CERTIFICATE;

25               (d) A STATEMENT INDICATING THAT THE LICENSEE, PERMITTEE,  
26               REGISTRANT, OR CERTIFICATE HOLDER IS REGULATED BY THE DIVISION,  
27               AND AN ADDRESS AND TELEPHONE NUMBER FOR THE DIVISION; AND

1 (e) A STATEMENT INDICATING THAT THE PARTICIPANT IS ENTITLED  
2 TO RECEIVE INFORMATION ABOUT NATURAL MEDICINE SERVICES, MAY  
3 TERMINATE NATURAL MEDICINE SERVICES AT ANY TIME, AND MAY  
4 TERMINATE PREVIOUSLY PROVIDED INFORMED CONSENT FOR PHYSICAL  
5 CONTACT AT ANY TIME.

6 (4) NOTHING IN THIS SECTION PROHIBITS AN INDIVIDUAL FROM  
7 PERFORMING A BONA FIDE RELIGIOUS, CULTURALLY TRADITIONAL, OR  
8 SPIRITUAL CEREMONY, IF THE INDIVIDUAL DOES NOT RECEIVE  
9 REMUNERATION, INFORMS AN INDIVIDUAL ENGAGING IN THE CEREMONY  
10 THAT THE INDIVIDUAL IS NOT A LICENSED FACILITATOR, AND THAT THE  
11 CEREMONY IS NOT ASSOCIATED WITH COMMERCIAL, BUSINESS, OR  
12 FOR-PROFIT ACTIVITY.

13 **SECTION 8.** In Colorado Revised Statutes, **repeal and reenact,**  
14 **with amendments,** 12-170-109 as follows:

15 **12-170-109. Grounds for discipline.** (1) THE DIRECTOR MAY  
16 TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED IN SECTION  
17 12-20-404 UPON PROOF THAT THE LICENSEE, PERMITTEE, REGISTRANT, OR  
18 CERTIFICATE HOLDER:

19 (a) VIOLATED A PROVISION OF THIS ARTICLE 170 OR A RULE  
20 PROMULGATED PURSUANT TO THIS ARTICLE 170;

21 (b) HAS BEEN CONVICTED OF OR HAS ENTERED A PLEA OF NOLO  
22 CONTENDERE TO A FELONY. IN CONSIDERING THE CONVICTION OF OR THE  
23 PLEA TO ANY SUCH CRIME, THE DIRECTOR SHALL BE GOVERNED BY THE  
24 PROVISIONS OF SECTIONS 12-20-202 (5) AND 24-5-101.

25 (c) MADE ANY MISSTATEMENT ON AN APPLICATION FOR A LICENSE,  
26 REGISTRATION, OR PERMIT TO PRACTICE PURSUANT TO THIS ARTICLE 170  
27 OR ATTEMPTED TO OBTAIN A LICENSE, REGISTRATION, PERMIT, OR

1 CERTIFICATE TO PRACTICE BY FRAUD, DECEPTION, OR  
2 MISREPRESENTATION;

3 (d) COMMITTED AN ACT OR FAILED TO PERFORM AN ACT  
4 NECESSARY TO MEET THE GENERALLY ACCEPTED PROFESSIONAL  
5 STANDARDS OF CONDUCT TO PRACTICE A PROFESSION LICENSED PURSUANT  
6 TO THIS ARTICLE 170 OR PROMULGATED BY RULE PURSUANT TO  
7 12-170-105 (1)(a)(II)(D), INCLUDING PERFORMING SERVICES OUTSIDE OF  
8 THE PERSON'S AREA OF TRAINING, EXPERIENCE, OR COMPETENCE;

9 (e) EXCESSIVELY OR HABITUALLY USES OR ABUSES ALCOHOL OR  
10 CONTROLLED SUBSTANCES;

11 (f) VIOLATED ANY OF THE PROVISIONS OF THIS ARTICLE 170, AN  
12 APPLICABLE PROVISION OF ARTICLE 20 OF THIS TITLE 12, OR ANY VALID  
13 ORDER OF THE DIRECTOR;

14 (g) IS GUILTY OF UNPROFESSIONAL OR DISHONEST CONDUCT;

15 (h) ADVERTISES BY MEANS OF FALSE OR DECEPTIVE STATEMENT;

16 (i) FAILS TO DISPLAY THE LICENSE AS PROVIDED IN SECTION  
17 12-170-108 (2);

18 (j) FAILS TO COMPLY WITH THE RULES PROMULGATED BY THE  
19 DIRECTOR PURSUANT TO THIS ARTICLE 170;

20 (k) IS GUILTY OF WILLFUL MISREPRESENTATION;

21 (l) FAILS TO DISCLOSE TO THE DIRECTOR WITHIN FORTY-FIVE DAYS  
22 A CONVICTION FOR A FELONY OR ANY CRIME THAT IS RELATED TO THE  
23 PRACTICE AS A FACILITATOR;

24 (m) AIDS OR ABETS THE UNLICENSED PRACTICE OF FACILITATION;

25 OR

26 (n) FAILS TO TIMELY RESPOND TO A COMPLAINT SENT BY THE  
27 DIRECTOR PURSUANT TO SECTION 12-170-110.

1           **SECTION 9.** In Colorado Revised Statutes, **repeal and reenact,**  
2 **with amendments,** 12-170-110 as follows:

3           **12-170-110. Disciplinary proceedings - administrative law**  
4 **judges - judicial review.** (1) THE DIRECTOR MAY, THROUGH THE  
5 DEPARTMENT, EMPLOY ADMINISTRATIVE LAW JUDGES TO CONDUCT  
6 HEARINGS AS PROVIDED BY THIS SECTION OR ON ANY MATTER WITHIN THE  
7 DIRECTOR'S JURISDICTION UPON SUCH CONDITIONS AND TERMS AS THE  
8 DIRECTOR MAY DETERMINE.

9           (2) A PROCEEDING FOR DISCIPLINE OF A LICENSEE, PERMITTEE,  
10 REGISTRANT, OR CERTIFICATE HOLDER MUST BE COMMENCED WHEN THE  
11 DIRECTOR HAS REASONABLE GROUNDS TO BELIEVE THAT A LICENSEE,  
12 PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER HAS COMMITTED ACTS  
13 THAT MAY VIOLATE THE PROVISIONS OF THIS ARTICLE 170 OR RULES  
14 PROMULGATED PURSUANT TO THIS ARTICLE 170. THE GROUNDS MAY BE  
15 ESTABLISHED BY AN INVESTIGATION BEGUN BY THE DIRECTOR ON THE  
16 DIRECTOR'S OWN MOTION OR BY AN INVESTIGATION PURSUANT TO A  
17 WRITTEN COMPLAINT. SECTION 12-20-403 AND ARTICLE 4 OF TITLE 24  
18 GOVERN PROCEEDINGS BROUGHT PURSUANT TO THIS SECTION.

19           (3) ANY HEARING ON THE REVOCATION OR SUSPENSION OF A  
20 LICENSE, PERMIT, REGISTRATION, OR CERTIFICATE, OR ON THE DENIAL OF  
21 AN APPLICATION FOR A NEW LICENSE, PERMIT, REGISTRATION, OR  
22 CERTIFICATE, OR FOR RENEWAL OF A PREVIOUSLY ISSUED LICENSE, PERMIT,  
23 REGISTRATION, OR CERTIFICATE MUST BE CONDUCTED BY AN  
24 ADMINISTRATIVE LAW JUDGE.

25           (4) FINAL ACTION BY THE DIRECTOR MAY BE JUDICIALLY  
26 REVIEWED PURSUANT TO SECTION 12-20-408.

27           **SECTION 10.** In Colorado Revised Statutes, **repeal and reenact,**

1 **with amendments**, 12-170-111 as follows:

2 **12-170-111. Fees - cash fund - created.** (1) BASED UPON THE  
3 APPROPRIATION MADE AND SUBJECT TO THE APPROVAL OF THE EXECUTIVE  
4 DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES, THE DIRECTOR  
5 SHALL ESTABLISH AND ADJUST FEES THAT THE DIRECTOR IS AUTHORIZED  
6 BY LAW TO COLLECT SO THAT THE REVENUE GENERATED FROM THE FEES  
7 APPROXIMATES ITS DIRECT AND INDIRECT COSTS; EXCEPT THAT FEES MUST  
8 NOT EXCEED THE AMOUNT NECESSARY TO ADMINISTER THIS ARTICLE 170.

9 (2) THE NATURAL MEDICINE FACILITATOR CASH FUND, REFERRED  
10 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.  
11 THE FUND CONSISTS OF FEES CREDITED TO THE FUND PURSUANT TO THIS  
12 ARTICLE 170 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY  
13 APPROPRIATE OR TRANSFER TO THE FUND.

14 (3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
15 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
16 FUND TO THE FUND.

17 (4) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
18 DEPARTMENT FOR THE ADMINISTRATION OF THIS ARTICLE 170.

19 **SECTION 11.** In Colorado Revised Statutes, **repeal and reenact**,  
20 **with amendments**, 12-170-112 as follows:

21 **12-170-112. Local jurisdiction.** (1) A LOCAL JURISDICTION  
22 SHALL NOT PROHIBIT A FACILITATOR FROM PROVIDING NATURAL MEDICINE  
23 SERVICES WITHIN ITS BOUNDARIES IF THE INDIVIDUAL IS A LICENSED  
24 FACILITATOR PURSUANT TO THIS ARTICLE 170.

25 (2) A LOCAL JURISDICTION SHALL NOT ADOPT ORDINANCES OR  
26 REGULATIONS THAT ARE UNREASONABLE OR IN CONFLICT WITH THIS  
27 ARTICLE 170.

1           **SECTION 12.** In Colorado Revised Statutes, **repeal and reenact,**  
2 **with amendments,** 12-170-113 as follows:

3           **12-170-113. Protections.** (1) SUBJECT TO THE LIMITATIONS IN  
4 THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44, BUT NOTWITHSTANDING  
5 ANY OTHER PROVISION OF LAW:

6           (a) ACTIONS AND CONDUCT PERMITTED PURSUANT TO A LICENSE,  
7 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED BY THE DIRECTOR  
8 PURSUANT TO THIS ARTICLE 170, OR BY THOSE WHO ALLOW PROPERTY TO  
9 BE USED PURSUANT TO A LICENSE, REGISTRATION, PERMIT, OR CERTIFICATE  
10 ISSUED BY THE DIRECTOR PURSUANT TO THIS ARTICLE 170, ARE LAWFUL  
11 AND ARE NOT AN OFFENSE UNDER STATE LAW, OR THE LAWS OF ANY LOCAL  
12 JURISDICTION WITHIN THIS STATE; ARE NOT SUBJECT TO A CIVIL FINE,  
13 PENALTY, OR SANCTION; ARE NOT A BASIS FOR DETENTION, SEARCH, OR  
14 ARREST; AND ARE NOT A BASIS TO DENY ANY RIGHT OR PRIVILEGE, OR TO  
15 SEIZE OR FORFEIT ASSETS UNDER STATE LAW OR THE LAWS OF ANY LOCAL  
16 JURISDICTION WITHIN THIS STATE.

17           (b) A CONTRACT IS NOT UNENFORCEABLE ON THE BASIS THAT  
18 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS ALLOWED  
19 PURSUANT TO THIS ARTICLE 170, IS PROHIBITED BY FEDERAL LAW;

20           (c) MENTAL HEALTH CARE, SUBSTANCE USE DISORDER  
21 INTERVENTION SERVICES, OR BEHAVIORAL HEALTH SERVICES OTHERWISE  
22 COVERED PURSUANT TO THE "COLORADO MEDICAL ASSISTANCE ACT",  
23 ARTICLES 4 TO 6 OF TITLE 25.5, MUST NOT BE DENIED ON THE BASIS THAT  
24 THEY ARE COVERED IN CONJUNCTION WITH NATURAL MEDICINE SERVICES,  
25 OR THAT NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT ARE  
26 PROHIBITED BY FEDERAL LAW. INSURANCE OR AN INSURANCE PROVIDER  
27 IS NOT REQUIRED TO COVER THE COST OF NATURAL MEDICINE OR NATURAL

1 MEDICINE PRODUCT.

2 (d) NOTHING IN THIS SECTION MAY BE CONSTRUED OR  
3 INTERPRETED TO PREVENT THE DIRECTOR FROM ENFORCING RULES  
4 PROMULGATED BY THE DIRECTOR AGAINST A LICENSEE, REGISTRANT,  
5 PERMITTEE, OR CERTIFICATE HOLDER OR LIMIT A STATE OR LOCAL LAW  
6 ENFORCEMENT AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY  
7 IN RELATION TO A LICENSEE, REGISTRANT, PERMITTEE, OR CERTIFICATE  
8 HOLDER.

9 (2) A PROFESSIONAL OR OCCUPATIONAL LICENSE, REGISTRATION,  
10 PERMIT, OR CERTIFICATE HOLDER IS NOT SUBJECT TO PROFESSIONAL  
11 DISCIPLINE OR LOSS OF A PROFESSIONAL OR OCCUPATIONAL LICENSE,  
12 REGISTRATION, PERMIT, OR CERTIFICATE FOR PROVIDING ADVICE OR  
13 SERVICES ARISING OUT OF OR RELATED TO A NATURAL MEDICINE LICENSE,  
14 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED PURSUANT TO THIS  
15 ARTICLE 170 OR ARTICLE 50 OF TITLE 44 OR APPLICATION FOR LICENSE,  
16 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED PURSUANT TO THIS  
17 ARTICLE 170 OR ARTICLE 50 OF TITLE 44 ON THE BASIS THAT NATURAL  
18 MEDICINE AND NATURAL MEDICINE PRODUCT ARE PROHIBITED BY FEDERAL  
19 LAW, OR FOR PERSONAL USE OF NATURAL MEDICINE OR NATURAL  
20 MEDICINE ALLOWED PURSUANT TO THIS ARTICLE 170. THIS ARTICLE 170  
21 DOES NOT AUTHORIZE AN INDIVIDUAL TO ENGAGE IN CONDUCT THAT IN  
22 THE COURSE OF PRACTICING UNDER THE INDIVIDUAL'S LICENSE,  
23 REGISTRATION, PERMIT, OR CERTIFICATE WOULD VIOLATE STANDARDS OF  
24 CARE OR SCOPE OF PRACTICE OF THE INDIVIDUAL'S PROFESSION OR  
25 OCCUPATION AS REQUIRED BY ANY PROVISION OF LAW OR RULE.

26 **SECTION 13.** In Colorado Revised Statutes, **repeal and reenact,**  
27 **with amendments,** 12-170-114 as follows:

1           **12-170-114. Liberal construction.** THIS ARTICLE 170 MUST BE  
2 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE.

3           **SECTION 14.** In Colorado Revised Statutes, **repeal and reenact,**  
4 **with amendments,** 12-170-115 as follows:

5           **12-170-115. Preemption.** A LOCAL JURISDICTION SHALL NOT  
6 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION THAT  
7 IS OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ARTICLE 170.

8           **SECTION 15.** In Colorado Revised Statutes, **add** 12-170-116 as  
9 follows:

10           **12-170-116. Self-executing, severability, conflicting provisions.**  
11 ALL PROVISIONS OF THIS ARTICLE 170 ARE SELF-EXECUTING EXCEPT AS  
12 SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHEN OTHERWISE  
13 INDICATED, SHALL SUPERSEDE CONFLICTING STATE STATUTORY, LOCAL  
14 CHARTER, ORDINANCE, OR RESOLUTION PROVISIONS, AND OTHER STATE  
15 AND LOCAL PROVISIONS. IF ANY PROVISION OF THIS ARTICLE 170 OR ITS  
16 APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE  
17 INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF  
18 THIS ARTICLE 170 THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID  
19 PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS  
20 ARTICLE 170 ARE SEVERABLE.

21           **SECTION 16.** In Colorado Revised Statutes, **add** 12-170-117 as  
22 follows:

23           **12-170-117. Repeal of article - review of functions.** THIS  
24 ARTICLE 170 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032. BEFORE THE  
25 REPEAL, THIS ARTICLE 170 IS SCHEDULED FOR REVIEW IN ACCORDANCE  
26 WITH SECTION 24-34-104.

27           **SECTION 17.** In Colorado Revised Statutes, 12-20-407, **amend**

1 (1)(a)(V)(V) and (1)(a)(V)(W); and **add** (1)(a)(V)(X) as follows:

2 **12-20-407. Unauthorized practice of profession or occupation**

3 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor

4 and shall be punished as provided in section 18-1.3-501 if the person:

5 (V) Practices or offers or attempts to practice any of the following  
6 professions or occupations without an active license, certification, or  
7 registration issued under the part or article of this title 12 governing the  
8 particular profession or occupation:

9 (V) Respiratory therapy, as regulated under article 300 of this title  
10 12; ~~or~~

11 (W) Veterinary medicine or as a veterinary technician, as  
12 regulated under article 315 of this title 12; OR

13 (X) FACILITATING NATURAL MEDICINE SERVICES, AS REGULATED  
14 UNDER ARTICLE 170 OF THIS TITLE 12.

15 **SECTION 18.** In Colorado Revised Statutes, 24-1-117, **amend**  
16 (4)(a)(X) and (4)(a)(XI); and **add** (4)(a)(XII) as follows:

17 **24-1-117. Department of revenue - creation.** (4) (a) The  
18 department of revenue consists of the following divisions:

19 (X) The auto industry division, created in section 44-20-105. The  
20 division is a **type 2** entity, as defined in section 24-1-105, and exercises  
21 its powers and performs its duties and functions under the department of  
22 revenue; ~~and~~

23 (XI) The state licensing authority created in section 44-10-201;  
24 AND

25 (XII) THE NATURAL MEDICINE DIVISION, CREATED IN SECTION  
26 44-50-201, WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

27 **SECTION 19.** In Colorado Revised Statutes, 24-34-104, **add**

1 (33)(a)(IV) and (33)(a)(V) as follows:

2 **24-34-104. General assembly review of regulatory agencies**  
3 **and functions for repeal, continuation, or reestablishment - legislative**  
4 **declaration - repeal.** (33) (a) The following agencies, functions, or both,  
5 are scheduled for repeal on September 1, 2032:

6 (IV) THE "NATURAL MEDICINE HEALTH ACT OF 2022", ARTICLE  
7 170 OF TITLE 12;

8 (V) THE "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF  
9 TITLE 44.

10 **SECTION 20.** In Colorado Revised Statutes, **add 25-1.5-120** as  
11 follows:

12 **25-1.5-120. Natural medicine testing and standards - rules.**

13 (1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN  
14 COORDINATION WITH THE DEPARTMENT OF REVENUE, TO ENSURE  
15 CONSISTENCY BETWEEN RULES, SHALL PROMULGATE RULES CONCERNING  
16 TESTING STANDARDS AND CERTIFICATION REQUIREMENTS OF NATURAL  
17 MEDICINE AND NATURAL MEDICINE PRODUCT REGULATED BY THE  
18 DEPARTMENT OF REVENUE PURSUANT TO ARTICLE 50 OF TITLE 44.

19 (2) AT A MINIMUM, THE RULES MUST:

20 (a) ESTABLISH NATURAL MEDICINE AND NATURAL MEDICINE  
21 PRODUCT TESTING STANDARDS AND CERTIFICATION REQUIREMENTS;

22 (b) ESTABLISH A NATURAL MEDICINE INDEPENDENT TESTING AND  
23 CERTIFICATION PROGRAM FOR LICENSEES PURSUANT TO ARTICLE 50 OF  
24 TITLE 44, WITHIN AN IMPLEMENTATION TIME FRAME ESTABLISHED BY THE  
25 DEPARTMENT OF REVENUE, REQUIRING LICENSEES TO TEST NATURAL  
26 MEDICINE AND NATURAL MEDICINE PRODUCT TO ENSURE, AT A MINIMUM,  
27 THAT PRODUCTS TRANSFERRED FOR HUMAN CONSUMPTION BY NATURAL

1 PERSONS OR ENTITIES LICENSED PURSUANT TO ARTICLE 50 OF TITLE 44 DO  
2 NOT CONTAIN CONTAMINANTS THAT ARE INJURIOUS TO HEALTH AND TO  
3 ENSURE CORRECT LABELING;

4 (c) ESTABLISH PROCEDURES THAT ENSURE NATURAL MEDICINE  
5 AND NATURAL MEDICINE PRODUCT ARE QUARANTINED AND NOTIFICATION  
6 PROCEDURES IF TEST RESULTS INDICATE THE PRESENCE OF QUANTITIES OF  
7 ANY SUBSTANCE DETERMINED TO BE INJURIOUS TO HEALTH;

8 (d) ENSURE THAT TESTING VERIFIES CONCENTRATION  
9 REPRESENTATIONS AND HOMOGENEITY FOR CORRECT LABELING;

10 (e) ESTABLISH AN ACCEPTABLE VARIANCE FOR CONCENTRATION  
11 REPRESENTATIONS AND PROCEDURES TO ADDRESS CONCENTRATION  
12 MISREPRESENTATIONS; AND

13 (f) ESTABLISH THE PROTOCOLS AND FREQUENCY OF NATURAL  
14 MEDICINE TESTING BY LICENSEES.

15 **SECTION 21.** In Colorado Revised Statutes, **add** article 50 to  
16 title 44 as follows:

17 **ARTICLE 50**

18 **Natural Medicine**

19 **PART 1**

20 **COLORADO NATURAL MEDICINE CODE**

21 **44-50-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 50 IS  
22 THE "COLORADO NATURAL MEDICINE CODE".

23 **44-50-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
24 FINDS AND DECLARES THAT:

25 (a) THE PEOPLE OF COLORADO APPROVED STATUTORY MEASURES  
26 THAT, IN PART, INTENDED TO ENSURE THAT PEOPLE IN COLORADO HAVE  
27 ACCESS TO REGULATED NATURAL MEDICINE AND REGULATED NATURAL

1 MEDICINE PRODUCT;

2 (b) THE DEPARTMENT IS UNIQUELY SUITED TO REGULATE THE  
3 CULTIVATION, MANUFACTURING, TESTING, STORING, DISTRIBUTION,  
4 TRANSPORTATION, TRANSFERRING, AND DISPENSATION OF REGULATED  
5 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT  
6 BECAUSE OF ITS EXPERIENCE AND EXISTING RESOURCES IN REGULATING  
7 ALCOHOL, TOBACCO, AND MARIJUANA; AND

8 (c) IT IS NECESSARY TO ENTRUST THE REGULATION OF THE  
9 CULTIVATION, MANUFACTURING, TESTING, STORING, DISTRIBUTION,  
10 TRANSPORTATION, TRANSFERRING, AND DISPENSATION OF REGULATED  
11 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT TO  
12 THE DEPARTMENT IN ORDER TO IMPLEMENT THE REGULATORY MEASURES  
13 IN A MANNER THAT HONORS THE INTENT OF THE PEOPLE, PROMOTES PUBLIC  
14 TRUST, SUPPORTS THE INTEGRITY AND SUSTAINABILITY OF THE  
15 REGULATORY MEASURES, AND ENSURES REGULATORY EFFICIENCY.

16 (2) THE GENERAL ASSEMBLY DECLARES THAT THIS ARTICLE 50 IS  
17 DEEMED AN EXERCISE OF THE POLICE POWERS OF THE STATE FOR THE  
18 PROTECTION OF THE ECONOMIC AND SOCIAL WELFARE AND THE HEALTH,  
19 PEACE, AND MORALS OF THE PEOPLE OF THIS STATE.

20 (3) THE GENERAL ASSEMBLY DECLARES THAT IT IS UNLAWFUL  
21 UNDER STATE LAW TO CULTIVATE, MANUFACTURE, TEST, STORE,  
22 DISTRIBUTE, TRANSPORT, TRANSFER, AND DISPENSE NATURAL MEDICINE  
23 OR NATURAL MEDICINE PRODUCT, EXCEPT IN COMPLIANCE WITH THE  
24 TERMS, CONDITIONS, LIMITATIONS, AND RESTRICTIONS IN THIS ARTICLE 50;  
25 RULES PROMULGATED PURSUANT TO THIS ARTICLE 50; ARTICLE 170 OF  
26 TITLE 12; RULES PROMULGATED PURSUANT TO ARTICLE 170 OF TITLE 12;  
27 ARTICLE 1.5 OF TITLE 25; RULES PROMULGATED PURSUANT TO ARTICLE 1.5

1 OF TITLE 25; TITLE 16; AND TITLE 18.

2 **44-50-103. Definitions.** AS USED IN THIS ARTICLE 50, UNLESS THE  
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "ADMINISTRATION SESSION" MEANS A SESSION CONDUCTED AT  
5 A HEALING CENTER, OR OTHER LOCATION IF PERMITTED BY THIS ARTICLE  
6 50 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE 50, DURING  
7 WHICH A PARTICIPANT CONSUMES AND EXPERIENCES THE EFFECTS OF  
8 NATURAL MEDICINE UNDER THE SUPERVISION OF A FACILITATOR.

9 (2) "BOARD" MEANS THE STATE NATURAL MEDICINE ADVISORY  
10 BOARD CREATED IN SECTION 12-170-106.

11 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF  
12 PROFESSIONS AND OCCUPATIONS OR THE DIRECTOR'S DESIGNEE.

13 (4) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND  
14 OCCUPATIONS CREATED IN THE DEPARTMENT PURSUANT TO SECTION  
15 12-20-103.

16 (5) "FACILITATOR" MEANS A NATURAL PERSON WHO IS  
17 TWENTY-ONE YEARS OF AGE OR OLDER, HAS THE NECESSARY  
18 QUALIFICATIONS, TRAINING, EXPERIENCE, AND KNOWLEDGE TO PERFORM  
19 AND SUPERVISE NATURAL MEDICINE SERVICES FOR A PARTICIPANT, AND IS  
20 LICENSED BY THE DIRECTOR TO ENGAGE IN THE PRACTICE OF  
21 FACILITATION.

22 (6) "HEALING CENTER" MEANS AN ENTITY LICENSED BY THE STATE  
23 LICENSING AUTHORITY THAT PERMITS A FACILITATOR TO PROVIDE AND  
24 SUPERVISE NATURAL MEDICINE SERVICES FOR A PARTICIPANT.

25 (7) "HEALTH-CARE FACILITY" MEANS AN ENTITY THAT IS  
26 LICENSED, CERTIFIED, OR OTHERWISE PERMITTED BY LAW TO ADMINISTER  
27 MEDICAL TREATMENT IN THIS STATE, INCLUDING A HOSPITAL, HOSPICE

1 FACILITY, COMMUNITY MENTAL HEALTH CENTER, FEDERALLY QUALIFIED  
2 HEALTH CENTER, RURAL HEALTH CLINIC, ORGANIZATION PROVIDING A  
3 PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY, LONG-TERM CARE  
4 FACILITY, CONTINUING CARE RETIREMENT COMMUNITY, OR OTHER TYPE OF  
5 ENTITY WHERE HEALTH CARE IS PROVIDED.

6 (8) "INTEGRATION SESSION" MEANS A MEETING BETWEEN A  
7 PARTICIPANT AND FACILITATOR THAT OCCURS AFTER THE COMPLETION OF  
8 AN ADMINISTRATION SESSION.

9 (9) "LICENSE" MEANS TO GRANT A LICENSE, PERMIT, OR  
10 REGISTRATION PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
11 PURSUANT TO THIS ARTICLE 50.

12 (10) "LICENSED PREMISES" MEANS THE PREMISES SPECIFIED IN AN  
13 APPLICATION FOR A LICENSE PURSUANT TO THIS ARTICLE 50 THAT THE  
14 LICENSEE OWNS OR IS IN POSSESSION OF AND WITHIN WHICH THE LICENSEE  
15 IS AUTHORIZED TO CULTIVATE, MANUFACTURE, TEST, STORE, DISTRIBUTE,  
16 TRANSPORT, TRANSFER, OR DISPENSE NATURAL MEDICINE OR NATURAL  
17 MEDICINE PRODUCT IN ACCORDANCE WITH THIS ARTICLE 50.

18 (11) "LICENSEE" MEANS A PERSON LICENSED, REGISTERED, OR  
19 PERMITTED PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
20 PURSUANT TO THIS ARTICLE 50.

21 (12) "LOCAL JURISDICTION" MEANS A COUNTY, MUNICIPALITY, OR  
22 CITY AND COUNTY.

23 (13) (a) "NATURAL MEDICINE" MEANS THE FOLLOWING  
24 SUBSTANCES:

25 (I) PSILOCYBIN; OR

26 (II) PSILOCYN.

27 (b) IN ADDITION TO THE SUBSTANCES LISTED IN SUBSECTION

1 (13)(a) OF THIS SECTION, "NATURAL MEDICINE" INCLUDES:

2 (I) DIMETHYLTRYPTAMINE, IF RECOMMENDED BY THE BOARD AND  
3 APPROVED BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE  
4 LICENSING AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026;

5 (II) IBOGAIN, IF RECOMMENDED BY THE BOARD AND APPROVED  
6 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
7 AUTHORITY FOR INCLUSION; OR

8 (III) MESCALINE, IF RECOMMENDED BY THE BOARD AND APPROVED  
9 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
10 AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026.

11 (c) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR  
12 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN SUBSECTIONS (13)(a)  
13 AND (13)(b) OF THIS SECTION, INCLUDING A DERIVATIVE OF A NATURALLY  
14 OCCURRING COMPOUND OF NATURAL MEDICINE THAT IS PRODUCED USING  
15 CHEMICAL SYNTHESIS, CHEMICAL MODIFICATION, OR CHEMICAL  
16 CONVERSION.

17 (d) NOTWITHSTANDING SUBSECTION (13)(b)(III) OF THIS SECTION,  
18 "MESCALINE" DOES NOT INCLUDE PEYOTE, MEANING ALL PARTS OF THE  
19 PLANT CLASSIFIED BOTANICALLY AS LOPHOPHORA WILLIAMSII LEMAIRE,  
20 WHETHER GROWING OR NOT; ITS SEEDS; ANY EXTRACT FROM ANY PART OF  
21 THE PLANT, AND EVERY COMPOUND, SALT, DERIVATIVE, MIXTURE, OR  
22 PREPARATION OF THE PLANT; OR ITS SEEDS OR EXTRACTS.

23 (14) "NATURAL MEDICINE BUSINESS" MEANS ANY OF THE  
24 FOLLOWING ENTITIES LICENSED PURSUANT TO THIS ARTICLE 50: A  
25 NATURAL MEDICINE HEALING CENTER, A NATURAL MEDICINE CULTIVATION  
26 FACILITY, A NATURAL MEDICINE PRODUCTS MANUFACTURER, OR A  
27 NATURAL MEDICINE TESTING FACILITY, OR ANOTHER LICENSED ENTITY

1       CREATED BY THE STATE LICENSING AUTHORITY.

2           (15) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
3 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

4           (16) "NATURAL MEDICINE SERVICES" MEANS A PREPARATION  
5 SESSION, ADMINISTRATION SESSION, AND INTEGRATION SESSION PROVIDED  
6 PURSUANT TO ARTICLE 170 OF TITLE 12.

7           (17) "PARTICIPANT" MEANS A PERSON WHO IS TWENTY-ONE YEARS  
8 OF AGE OR OLDER AND WHO RECEIVES NATURAL MEDICINE SERVICES  
9 PERFORMED BY AND UNDER THE SUPERVISION OF A FACILITATOR.

10          (18) "PERSON" MEANS A NATURAL PERSON OR AN ENTITY.

11          (19) "PREPARATION SESSION" MEANS A MEETING BETWEEN A  
12 PARTICIPANT AND FACILITATOR THAT OCCURS BEFORE THE START OF AN  
13 ADMINISTRATION SESSION. "PREPARATION SESSION" DOES NOT MEAN AN  
14 INITIAL CONSULTATION OR AN INQUIRY RESPONSE ABOUT NATURAL  
15 MEDICINE SERVICES.

16          (20) "PRINCIPLE FILE" MEANS A FILE THAT IS ESTABLISHED BY THE  
17 STATE LICENSING AUTHORITY AND CONTAINS LICENSING AND  
18 BACKGROUND INFORMATION FOR AN APPLICANT SEEKING LICENSES  
19 PURSUANT TO THIS ARTICLE 50.

20          (21) "REGULATED NATURAL MEDICINE" MEANS NATURAL  
21 MEDICINE THAT IS CULTIVATED, MANUFACTURED, TESTED, STORED,  
22 DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED PURSUANT TO  
23 THIS ARTICLE 50.

24          (22) "REGULATED NATURAL MEDICINE PRODUCT" MEANS NATURAL  
25 MEDICINE PRODUCT THAT IS CULTIVATED, MANUFACTURED, TESTED,  
26 STORED, DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED  
27 PURSUANT TO THIS ARTICLE 50.

1 (23) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
2 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
3 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, AND ANY RIGHT  
4 OF USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
5 THEREWITH.

6 (24) "STATE LICENSING AUTHORITY" MEANS THE AUTHORITY  
7 CREATED FOR THE PURPOSE OF REGULATING AND CONTROLLING THE  
8 LICENSING OF THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
9 DISTRIBUTION, TRANSPORTATION, TRANSFER, AND DISPENSATION OF  
10 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
11 PRODUCT IN THIS STATE PURSUANT TO SECTION 44-50-201.

12 (25) "TRANSFER" MEANS TO GRANT, CONVEY, HANDOVER, ASSIGN,  
13 SELL, EXCHANGE, DONATE, OR BARTER, IN ANY MANNER AND BY ANY  
14 MEANS, WITH OR WITHOUT REMUNERATION.

15 **44-50-104. Applicability.** (1) ALL BUSINESSES, FOR THE PURPOSE  
16 OF CULTIVATION, MANUFACTURING, TESTING, STORAGE, DISTRIBUTION,  
17 TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED NATURAL  
18 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT, AS DEFINED IN  
19 THIS ARTICLE 50, ARE SUBJECT TO THE TERMS AND CONDITIONS OF THIS  
20 ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE 50.

21 (2) A PERSON APPLYING FOR LICENSURE PURSUANT TO THIS  
22 ARTICLE 50 MUST COMPLETE FORMS AS PROVIDED BY THE STATE  
23 LICENSING AUTHORITY AND MUST PAY THE APPLICATION FEE AND THE  
24 LICENSING FEE, WHICH MUST BE CREDITED TO THE REGULATED NATURAL  
25 MEDICINE DIVISION CASH FUND ESTABLISHED PURSUANT TO SECTION  
26 44-50-601. THE STATE LICENSING AUTHORITY SHALL PRIORITIZE  
27 REVIEWING APPLICATIONS FROM APPLICANTS WHO HAVE ESTABLISHED

1 RESIDENCY IN COLORADO.

2 (3) THIS ARTICLE 50 SETS FORTH THE EXCLUSIVE MEANS THAT  
3 CULTIVATION, MANUFACTURING, TESTING, STORAGE, DISTRIBUTION,  
4 TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED NATURAL  
5 MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT MAY OCCUR IN  
6 THIS STATE.

7 (4) (a) NOTHING IN THIS ARTICLE 50 IS INTENDED TO REQUIRE AN  
8 EMPLOYER TO PERMIT OR ACCOMMODATE THE USE, CONSUMPTION,  
9 POSSESSION, CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
10 DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF NATURAL  
11 MEDICINE OR NATURAL MEDICINE PRODUCT IN THE WORKPLACE OR TO  
12 AFFECT THE ABILITY OF EMPLOYERS TO HAVE POLICIES RESTRICTING THE  
13 USE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT BY  
14 EMPLOYEES IN THE WORKPLACE.

15 (b) NOTHING IN THIS ARTICLE 50 PROHIBITS A PERSON, EMPLOYER,  
16 SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION, OR ANY OTHER  
17 ENTITY THAT OCCUPIES, OWNS, OR CONTROLS A PROPERTY FROM  
18 PROHIBITING OR OTHERWISE REGULATING THE CULTIVATION,  
19 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSPORT,  
20 TRANSFER, AND DISPENSATION OF NATURAL MEDICINE OR NATURAL  
21 MEDICINE PRODUCT ON OR IN THAT PROPERTY.

22 (5) (a) A LOCAL JURISDICTION MAY ENACT ORDINANCES OR  
23 REGULATIONS GOVERNING THE TIME, PLACE, AND MANNER OF THE  
24 OPERATION OF LICENSES ISSUED PURSUANT TO THIS ARTICLE 50 WITHIN ITS  
25 BOUNDARIES.

26 (b) A LOCAL JURISDICTION MAY NOT PROHIBIT THE  
27 ESTABLISHMENT OR OPERATION OF LICENSES PURSUANT TO THIS ARTICLE

1 50 WITHIN ITS BOUNDARIES.

2 (c) A LOCAL JURISDICTION MAY NOT PROHIBIT THE  
3 TRANSPORTATION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
4 WITHIN ITS BOUNDARIES ON PUBLIC ROADS BY A PERSON LICENSED TO  
5 EXERCISE SUCH PRIVILEGES PURSUANT TO THIS ARTICLE 50.

6 (d) A LOCAL JURISDICTION MAY NOT ADOPT ORDINANCES OR  
7 REGULATIONS THAT ARE UNREASONABLE OR CONFLICT WITH THIS ARTICLE  
8 50.

9 PART 2

10 STATE LICENSING AUTHORITY

11 **44-50-201. State licensing authority - creation.** (1) FOR THE  
12 PURPOSE OF REGULATING AND LICENSING THE CULTIVATION,  
13 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSPORT,  
14 TRANSFER, AND DISPENSATION OF NATURAL MEDICINE OR NATURAL  
15 MEDICINE PRODUCT BY AND BETWEEN NATURAL MEDICINE LICENSEES IN  
16 THIS STATE, THERE IS CREATED THE STATE LICENSING AUTHORITY, WHICH  
17 IS THE EXECUTIVE DIRECTOR, OR THE DIRECTOR OF THE NATURAL  
18 MEDICINE DIVISION IF DESIGNATED BY THE EXECUTIVE DIRECTOR.

19 (2) THE EXECUTIVE DIRECTOR IS THE CHIEF ADMINISTRATIVE  
20 OFFICER OF THE STATE LICENSING AUTHORITY AND MAY EMPLOY,  
21 PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION,  
22 SUCH OFFICERS AND EMPLOYEES AS DETERMINED TO BE NECESSARY. THE  
23 OFFICERS AND EMPLOYEES ARE A PART OF THE DEPARTMENT.

24 (3) THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
25 AUTHORITY OR A STATE LICENSING AUTHORITY EMPLOYEE WITH  
26 REGULATORY OVERSIGHT RESPONSIBILITIES FOR THE NATURAL MEDICINE  
27 LICENSEES THAT ARE LICENSED BY THE STATE LICENSING AUTHORITY

1 SHALL NOT WORK FOR, REPRESENT, PROVIDE CONSULTING SERVICES TO, OR  
2 OTHERWISE DERIVE PECUNIARY GAIN FROM A NATURAL MEDICINE  
3 LICENSEE THAT IS LICENSED BY THE STATE LICENSING AUTHORITY OR ANY  
4 OTHER BUSINESS ESTABLISHED FOR THE PRIMARY PURPOSE OF PROVIDING  
5 SERVICES TO THE NATURAL MEDICINE INDUSTRY FOR A PERIOD OF SIX  
6 MONTHS AFTER THE EMPLOYEE'S LAST DAY OF EMPLOYMENT WITH THE  
7 STATE LICENSING AUTHORITY.

8 **44-50-202. Powers and duties of state licensing authority -**  
9 **report.** (1) THE STATE LICENSING AUTHORITY SHALL:

10 (a) BEGINNING ON OR BEFORE DECEMBER 31, 2024, GRANT OR  
11 REFUSE STATE LICENSES FOR THE CULTIVATION, MANUFACTURING,  
12 TESTING, STORAGE, DISTRIBUTION, TRANSPORT, TRANSFER, AND  
13 DISPENSATION OF REGULATED NATURAL MEDICINE OR REGULATED  
14 NATURAL MEDICINE PRODUCT; SUSPEND, FINE, RESTRICT, OR REVOKE SUCH  
15 LICENSES, WHETHER ACTIVE, EXPIRED, OR SURRENDERED, UPON A  
16 VIOLATION OF THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO  
17 THIS ARTICLE 50; AND IMPOSE ANY PENALTY AUTHORIZED BY THIS  
18 ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50. THE  
19 STATE LICENSING AUTHORITY MAY TAKE ANY ACTION WITH RESPECT TO A  
20 REGISTRATION OR PERMIT PURSUANT TO THIS ARTICLE 50 AS IT MAY WITH  
21 RESPECT TO A LICENSE ISSUED PURSUANT TO THIS ARTICLE 50, IN  
22 ACCORDANCE WITH THE PROCEDURES ESTABLISHED PURSUANT TO THIS  
23 ARTICLE 50.

24 (b) PROMULGATE RULES FOR THE PROPER REGULATION AND  
25 CONTROL OF THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
26 DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED  
27 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT AND

1 FOR THE ENFORCEMENT OF THIS ARTICLE 50 AND PROMULGATE AMENDED  
2 RULES AND SUCH SPECIAL RULINGS AND FINDINGS AS NECESSARY;

3 (c) CONDUCT INVESTIGATIONS AND HEARINGS, GATHER EVIDENCE,  
4 AND PURSUE DISCIPLINARY ACTIONS WITH RESPECT TO LICENSES WHEN  
5 THE STATE LICENSING AUTHORITY HAS REASONABLE CAUSE TO BELIEVE  
6 THAT A PERSON OR ENTITY IS VIOLATING THIS ARTICLE 50 OR A RULE  
7 PROMULGATED PURSUANT TO THIS ARTICLE 50;

8 (d) (I) PETITION A DISTRICT COURT FOR AN INVESTIGATIVE  
9 SUBPOENA APPLICABLE TO A PERSON WHO IS NOT LICENSED PURSUANT TO  
10 THIS ARTICLE 50 TO OBTAIN DOCUMENTS OR INFORMATION NECESSARY TO  
11 ENFORCE A PROVISION OF THIS ARTICLE 50 OR A RULE PROMULGATED  
12 PURSUANT TO THIS ARTICLE 50 AFTER REASONABLE EFFORTS HAVE BEEN  
13 MADE TO OBTAIN REQUESTED DOCUMENTS OR INFORMATION WITHOUT A  
14 SUBPOENA;

15 (II) APPLY TO ANY COURT OF COMPETENT JURISDICTION TO  
16 TEMPORARILY RESTRAIN OR PRELIMINARILY OR PERMANENTLY ENJOIN THE  
17 ACT IN QUESTION OF A PERSON WHO IS NOT LICENSED PURSUANT TO THIS  
18 ARTICLE 50 AND TO ENFORCE COMPLIANCE WITH THIS ARTICLE 50 OR A  
19 RULE PROMULGATED PURSUANT TO THIS ARTICLE 50 WHENEVER IT  
20 APPEARS TO THE DIRECTOR UPON SUFFICIENT EVIDENCE SATISFACTORY TO  
21 THE DIRECTOR THAT A PERSON HAS BEEN OR IS COMMITTING AN ACT  
22 PROHIBITED BY THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO  
23 THIS ARTICLE 50, AND THE ACT:

24 (A) THREATENS PUBLIC HEALTH OR SAFETY; OR

25 (B) CONSTITUTES AN UNLAWFUL ACT FOR WHICH THE PERSON  
26 DOES NOT HOLD THE REQUIRED LICENSE PURSUANT TO THIS ARTICLE 50;

27 (e) HEAR AND DETERMINE AT A PUBLIC HEARING ANY CONTESTED

1 STATE LICENSE DENIAL AND ANY COMPLAINTS AGAINST A LICENSEE, AND  
2 ADMINISTER OATHS AND ISSUE SUBPOENAS TO REQUIRE THE PRESENCE OF  
3 PERSONS AND THE PRODUCTION OF PAPERS, BOOKS, AND RECORDS  
4 NECESSARY TO THE DETERMINATION OF ANY HEARING SO HELD, ALL IN  
5 ACCORDANCE WITH ARTICLE 4 OF TITLE 24. THE STATE LICENSING  
6 AUTHORITY MAY, IN ITS DISCRETION, DELEGATE TO THE DEPARTMENT'S  
7 HEARING OFFICERS THE AUTHORITY TO CONDUCT LICENSING,  
8 DISCIPLINARY, AND RULE-MAKING HEARINGS PURSUANT TO SECTION  
9 24-4-105. WHEN CONDUCTING THE HEARINGS, THE HEARING OFFICERS ARE  
10 EMPLOYEES OF THE STATE LICENSING AUTHORITY UNDER THE DIRECTION  
11 AND SUPERVISION OF THE EXECUTIVE DIRECTOR AND THE STATE LICENSING  
12 AUTHORITY.

13 (f) DEVELOP FORMS, LICENSES, IDENTIFICATION CARDS, AND  
14 APPLICATIONS AS NECESSARY OR CONVENIENT IN THE DISCRETION OF THE  
15 STATE LICENSING AUTHORITY FOR THE ADMINISTRATION OF THIS ARTICLE  
16 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50;

17 (g) IN COORDINATION WITH THE DIVISION OF PROFESSIONS AND  
18 OCCUPATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES  
19 PURSUANT TO SECTION 12-170-105 (1)(j), ANNUALLY PUBLISH A PUBLICLY  
20 AVAILABLE REPORT CONCERNING THE IMPLEMENTATION AND  
21 ADMINISTRATION OF THIS ARTICLE 50 AND ARTICLE 170 OF TITLE 12. THE  
22 REPORT MUST USE RELEVANT DATA, AS DETERMINED BY THE STATE  
23 LICENSING AUTHORITY AND THE DIRECTOR, AND MUST NOT DISCLOSE THE  
24 IDENTITY OF ANY PARTICIPANT OR INCLUDE ANY INFORMATION THAT  
25 COULD DISCLOSE THE IDENTITY OF A PARTICIPANT.

26 (h) DEVELOP AND PROMOTE ACCURATE PUBLIC EDUCATION  
27 CAMPAIGNS RELATED TO THE USE OF NATURAL MEDICINE OR NATURAL

1 MEDICINE PRODUCT, INCLUDING PUBLIC SERVICE ANNOUNCEMENTS,  
2 EDUCATIONAL MATERIALS, AND APPROPRIATE CRISIS RESPONSE  
3 MATERIALS, AND DEVELOP AND PROMOTE TRAINING MATERIALS FOR FIRST  
4 RESPONDERS AND MULTI-RESPONDERS, INCLUDING LAW ENFORCEMENT,  
5 EMERGENCY MEDICAL PROVIDERS, SOCIAL SERVICES PROVIDERS, AND FIRE  
6 FIGHTERS.

7 (2) NOTHING IN THIS ARTICLE 50 DELEGATES TO THE STATE  
8 LICENSING AUTHORITY THE POWER TO FIX PRICES FOR REGULATED  
9 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT.

10 (3) NOTHING IN THIS ARTICLE 50 LIMITS A LAW ENFORCEMENT  
11 AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY IN RELATION TO  
12 A NATURAL MEDICINE LICENSEE. A LAW ENFORCEMENT AGENCY HAS THE  
13 AUTHORITY TO RUN A COLORADO CRIME INFORMATION CENTER CRIMINAL  
14 HISTORY RECORD CHECK OF A LICENSEE OR EMPLOYEE OF A LICENSEE  
15 DURING AN INVESTIGATION OF UNLAWFUL ACTIVITY RELATED TO NATURAL  
16 MEDICINE OR NATURAL MEDICINE PRODUCT.

17 (4) THE STATE LICENSING AUTHORITY SHALL COORDINATE WITH  
18 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND  
19 ENVIRONMENT CONCERNING THE ESTABLISHMENT OF STANDARDS FOR  
20 LICENSING LABORATORIES PURSUANT TO THE REQUIREMENTS OUTLINED  
21 IN SECTION 25-1.5-120 FOR REGULATED NATURAL MEDICINE AND  
22 REGULATED NATURAL MEDICINE PRODUCT.

23 (5) THE STATE LICENSING AUTHORITY SHALL, WHEN FINANCIALLY  
24 FEASIBLE, ESTABLISH PROCEDURES, POLICIES, AND PROGRAMS TO ENSURE  
25 THIS ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE  
26 50 ARE EQUITABLE AND INCLUSIVE, PROMOTE THE LICENSING,  
27 REGISTRATION, AND PERMITTING OF, AND PROVISION OF NATURAL

1 MEDICINE AND NATURAL MEDICINE PRODUCT TO, PERSONS FROM  
2 COMMUNITIES THAT HAVE BEEN DISPROPORTIONATELY HARMED BY HIGH  
3 RATES OF ARREST FOR CONTROLLED SUBSTANCES, PERSONS WHO FACE  
4 BARRIERS TO HEALTH-CARE ACCESS, PERSONS WHO HAVE TRADITIONAL OR  
5 INDIGENOUS HISTORY WITH NATURAL MEDICINE OR NATURAL MEDICINE  
6 PRODUCT, OR TO PERSONS WHO ARE VETERANS. THE STATE LICENSING  
7 AUTHORITY MAY CONSULT THE BOARD WHEN CONSIDERING PROCEDURES,  
8 POLICIES, AND PROGRAMS PURSUANT TO THIS SUBSECTION (5).

9 (6) THE STATE LICENSING AUTHORITY HAS AUTHORITY TO COLLECT  
10 AVAILABLE AND RELEVANT DATA NECESSARY TO PERFORM FUNCTIONS  
11 AND DUTIES NECESSARY TO ADMINISTER THIS ARTICLE 50.

12 (7) THE STATE LICENSING AUTHORITY SHALL PERFORM OTHER  
13 FUNCTIONS AND DUTIES NECESSARY TO ADMINISTER THIS ARTICLE 50.

14 **44-50-203. State licensing authority - rules - legislative**  
15 **declaration. (1) Mandatory rule-making.** RULES PROMULGATED  
16 PURSUANT TO SECTION 44-50-202 (1)(b) MUST INCLUDE THE FOLLOWING  
17 SUBJECTS:

18 (a) PROCEDURES AND REQUIREMENTS CONSISTENT WITH THIS  
19 ARTICLE 50 FOR THE ISSUANCE, DENIAL, RENEWAL, REINSTATEMENT,  
20 MODIFICATION, SUSPENSION, AND REVOCATION OF LICENSES;

21 (b) OVERSIGHT REQUIREMENTS FOR LICENSEES;

22 (c) A SCHEDULE OF APPLICATION, LICENSING, AND RENEWAL FEES  
23 FOR LICENSES;

24 (d) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR  
25 LICENSURE PURSUANT TO THIS ARTICLE 50, INCLUDING CONTINUING  
26 ELIGIBILITY EXPECTATIONS, INCLUDING TIMELY PAYING TAXES OWED TO  
27 THE DEPARTMENT OF REVENUE, TIMELY FILING TAX RETURNS, AND TIMELY

1 CURING ANY TAX DEFICIENCIES, AND AUTHORIZATION FOR THE  
2 DEPARTMENT OF REVENUE TO HAVE ACCESS TO LICENSING INFORMATION  
3 TO ENSURE TAX PAYMENT FOR THE EFFECTIVE ADMINISTRATION OF THIS  
4 ARTICLE 50;

5 (e) PERMISSIBLE AND PROHIBITED FINANCIAL INTERESTS IN A  
6 LICENSE ISSUED PURSUANT TO THIS ARTICLE 50 OR A LICENSE ISSUED  
7 PURSUANT TO ARTICLE 170 OF TITLE 12; EXCEPT THAT A PERSON MAY NOT  
8 HAVE A FINANCIAL INTEREST IN MORE THAN THREE NATURAL MEDICINE  
9 BUSINESS LICENSES;

10 (f) (I) ESTABLISHMENT OF A NATURAL MEDICINE INDEPENDENT  
11 TESTING AND CERTIFICATION PROGRAM FOR LICENSEES WITHIN AN  
12 IMPLEMENTATION TIME FRAME ESTABLISHED BY THE DIVISION, REQUIRING  
13 LICENSEES TO TEST REGULATED NATURAL MEDICINE AND REGULATED  
14 NATURAL MEDICINE PRODUCT TO ENSURE, AT A MINIMUM, THAT  
15 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
16 PRODUCT TRANSFERRED FOR HUMAN CONSUMPTION BY PERSONS LICENSED  
17 PURSUANT TO THIS ARTICLE 50 DO NOT CONTAIN CONTAMINANTS THAT  
18 ARE INJURIOUS TO HEALTH AND TO ENSURE CORRECT LABELING, AS WELL  
19 AS:

20 (A) CERTIFICATION REQUIREMENTS FOR LABORATORIES THAT TEST  
21 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
22 PRODUCT, AND REQUIREMENTS THAT THE TEST RESULTS PRODUCED BY A  
23 LABORATORY MUST NOT BE USED UNLESS THE LABORATORY IS CERTIFIED;

24 (B) TESTING PROCEDURES AND FREQUENCY OF REGULATED  
25 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT BY  
26 LICENSEES;

27 (C) WHETHER TO ALLOW FOR ANY NATURAL PERSON TO REQUEST

1 AND UTILIZE TESTING SERVICES OF NATURAL MEDICINE AND NATURAL  
2 MEDICINE PRODUCT IF THE NATURAL PERSON IS TWENTY-ONE YEARS OF  
3 AGE OR OLDER;

4 (D) DEFINITIONS, PERMISSIONS, AND PROHIBITIONS CONCERNING  
5 CONFLICTS OF INTEREST RELATED TO, AND ECONOMIC INTERESTS FOR,  
6 PERSONS WHO OWN OR ARE ASSOCIATED WITH A NATURAL MEDICINE  
7 TESTING LICENSE AND OTHER LICENSES; AND

8 (E) PROCEDURES AND REQUIREMENTS NECESSARY TO FACILITATE  
9 THE COORDINATION OF DUTIES WITH RESPECT TO THE NATURAL MEDICINE  
10 TESTING AND CERTIFICATION PROGRAM WITH THE DEPARTMENT OF PUBLIC  
11 HEALTH AND ENVIRONMENT.

12 (II) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES  
13 PURSUANT TO THIS SUBSECTION (1)(f) IN COORDINATION WITH THE  
14 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO ENSURE  
15 CONSISTENCY BETWEEN RULES.

16 (g) THE REGULATION OF A LICENSED PREMISES, INCLUDING RULES  
17 THAT ALLOW A NATURAL MEDICINE HEALING CENTER LICENSEE'S LICENSED  
18 PREMISES TO BE CO-LOCATED WITH ANOTHER NATURAL MEDICINE HEALING  
19 CENTER LICENSEE'S LICENSED PREMISES OR A HEALTH-CARE FACILITY;

20 (h) REQUIREMENTS FOR THE TRANSPORTATION OF REGULATED  
21 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT,  
22 INCLUDING:

23 (I) SECURITY REQUIREMENTS;

24 (II) TRANSPORTATION VEHICLE REQUIREMENTS, INCLUDING  
25 REQUIREMENTS FOR SURVEILLANCE;

26 (III) LIMITS ON THE AMOUNT OF REGULATED NATURAL MEDICINE  
27 AND REGULATED NATURAL MEDICINE PRODUCT THAT MAY BE CARRIED IN

1 A TRANSPORTATION VEHICLE;

2 (IV) RECORD-KEEPING REQUIREMENTS; AND

3 (V) TRANSPORTATION MANIFEST REQUIREMENTS;

4 (i) LIMITS ON THE AMOUNT OF REGULATED NATURAL MEDICINE

5 AND REGULATED NATURAL MEDICINE PRODUCT THAT IS ALLOWED FOR

6 PRODUCTION BY A NATURAL MEDICINE CULTIVATION FACILITY LICENSE OR

7 NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE BASED ON A

8 METRIC OR SET OF METRICS. WHEN CONSIDERING ANY LIMITATIONS, THE

9 STATE LICENSING AUTHORITY SHALL CONSIDER THE TOTAL CURRENT AND

10 ANTICIPATED DEMAND FOR REGULATED NATURAL MEDICINE AND

11 REGULATED NATURAL MEDICINE PRODUCT IN COLORADO AND ATTEMPT TO

12 MINIMIZE THE MARKET FOR UNLAWFUL NATURAL MEDICINE AND NATURAL

13 MEDICINE PRODUCT.

14 (j) RECORDS TO BE KEPT BY LICENSEES AND THE REQUIRED

15 AVAILABILITY OF THE RECORDS FOR INSPECTION BY THE STATE LICENSING

16 AUTHORITY;

17 (k) REQUIREMENTS TO PREVENT THE TRANSFER OR DIVERSION OF

18 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT TO PERSONS UNDER

19 TWENTY-ONE YEARS OF AGE;

20 (l) PERMITTED AND PROHIBITED TRANSFERS OF REGULATED

21 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT

22 BETWEEN LICENSEES;

23 (m) STANDARDS FOR ADVERTISING AND MARKETING A LICENSEE'S

24 SERVICES, INCLUDING: AVOIDING THE MISAPPROPRIATION AND

25 EXPLOITATION OF INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND

26 RELIGIONS; AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL

27 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE

1 SERVICES; PROHIBITING ADVERTISING AND MARKETING OF NATURAL  
2 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
3 SERVICES DIRECTED TO INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS  
4 OF AGE; AND OTHER PARAMETERS DETERMINED NECESSARY BY THE STATE  
5 LICENSING AUTHORITY.

6 (n) THE STANDARDS FOR QUALIFICATION AS A LICENSEE,  
7 INCLUDING ENVIRONMENTAL, SOCIAL, AND GOVERNANCE CRITERIA  
8 DIRECTED TO THE FINDINGS AND DECLARATIONS SET FORTH IN SECTION  
9 12-170-102.

10 (2) **Permissive rule-making.** RULES PROMULGATED PURSUANT TO  
11 SECTION 44-50-202 (1)(b) MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
12 THE FOLLOWING SUBJECTS:

13 (a) ESTABLISHMENT OF LICENSES, AND THE PRIVILEGES AND  
14 RESTRICTIONS PURSUANT TO SUCH LICENSES, DETERMINED NECESSARY BY  
15 THE STATE LICENSING AUTHORITY TO IMPLEMENT OR ADMINISTER THIS  
16 ARTICLE 50;

17 (b) ESTABLISHMENT OF A PRINCIPLE FILE PROCESS AND  
18 REQUIREMENTS FOR AN APPLICANT SEEKING TO EXERCISE THE PRIVILEGES  
19 OF A LICENSE TYPE IN MULTIPLE LOCATIONS OR SEEKING TO EXERCISE THE  
20 PRIVILEGES OF MULTIPLE LICENSE TYPES;

21 (c) REQUIREMENTS FOR ISSUANCE OF CO-LOCATION PERMITS TO A  
22 LICENSEE AUTHORIZING CO-LOCATION WITH ANOTHER LICENSED PREMISES;

23 (d) REQUIREMENTS AND RESTRICTIONS ON DIFFERENT TYPES OF  
24 REGULATED NATURAL MEDICINE OR REGULATED NATURAL MEDICINE  
25 PRODUCT;

26 (e) PACKAGING AND LABELING REQUIREMENTS FOR REGULATED  
27 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT,

1 INCLUDING:

2 (I) WARNING LABELS;

3 (II) INDIVIDUAL SERVING AND PER-PACKAGE SERVING AMOUNTS;

4 AND

5 (III) CONCENTRATION OF THE REGULATED NATURAL MEDICINE OR

6 REGULATED NATURAL MEDICINE PRODUCT;

7 (f) SECURITY REQUIREMENTS FOR LICENSED PREMISES, INCLUDING

8 LIGHTING, PHYSICAL SECURITY, VIDEO, AND ALARM REQUIREMENTS, AND

9 OTHER MINIMUM PROCEDURES FOR INTERNAL CONTROL AS DEEMED

10 NECESSARY BY THE STATE LICENSING AUTHORITY TO PROPERLY

11 ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ARTICLE 50,

12 INCLUDING REPORTING REQUIREMENTS FOR CHANGES, ALTERATIONS,

13 MODIFICATIONS TO THE PREMISES, OR ACTIVITIES OR INCIDENTS ON THE

14 PREMISES;

15 (g) HEALTH AND SAFETY REGULATIONS AND STANDARDS;

16 (h) SANITARY REQUIREMENTS;

17 (i) WASTE, DISPOSAL, AND DESTRUCTION REQUIREMENTS OF

18 REGULATED NATURAL MEDICINE OR REGULATED NATURAL MEDICINE

19 PRODUCT, INCLUDING RECORD-KEEPING REQUIREMENTS;

20 (j) STORAGE AND TRANSPORTATION OF REGULATED NATURAL

21 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT;

22 (k) REQUIREMENTS OF LICENSEES TO TRACK AND MANAGE

23 INVENTORY;

24 (l) COMPLIANCE WITH, ENFORCEMENT OF, OR VIOLATION OF ANY

25 PROVISION OF THIS ARTICLE 50, ARTICLE 18 OF TITLE 18, OR ANY RULE

26 PROMULGATED PURSUANT TO THIS ARTICLE 50, INCLUDING PROCEDURES

27 AND GROUNDS FOR DENYING, SUSPENDING, FINING, MODIFYING,

1 RESTRICTING, OR REVOKING A STATE LICENSE ISSUED PURSUANT TO THIS  
2 ARTICLE 50 OR ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE 50;

3 (m) ESTABLISHING A SCHEDULE OF PENALTIES FOR ALLEGED  
4 VIOLATIONS OF STATUTES AND RULES;

5 (n) SPECIFICATIONS OF DUTIES OF OFFICERS AND EMPLOYEES OF  
6 THE STATE LICENSING AUTHORITY;

7 (o) INSTRUCTIONS FOR LAW ENFORCEMENT OFFICERS;

8 (p) REQUIREMENTS FOR INSPECTIONS, INVESTIGATIONS, SEARCHES,  
9 SEIZURES, FORFEITURES, EMBARGO, QUARANTINE, RECALLS, AND SUCH  
10 ADDITIONAL ACTIVITIES AS MAY BECOME NECESSARY;

11 (q) PROHIBITION OF MISREPRESENTATION AND UNFAIR PRACTICES;

12 AND

13 (r) SUCH OTHER MATTERS AS ARE NECESSARY FOR THE FAIR,  
14 IMPARTIAL, STRINGENT, AND COMPREHENSIVE ADMINISTRATION OF THIS  
15 ARTICLE 50.

16 (3) THE STATE LICENSING AUTHORITY SHALL CONSULT THE BOARD  
17 WHEN CONSIDERING AND PROMULGATING RULES PURSUANT TO THIS  
18 SECTION.

19 (4) (a) THE STATE LICENSING AUTHORITY MAY, BY RULE,  
20 ESTABLISH PROCEDURES FOR THE CONDITIONAL ISSUANCE OF AN  
21 EMPLOYEE LICENSE IDENTIFICATION CARD AT THE TIME OF APPLICATION.

22 (b) (I) THE STATE LICENSING AUTHORITY SHALL BASE ITS  
23 ISSUANCE OF AN EMPLOYEE LICENSE IDENTIFICATION CARD PURSUANT TO  
24 THIS SUBSECTION (4) ON THE RESULTS OF AN INITIAL INVESTIGATION THAT  
25 DEMONSTRATES THE APPLICANT IS QUALIFIED TO HOLD A LICENSE. THE  
26 EMPLOYEE LICENSE APPLICATION FOR WHICH AN EMPLOYEE LICENSE  
27 IDENTIFICATION CARD WAS ISSUED PURSUANT TO THIS SUBSECTION (4)

1 REMAINS SUBJECT TO DENIAL PENDING THE COMPLETE RESULTS OF THE  
2 APPLICANT'S INITIAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
3 CHECK.

4 (II) RESULTS OF A FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
5 CHECK THAT DEMONSTRATE THAT AN APPLICANT POSSESSING AN  
6 EMPLOYEE LICENSE IDENTIFICATION CARD PURSUANT TO THIS SUBSECTION  
7 (4) IS NOT QUALIFIED TO HOLD A LICENSE ISSUED PURSUANT TO THIS  
8 ARTICLE 50 ARE GROUNDS FOR DENIAL OF THE EMPLOYEE LICENSE  
9 APPLICATION. IF THE EMPLOYEE LICENSE APPLICATION IS DENIED, THE  
10 APPLICANT SHALL RETURN THE EMPLOYEE LICENSE IDENTIFICATION CARD  
11 TO THE STATE LICENSING AUTHORITY WITHIN A TIME PERIOD THAT THE  
12 STATE LICENSING AUTHORITY ESTABLISHES BY RULE.

13 **44-50-204. Confidentiality.** (1) THE STATE LICENSING  
14 AUTHORITY SHALL MAINTAIN THE CONFIDENTIALITY OF:

15 (a) REPORTS OR OTHER INFORMATION OBTAINED FROM A LICENSEE  
16 OR A LICENSE APPLICANT CONTAINING ANY INDIVIDUALIZED DATA,  
17 INFORMATION, OR RECORDS RELATED TO THE APPLICANT; LICENSEE;  
18 LICENSEE'S OPERATION, INCLUDING SALES INFORMATION, LEASES,  
19 BUSINESS ORGANIZATION RECORDS, FINANCIAL RECORDS, TAX RETURNS,  
20 CREDIT REPORTS, CULTIVATION INFORMATION, TESTING RESULTS, AND  
21 SECURITY INFORMATION AND PLANS; ANY PARTICIPANT INFORMATION; OR  
22 ANY OTHER RECORDS THAT ARE EXEMPT FROM PUBLIC INSPECTION  
23 PURSUANT TO STATE LAW. SUCH REPORTS OR OTHER INFORMATION MAY  
24 BE USED ONLY FOR A PURPOSE AUTHORIZED BY THIS ARTICLE 50 OR A RULE  
25 PROMULGATED PURSUANT TO THIS ARTICLE 50 FOR INVESTIGATION OR  
26 ENFORCEMENT OF ANY INTERNATIONAL, FEDERAL, STATE, OR LOCAL  
27 SECURITIES LAW OR REGULATION, OR FOR ANY OTHER STATE OR LOCAL

1 LAW ENFORCEMENT PURPOSE. ANY INFORMATION RELEASED RELATED TO  
2 A PARTICIPANT MAY BE USED ONLY FOR A PURPOSE AUTHORIZED BY THIS  
3 ARTICLE 50, AS A PART OF AN ACTIVE INVESTIGATION, AS A PART OF A  
4 PROCEEDING AUTHORIZED BY THIS ARTICLE 50, OR FOR ANY STATE OR  
5 LOCAL LAW ENFORCEMENT PURPOSE INVOLVING EVIDENCE OF SALES  
6 TRANSACTIONS IN VIOLATION OF THIS ARTICLE 50 OR EVIDENCE OF  
7 CRIMINAL ACTIVITY. THE INFORMATION OR RECORDS RELATED TO A  
8 PARTICIPANT CONSTITUTE MEDICAL DATA AS DESCRIBED BY SECTION  
9 24-72-204 (3)(a)(I), AND THE INFORMATION OR RECORDS MAY ONLY BE  
10 DISCLOSED TO THOSE PERSONS DIRECTLY INVOLVED WITH AN ACTIVE  
11 INVESTIGATION OR PROCEEDING.

12 (b) INVESTIGATIVE RECORDS AND DOCUMENTS RELATED TO  
13 ONGOING INVESTIGATIONS. THOSE RECORDS AND DOCUMENTS MAY BE  
14 USED ONLY FOR A PURPOSE AUTHORIZED BY THIS ARTICLE 50 OR RULES  
15 PROMULGATED BY THIS ARTICLE 50, OR FOR ANY OTHER STATE OR LOCAL  
16 LAW ENFORCEMENT PURPOSE.

17 (c) COMPUTER SYSTEMS MAINTAINED BY THE STATE LICENSING  
18 AUTHORITY AND THE VENDORS WITH WHICH THE STATE LICENSING  
19 AUTHORITY HAS CONTRACTED.

20 (2) THE STATE LICENSING AUTHORITY SHALL MAKE AVAILABLE  
21 FOR PUBLIC INSPECTION:

22 (a) DOCUMENTS RELATED TO FINAL AGENCY ACTIONS AND  
23 ORDERS;

24 (b) RECORDS RELATED TO TESTING ON AN AGGREGATED AND  
25 DE-IDENTIFIED BASIS;

26 (c) DEMOGRAPHIC INFORMATION RELATED TO APPLICANTS AND  
27 LICENSEES AVAILABLE ON AN AGGREGATED AND DE-IDENTIFIED BASIS;

1 AND

2 (d) ENFORCEMENT FORMS AND COMPLIANCE CHECKLISTS.

3

PART 3

4

LICENSE TYPES

5

**44-50-301. Classes of licenses.** (1) FOR THE PURPOSE OF

6

REGULATING THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,

7

DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED

8

NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT, THE

9

STATE LICENSING AUTHORITY IN ITS DISCRETION, UPON APPLICATION IN

10

THE PRESCRIBED FORM, MAY ISSUE AND GRANT TO THE APPLICANT A

11

LICENSE FROM ANY OF THE CLASSES LISTED IN SUBSECTION (2) OF THIS

12

SECTION, SUBJECT TO THE PROVISIONS AND RESTRICTIONS PROVIDED BY

13

THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50.

14

(2) (a) THE FOLLOWING ARE NATURAL MEDICINE BUSINESS

15

LICENSES:

16

(I) NATURAL MEDICINE HEALING CENTER LICENSE;

17

(II) NATURAL MEDICINE CULTIVATION FACILITY LICENSE;

18

(III) NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE;

19

(IV) NATURAL MEDICINE TESTING FACILITY LICENSE; AND

20

(V) ANY NATURAL MEDICINE BUSINESS LICENSE DETERMINED

21

NECESSARY BY THE STATE LICENSING AUTHORITY.

22

(b) THE FOLLOWING ARE NATURAL MEDICINE LICENSES OR

23

REGISTRATIONS: OCCUPATIONAL LICENSES AND REGISTRATIONS FOR

24

OWNERS, MANAGERS, OPERATORS, EMPLOYEES, CONTRACTORS, AND

25

OTHER SUPPORT STAFF EMPLOYED BY, WORKING IN, OR HAVING ACCESS TO

26

RESTRICTED AREAS OF THE LICENSED PREMISES, AS DETERMINED BY THE

27

STATE LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY MAY

1 TAKE ANY ACTION WITH RESPECT TO A REGISTRATION OR PERMIT  
2 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
3 THIS ARTICLE 50 AS IT MAY, WITH RESPECT TO A LICENSE ISSUED  
4 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
5 THIS ARTICLE 50 IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED  
6 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
7 THIS ARTICLE 50.

8 (3) A STATE CHARTERED BANK OR A CREDIT UNION MAY LOAN  
9 MONEY TO ANY PERSON LICENSED PURSUANT TO THIS ARTICLE 50 OR  
10 RULES PROMULGATED PURSUANT TO THIS ARTICLE 50 FOR THE OPERATION  
11 OF A LICENSED NATURAL MEDICINE BUSINESS.

12 (4) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO  
13 THIS ARTICLE 50 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED  
14 PURSUANT TO ARTICLE 3, 4, 5, OR 10 OF THIS TITLE 44.

15 **44-50-302. Restrictions for applications for new licenses.**

16 (1) THE STATE LICENSING AUTHORITY SHALL NOT RECEIVE OR ACT UPON  
17 AN APPLICATION FOR THE ISSUANCE OF A NATURAL MEDICINE BUSINESS  
18 LICENSE PURSUANT TO THIS ARTICLE 50:

19 (a) IF THE APPLICATION FOR A LICENSE CONCERNS A PARTICULAR  
20 LOCATION THAT IS THE SAME AS OR WITHIN ONE THOUSAND FEET OF A  
21 LOCATION FOR WHICH, WITHIN THE TWO YEARS IMMEDIATELY PRECEDING  
22 THE DATE OF THE APPLICATION, THE STATE LICENSING AUTHORITY DENIED  
23 AN APPLICATION FOR THE SAME CLASS OF LICENSE DUE TO THE NATURE OF  
24 THE USE OR OTHER CONCERN RELATED TO THE LOCATION;

25 (b) UNTIL IT IS ESTABLISHED THAT THE APPLICANT IS, OR WILL BE,  
26 ENTITLED TO POSSESSION OF THE PREMISES FOR WHICH APPLICATION IS  
27 MADE UNDER A LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT

1 FOR POSSESSION OF THE PREMISES OR BY VIRTUE OF OWNERSHIP OF THE  
2 PREMISES;

3 (c) FOR A LOCATION IN AN AREA WHERE THE CULTIVATION,  
4 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSFER, AND  
5 DISPENSATION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT AS  
6 CONTEMPLATED IS NOT PERMITTED UNDER THE APPLICABLE ZONING LAWS  
7 OF THE LOCAL JURISDICTION;

8 (d) (I) IF THE BUILDING WHERE NATURAL MEDICINE SERVICES ARE  
9 PROVIDED IS WITHIN ONE THOUSAND FEET OF A CHILD CARE CENTER;  
10 PRESCHOOL; ELEMENTARY, MIDDLE, JUNIOR, OR HIGH SCHOOL; OR A  
11 RESIDENTIAL CHILD CARE FACILITY. THE PROVISIONS OF THIS SECTION DO  
12 NOT AFFECT THE RENEWAL OR REISSUANCE OF A LICENSE ONCE GRANTED  
13 OR APPLY TO LICENSED PREMISES LOCATED OR TO BE LOCATED ON LAND  
14 OWNED BY A MUNICIPALITY, NOR DO THE PROVISIONS OF THIS SECTION  
15 APPLY TO AN EXISTING LICENSED PREMISES ON LAND OWNED BY THE STATE  
16 OR APPLY TO A LICENSE IN EFFECT AND ACTIVELY DOING BUSINESS BEFORE  
17 THE SCHOOL OR FACILITY WAS CONSTRUCTED. THE GOVERNING BODY OF  
18 A MUNICIPALITY, BY ORDINANCE; AND THE GOVERNING BODY OF A  
19 COUNTY, BY RESOLUTION, MAY VARY THE DISTANCE RESTRICTIONS  
20 IMPOSED BY THIS SUBSECTION (1)(d)(I) FOR A LICENSE OR MAY ELIMINATE  
21 ONE OR MORE TYPES OF SCHOOLS OR FACILITIES FROM THE APPLICATION  
22 OF A DISTANCE RESTRICTION ESTABLISHED BY OR PURSUANT TO THIS  
23 SUBSECTION (1)(d)(I).

24 (II) THE DISTANCES REFERRED TO IN THIS SUBSECTION (1)(d) MUST  
25 BE COMPUTED BY DIRECT MEASUREMENT FROM THE NEAREST PROPERTY  
26 LINE OF THE LAND USED FOR A SCHOOL OR FACILITY TO THE NEAREST  
27 PORTION OF THE BUILDING IN WHICH NATURAL MEDICINE SERVICES ARE

1 PROVIDED, USING A ROUTE OF DIRECT PEDESTRIAN ACCESS.

2 (III) THE STATE LICENSING AUTHORITY SHALL CONSIDER THE  
3 EVIDENCE AND MAKE A SPECIFIC FINDING OF FACT AS TO WHETHER THE  
4 BUILDING IN WHICH THE NATURAL MEDICINE BUSINESS IS LOCATED IS  
5 WITHIN ANY DISTANCE RESTRICTIONS ESTABLISHED BY OR PURSUANT TO  
6 THIS SUBSECTION (1)(d).

7 (2) THE STATE LICENSING AUTHORITY SHALL NOT APPROVE AN  
8 APPLICATION FOR THE ISSUANCE OF A NATURAL MEDICINE BUSINESS  
9 LICENSE PURSUANT TO THIS ARTICLE 50 UNTIL THE STATE LICENSING  
10 AUTHORITY ESTABLISHES THAT THE APPLICANT IS, OR WILL BE, ENTITLED  
11 TO POSSESSION OF THE PREMISES FOR WHICH APPLICATION IS MADE UNDER  
12 A LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT FOR POSSESSION  
13 OF THE PREMISES OR BY VIRTUE OF OWNERSHIP OF THE PREMISES.

14 PART 4

15 NATURAL MEDICINE LICENSE TYPES

16 **44-50-401. Natural medicine healing center license - rules.**

17 (1) A NATURAL MEDICINE HEALING CENTER LICENSE MAY BE ISSUED ONLY  
18 TO A PERSON THAT EMPLOYS OR CONTRACTS WITH A FACILITATOR WHO  
19 PROVIDES NATURAL MEDICINE SERVICES PURSUANT TO THE TERMS AND  
20 CONDITIONS OF ARTICLE 170 OF TITLE 12.

21 (2) A NATURAL MEDICINE HEALING CENTER LICENSEE MAY  
22 TRANSFER REGULATED NATURAL MEDICINE OR REGULATED NATURAL  
23 MEDICINE PRODUCT TO ANOTHER NATURAL MEDICINE HEALING CENTER  
24 LICENSEE PURSUANT TO RULES PROMULGATED BY THE STATE LICENSING  
25 AUTHORITY.

26 (3) PRIOR TO INITIATING NATURAL MEDICINE SERVICES, THE  
27 FACILITATOR OF THE NATURAL MEDICINE HEALING CENTER LICENSEE

1 SHALL VERIFY THAT THE PARTICIPANT IS TWENTY-ONE YEARS OF AGE OR  
2 OLDER.

3 (4) A NATURAL MEDICINE HEALING CENTER LICENSEE SHALL  
4 COMPLY WITH ALL PROVISIONS OF ARTICLE 34 OF TITLE 24, AS THE  
5 PROVISIONS RELATE TO PERSONS WITH DISABILITIES.

6 (5) (a) EXCEPT AS PROVIDED IN SUBSECTION (5)(b) OF THIS  
7 SECTION, A NATURAL MEDICINE HEALING CENTER LICENSEE SHALL NOT  
8 TRANSFER, INDIVIDUALLY OR IN ANY COMBINATION, MORE THAN AN  
9 AMOUNT PROMULGATED BY RULE OF NATURAL MEDICINE AND NATURAL  
10 MEDICINE PRODUCT TO A PARTICIPANT IN A SINGLE ADMINISTRATION  
11 SESSION.

12 (b) THE STATE LICENSING AUTHORITY MAY PROMULGATE RULES  
13 TO ESTABLISH CERTAIN EXEMPTIONS TO THE NATURAL MEDICINE OR  
14 NATURAL MEDICINE PRODUCT LIMITATION AND MAY ESTABLISH  
15 RECORD-KEEPING REQUIREMENTS FOR NATURAL MEDICINE HEALING  
16 CENTER LICENSEES PURSUANT TO ANY EXEMPTION TO THE  
17 ADMINISTRATION LIMITATION.

18 **44-50-402. Natural medicine cultivation facility license.** (1) A  
19 NATURAL MEDICINE CULTIVATION FACILITY LICENSE MAY BE ISSUED ONLY  
20 TO A PERSON WHO CULTIVATES REGULATED NATURAL MEDICINE FOR  
21 TRANSFER AND DISTRIBUTION TO NATURAL MEDICINE HEALING CENTER  
22 LICENSEES, NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEES, OR  
23 OTHER NATURAL MEDICINE CULTIVATION FACILITY LICENSEES.

24 (2) NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT MUST  
25 NOT BE CONSUMED ON THE NATURAL MEDICINE CULTIVATION FACILITY  
26 LICENSEE'S LICENSED PREMISES, UNLESS THE LICENSED PREMISES IS  
27 CO-LOCATED WITH A NATURAL MEDICINE HEALING CENTER LICENSEE'S

1 LICENSED PREMISES.

2 **44-50-403. Natural medicine product manufacturer license.**

3 (1) (a) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE MAY BE  
4 ISSUED TO A PERSON WHO MANUFACTURES REGULATED NATURAL  
5 MEDICINE PRODUCT PURSUANT TO THE TERMS AND CONDITIONS OF THIS  
6 ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE 50.

7 (b) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEE  
8 MAY CULTIVATE ITS OWN REGULATED NATURAL MEDICINE PURSUANT TO  
9 A NATURAL MEDICINE CULTIVATION FACILITY LICENSEE.

10 (c) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEE  
11 SHALL NOT:

12 (I) ADD ANY REGULATED NATURAL MEDICINE TO A FOOD PRODUCT  
13 IF THE MANUFACTURER OF THE FOOD PRODUCT HOLDS A TRADEMARK TO  
14 THE FOOD PRODUCT'S NAME; EXCEPT THAT A NATURAL MEDICINE PRODUCT  
15 MANUFACTURER LICENSEE MAY USE A TRADEMARKED FOOD PRODUCT IF  
16 THE MANUFACTURER USES THE PRODUCT AS A COMPONENT OR AS PART OF  
17 A RECIPE AND IF THE NATURAL MEDICINE PRODUCT MANUFACTURER  
18 LICENSEE DOES NOT STATE OR ADVERTISE TO THE CONSUMER THAT THE  
19 FINAL NATURAL MEDICINE PRODUCT CONTAINS A TRADEMARKED FOOD  
20 PRODUCT;

21 (II) INTENTIONALLY OR KNOWINGLY LABEL OR PACKAGE NATURAL  
22 MEDICINE OR NATURAL MEDICINE PRODUCT IN A MANNER THAT WOULD  
23 CAUSE A REASONABLE CONSUMER CONFUSION AS TO WHETHER THE  
24 NATURAL MEDICINE PRODUCT WAS A TRADEMARKED FOOD PRODUCT; OR

25 (III) LABEL OR PACKAGE A PRODUCT IN A MANNER THAT VIOLATES  
26 ANY FEDERAL TRADEMARK LAW OR REGULATION.

27 (2) NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT MUST

1 NOT BE CONSUMED ON A NATURAL MEDICINE PRODUCT MANUFACTURER  
2 LICENSEE'S LICENSED PREMISES, UNLESS THE LICENSED PREMISES IS  
3 CO-LOCATED WITH A NATURAL MEDICINE HEALING CENTER LICENSEE'S  
4 LICENSED PREMISES.

5 **44-50-404. Natural medicine testing facility license - rules.**

6 (1) (a) A NATURAL MEDICINE TESTING FACILITY LICENSE MAY BE ISSUED  
7 TO A PERSON WHO PERFORMS TESTING AND RESEARCH ON NATURAL  
8 MEDICINE AND NATURAL MEDICINE PRODUCT.

9 (b) THE TESTING OF NATURAL MEDICINE AND NATURAL MEDICINE  
10 PRODUCT, AND THE ASSOCIATED STANDARDS, IS A MATTER OF STATEWIDE  
11 CONCERN.

12 (2) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES  
13 RELATED TO ACCEPTABLE TESTING AND RESEARCH PRACTICES, INCLUDING  
14 BUT NOT LIMITED TO TESTING, STANDARDS, QUALITY CONTROL ANALYSIS,  
15 EQUIPMENT CERTIFICATION AND CALIBRATION, IDENTIFICATION OF  
16 CHEMICALS AND OTHER SUBSTANCES USED IN BONA FIDE RESEARCH  
17 METHODS, AND WHETHER TO ALLOW A NATURAL PERSON TO REQUEST AND  
18 UTILIZE TESTING SERVICES OF NATURAL MEDICINE AND NATURAL  
19 MEDICINE PRODUCT IF THE NATURAL PERSON IS TWENTY-ONE YEARS OF  
20 AGE OR OLDER.

21 (3) A PERSON WHO HAS AN INTEREST IN A NATURAL MEDICINE  
22 TESTING FACILITY LICENSE SHALL NOT HAVE ANY INTEREST IN A LICENSED  
23 NATURAL MEDICINE HEALING CENTER, A LICENSED NATURAL MEDICINE  
24 CULTIVATION FACILITY, A LICENSED NATURAL MEDICINE PRODUCT  
25 MANUFACTURER, OR A NATURAL MEDICINE LICENSE ISSUED BY THE STATE  
26 LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 50 OR RULES  
27 PROMULGATED PURSUANT TO THIS ARTICLE 50.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

PART 5  
UNLAWFUL ACTS

**44-50-501. Unlawful acts.** (1) EXCEPT AS OTHERWISE PROVIDED  
IN THIS ARTICLE 50, IT IS UNLAWFUL FOR A LICENSEE TO:

(a) TRANSFER NATURAL MEDICINE OR A NATURAL MEDICINE  
PRODUCT TO A PERSON UNDER TWENTY-ONE YEARS OF AGE; OR

(b) KNOWINGLY ADULTERATE OR ALTER, OR ATTEMPT TO  
ADULTERATE OR ALTER, ANY SAMPLE OF REGULATED NATURAL MEDICINE  
OR A NATURAL MEDICINE PRODUCT FOR THE PURPOSE OF CIRCUMVENTING  
TESTING REQUIREMENTS.

PART 6  
FEES

**44-50-601. Regulated natural medicine cash fund - created -  
rules.** (1) (a) ALL MONEY COLLECTED BY THE STATE LICENSING  
AUTHORITY PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
PURSUANT TO THIS ARTICLE 50 MUST BE TRANSMITTED TO THE STATE  
TREASURER, WHO SHALL CREDIT THE SAME TO THE REGULATED NATURAL  
MEDICINE DIVISION CASH FUND, WHICH IS HEREBY CREATED. THE  
REGULATED NATURAL MEDICINE DIVISION CASH FUND, REFERRED TO IN  
THIS SECTION AS THE "FUND", CONSISTS OF:

(I) THE MONEY COLLECTED BY THE STATE LICENSING AUTHORITY;  
AND

(II) ANY ADDITIONAL GENERAL FUND MONEY APPROPRIATED TO  
THE FUND THAT IS NECESSARY FOR THE OPERATION OF THE STATE  
LICENSING AUTHORITY.

(b) MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION  
BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND

1 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE 50.

2 (c) ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSES  
3 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS  
4 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE  
5 INVESTMENT AND DEPOSIT OF MONEY IN THE FUND SHALL BE CREDITED TO  
6 THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING  
7 IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND  
8 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR  
9 ANOTHER FUND.

10 (2) THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE  
11 PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE  
12 FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3) TO REDUCE THE  
13 UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF  
14 ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED  
15 RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE  
16 DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE  
17 THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION  
18 24-75-402 (4).

19 (3) (a) THE STATE LICENSING AUTHORITY SHALL ESTABLISH FEES  
20 FOR PROCESSING THE APPLICATIONS OR LICENSES PURSUANT TO SECTION  
21 44-50-301.

22 (b) THE AMOUNTS OF SUCH FEES, WHEN ADDED TO THE OTHER FEES  
23 TRANSFERRED TO THE FUND PURSUANT TO THIS SECTION, MUST REFLECT  
24 THE ACTUAL DIRECT AND INDIRECT COSTS OF THE STATE LICENSING  
25 AUTHORITY IN THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE  
26 50 SO THAT THE FEES AVOID EXCEEDING THE STATUTORY LIMIT ON  
27 UNCOMMITTED RESERVES IN ADMINISTRATIVE AGENCY CASH FUNDS AS SET

1 FORTH IN SECTION 24-75-402 (3).

2 (c) THE STATE LICENSING AUTHORITY MAY CHARGE APPLICANTS  
3 LICENSED PURSUANT TO THIS ARTICLE 50 A FEE FOR THE COST OF EACH  
4 FINGERPRINT ANALYSIS AND BACKGROUND INVESTIGATION UNDERTAKEN  
5 TO QUALIFY NEW OFFICERS, DIRECTORS, MANAGERS, OR EMPLOYEES.

6 (d) AT LEAST ANNUALLY, THE STATE LICENSING AUTHORITY SHALL  
7 REVIEW THE AMOUNTS OF THE FEES AND, IF NECESSARY, ADJUST THE  
8 AMOUNTS TO REFLECT THE DIRECT AND INDIRECT COSTS OF THE STATE  
9 LICENSING AUTHORITY.

10 (e) THE FEES ESTABLISHED AND COLLECTED PURSUANT TO THIS  
11 SECTION MUST NOT EXCEED THE AMOUNT NECESSARY TO ADMINISTER THIS  
12 ARTICLE 50.

13 (4) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION, THE  
14 STATE LICENSING AUTHORITY SHALL ESTABLISH A BASIC FEE THAT SHALL  
15 BE PAID AT THE TIME OF SERVICE OF ANY SUBPOENA UPON THE STATE  
16 LICENSING AUTHORITY, PLUS A FEE FOR MEALS AND A FEE FOR MILEAGE AT  
17 THE RATE PRESCRIBED FOR STATE OFFICERS AND EMPLOYEES IN SECTION  
18 24-9-104 FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED IN  
19 GOING TO AND RETURNING FROM THE PLACE NAMED IN THE SUBPOENA. IF  
20 THE PERSON NAMED IN THE SUBPOENA IS REQUIRED TO ATTEND THE PLACE  
21 NAMED IN THE SUBPOENA FOR MORE THAN ONE DAY, THERE SHALL BE  
22 PAID, IN ADVANCE, A SUM TO BE ESTABLISHED BY THE STATE LICENSING  
23 AUTHORITY FOR EACH DAY OF ATTENDANCE TO COVER THE EXPENSES OF  
24 THE PERSON NAMED IN THE SUBPOENA.

25 (5) THE SUBPOENA FEE ESTABLISHED PURSUANT TO SUBSECTION  
26 (4) OF THIS SECTION DOES NOT APPLY TO ANY FEDERAL, STATE, OR LOCAL  
27 GOVERNMENTAL AGENCY.





1 PURSUANT TO THIS ARTICLE 50, OR BY THOSE WHO ALLOW PROPERTY TO  
2 BE USED PURSUANT TO A LICENSE ISSUED PURSUANT TO THIS ARTICLE 50,  
3 ARE LAWFUL AND ARE NOT AN OFFENSE UNDER STATE LAW OR THE LAWS  
4 OF ANY LOCAL JURISDICTION WITHIN THE STATE; ARE NOT SUBJECT TO A  
5 CIVIL FINE, PENALTY, OR SANCTION; ARE NOT A BASIS FOR DETENTION,  
6 SEARCH, OR ARREST; ARE NOT A BASIS TO DENY ANY RIGHT OR PRIVILEGE;  
7 AND ARE NOT A BASIS TO SEIZE OR FORFEIT ASSETS UNDER STATE LAW OR  
8 THE LAWS OF ANY LOCAL JURISDICTION WITHIN THIS STATE;

9 (b) A CONTRACT IS NOT UNENFORCEABLE ON THE BASIS THAT  
10 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS ALLOWED  
11 PURSUANT TO THIS ARTICLE 50, IS PROHIBITED BY FEDERAL LAW;

12 (c) A LICENSEE, REGISTRANT, OR PERMITTEE PURSUANT TO THIS  
13 ARTICLE 50 IS NOT SUBJECT TO DISCIPLINE OR LOSS OF A PROFESSIONAL  
14 LICENSE OR CERTIFICATION FOR PROVIDING ADVICE OR SERVICES ARISING  
15 OUT OF OR RELATED TO NATURAL MEDICINE OR NATURAL MEDICINE  
16 PRODUCT, APPLICATIONS FOR LICENSES ON THE BASIS THAT NATURAL  
17 MEDICINE OR NATURAL MEDICINE PRODUCT IS PROHIBITED BY FEDERAL  
18 LAW, OR FOR PERSONAL USE OF NATURAL MEDICINE OR NATURAL  
19 MEDICINE PRODUCT AS ALLOWED PURSUANT TO THIS ARTICLE 50. THIS  
20 SUBSECTION (1)(c) DOES NOT PERMIT A LICENSEE, REGISTRANT, OR  
21 PERMITTEE TO ENGAGE IN MALPRACTICE.

22 (d) MENTAL HEALTH CARE, SUBSTANCE USE DISORDER  
23 INTERVENTION, OR BEHAVIORAL HEALTH SERVICES OTHERWISE COVERED  
24 UNDER THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4 TO 6 OF  
25 TITLE 25.5, MUST NOT BE DENIED ON THE BASIS THAT THEY ARE COVERED  
26 IN CONJUNCTION WITH NATURAL MEDICINE SERVICES, OR THAT NATURAL  
27 MEDICINE OR NATURAL MEDICINE PRODUCT IS PROHIBITED BY FEDERAL

1 LAW. INSURANCE OR AN INSURANCE PROVIDER IS NOT REQUIRED TO COVER  
2 THE COST OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT.

3 (e) NOTHING IN THIS SECTION MAY BE CONSTRUED OR  
4 INTERPRETED TO PREVENT THE DIRECTOR FROM ENFORCING ITS RULES  
5 AGAINST A LICENSEE OR TO LIMIT A STATE OR LOCAL LAW ENFORCEMENT  
6 AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY IN RELATION TO  
7 A LICENSEE.

8 **44-50-902. Liberal construction.** THIS ARTICLE 50 MUST BE  
9 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE.

10 **44-50-903. Preemption.** A LOCAL JURISDICTION SHALL NOT  
11 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION THAT  
12 ARE OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ARTICLE 50.

13 **44-50-904. Severability.** IF ANY PROVISION OF THIS ARTICLE 50 IS  
14 FOUND BY A COURT OF COMPETENT JURISDICTION TO BE  
15 UNCONSTITUTIONAL, THE REMAINING PROVISIONS OF THIS ARTICLE 50 ARE  
16 VALID, UNLESS IT APPEARS TO THE COURT THAT THE VALID PROVISIONS OF  
17 THE STATUTE ARE SO ESSENTIALLY AND INSEPARABLY CONNECTED WITH,  
18 AND SO DEPENDENT UPON, THE VOID PROVISION THAT IT CANNOT BE  
19 PRESUMED THAT THE GENERAL ASSEMBLY WOULD HAVE ENACTED THE  
20 VALID PROVISIONS WITHOUT THE VOID ONE; OR UNLESS THE COURT  
21 DETERMINES THAT THE VALID PROVISIONS, STANDING ALONE, ARE  
22 INCOMPLETE AND ARE INCAPABLE OF BEING EXECUTED IN ACCORDANCE  
23 WITH THE LEGISLATIVE INTENT.

24 PART 10

25 SUNSET REVIEW - ARTICLE REPEAL

26 **44-50-1001. Sunset review - repeal of article.** (1) THIS ARTICLE  
27 50 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032.

1 (2) PRIOR TO THE REPEAL OF THIS ARTICLE 50, THE DEPARTMENT  
2 OF REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW AS  
3 DESCRIBED IN SECTION 24-34-104 (5).

4 **SECTION 22.** In Colorado Revised Statutes, 16-13-303, **amend**  
5 (9) as follows:

6 **16-13-303. Class 1 public nuisance.** (9) ~~A person acting in~~  
7 ~~compliance with the "Natural Medicine Health Act of 2022", article 170~~  
8 ~~of title 12 does not violate this section~~ IT IS NOT A VIOLATION OF THIS  
9 SECTION IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434,  
10 ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

11 **SECTION 23.** In Colorado Revised Statutes, 16-13-304, **amend**  
12 (2) as follows:

13 **16-13-304. Class 2 public nuisance.** (2) ~~A person acting in~~  
14 ~~compliance with the "Natural Medicine Health Act of 2022", article 170~~  
15 ~~of title 12 does not violate this section~~ IT IS NOT A VIOLATION OF THIS  
16 SECTION IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434,  
17 ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

18 **SECTION 24.** In Colorado Revised Statutes, 18-18-403.5,  
19 **amend** (1) as follows:

20 **18-18-403.5. Unlawful possession of a controlled substance -**  
21 **notice to revisor of statutes - repeal.** (1) Except as authorized by part  
22 1 or 3 of article 280 of title 12, part 2 of article 80 of title 27, section  
23 18-1-711, section 18-18-428 (1)(b), part 2 or 3 of this article 18, ~~or the~~  
24 ~~"Natural Medicine Health Act of 2022", article 170 of title 12~~ SECTION  
25 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, it is  
26 unlawful for a person knowingly to possess a controlled substance.

27 **SECTION 25.** In Colorado Revised Statutes, 18-18-404, **amend**

1 (1)(a) as follows:

2 **18-18-404. Unlawful use of a controlled substance.**

3 (1) (a) Except as is otherwise provided for offenses concerning marijuana  
4 and marijuana concentrate in sections 18-18-406 and 18-18-406.5, ~~or by~~  
5 ~~the "Natural Medicine Health Act of 2022", article 170 of title 12~~ OR FOR  
6 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT IN SECTION  
7 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, any  
8 person who uses any controlled substance, except when it is dispensed by  
9 or under the direction of a person licensed or authorized by law to  
10 prescribe, administer, or dispense the controlled substance for bona fide  
11 medical needs, commits a level 2 drug misdemeanor.

12 **SECTION 26.** In Colorado Revised Statutes, 18-18-405, **amend**

13 (1)(a) as follows:

14 **18-18-405. Unlawful distribution, manufacturing, dispensing,**

15 **or sale.** (1) (a) Except as authorized by part 1 of article 280 of title 12,  
16 part 2 of article 80 of title 27, part 2 or 3 of this article 18, ~~or by the~~  
17 ~~"Natural Medicine Health Act of 2022", article 170 of title 12~~ SECTION  
18 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, it is  
19 unlawful for any person knowingly to manufacture, dispense, sell, or  
20 distribute, or to possess with intent to manufacture, dispense, sell, or  
21 distribute, a controlled substance; or induce, attempt to induce, or  
22 conspire with one or more other persons, to manufacture, dispense, sell,  
23 distribute, or possess with intent to manufacture, dispense, sell, or  
24 distribute, a controlled substance; or possess one or more chemicals or  
25 supplies or equipment with intent to manufacture a controlled substance.

26 **SECTION 27.** In Colorado Revised Statutes, **amend** 18-18-410

27 as follows:

1           **18-18-410. Declaration of class 1 public nuisance.** Except as  
2 permitted by the "~~Natural Medicine Health Act of 2022~~", article 170 of  
3 ~~title 12~~ AUTHORIZED BY SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR  
4 ARTICLE 50 OF TITLE 44, any store, shop, warehouse, dwelling house,  
5 building, vehicle, boat, or aircraft or any place whatsoever ~~which~~ THAT  
6 is frequented by controlled substance addicts for the unlawful use of  
7 controlled substances or which is used for the unlawful storage,  
8 manufacture, sale, or distribution of controlled substances is declared to  
9 be a class 1 public nuisance and subject to the provisions of section  
10 16-13-303. ~~C.R.S.~~ Any real or personal property ~~which~~ THAT is seized or  
11 confiscated as a result of an action to abate a public nuisance shall be  
12 disposed of pursuant to part 7 of article 13 of title 16. ~~C.R.S.~~

13           **SECTION 28.** In Colorado Revised Statutes, 18-18-411, **repeal**  
14 (5); and **add** (3.5) as follows:

15           **18-18-411. Keeping, maintaining, controlling, renting, or**  
16 **making available property for unlawful distribution or manufacture**  
17 **of controlled substances.** (3.5) IT IS NOT A VIOLATION OF THIS SECTION  
18 IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434, ARTICLE  
19 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

20           (5) ~~A person acting in compliance with the "Natural Medicine~~  
21 ~~Health Act of 2022", article 170 of title 12 does not violate this section.~~

22           **SECTION 29.** In Colorado Revised Statutes, 18-18-412.7, **repeal**  
23 (3); and **add** (1.5) as follows:

24           **18-18-412.7. Sale or distribution of materials to manufacture**  
25 **controlled substances.** (1.5) IT IS NOT A VIOLATION OF THIS SECTION IF  
26 A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434, ARTICLE  
27 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

1           (3) ~~A person acting in compliance with the "Natural Medicine~~  
2 ~~Health Act of 2022", article 170 of title 12 does not violate this section.~~

3           **SECTION 30.** In Colorado Revised Statutes, 18-18-430.5,  
4 **amend** (1)(c) as follows:

5           **18-18-430.5. Drug paraphernalia - exemption.** (1) A person is  
6 exempt from sections 18-18-425 to 18-18-430 if the person is:

7           (c) Using equipment, products, or materials in compliance with  
8 ~~the "Natural Medicine Health Act of 2022", article 170 of title 12~~  
9 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.  
10 The manufacture, possession, and distribution of such equipment,  
11 products, or materials ~~shall be~~ IS authorized within the meaning of 21  
12 U.S.C. 863 sec. (f).

13           **SECTION 31.** In Colorado Revised Statutes, **add** 18-18-434 as  
14 follows:

15           **18-18-434. Offenses relating to natural medicine and natural**  
16 **medicine product - definitions.** (1) A PERSON WHO IS UNDER  
17 TWENTY-ONE YEARS OF AGE WHO KNOWINGLY POSSESSES OR CONSUMES  
18 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT COMMITS A DRUG  
19 PETTY OFFENSE AND, UPON CONVICTION THEREOF, IS SUBJECT TO A FINE OF  
20 NOT MORE THAN ONE HUNDRED DOLLARS OR NOT MORE THAN FOUR HOURS  
21 OF SUBSTANCE USE EDUCATION OR COUNSELING; EXCEPT THAT A SECOND  
22 OR SUBSEQUENT CONVICTION FOR A VIOLATION OF THIS SUBSECTION (1) IS  
23 SUBJECT TO A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS, NOT MORE  
24 THAN FOUR HOURS OF SUBSTANCE USE EDUCATION OR COUNSELING, AND  
25 NOT MORE THAN TWENTY-FOUR HOURS OF USEFUL PUBLIC SERVICE.

26           (2) A PERSON WHO OPENLY AND PUBLICLY DISPLAYS OR CONSUMES  
27 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT COMMITS A DRUG

1 PETTY OFFENSE AND, UPON CONVICTION THEREOF, IS SUBJECT TO A FINE OF  
2 NOT MORE THAN ONE HUNDRED DOLLARS AND NOT MORE THAN  
3 TWENTY-FOUR HOURS OF USEFUL PUBLIC SERVICE.

4 (3) (a) A PERSON WHO CULTIVATES NATURAL MEDICINE THAT  
5 CUMULATIVELY EXCEEDS AN AREA OF MORE THAN TWELVE FEET WIDE BY  
6 TWELVE FEET LONG IN ONE OR MORE CULTIVATION AREAS ON THE PRIVATE  
7 PROPERTY, OR ALLOWS SUCH CULTIVATION ON PRIVATE PROPERTY THAT  
8 THE PERSON OWNS, OCCUPIES, OR CONTROLS, AND DOES NOT CULTIVATE  
9 NATURAL MEDICINE IN AN ENCLOSED AND LOCKED SPACE ON THE PRIVATE  
10 PROPERTY, COMMITS A DRUG PETTY OFFENSE, AND UPON CONVICTION  
11 THEREOF, IS SUBJECT TO A FINE OF NOT MORE THAN ONE THOUSAND  
12 DOLLARS.

13 (b) IT IS NOT A VIOLATION OF THIS SUBSECTION (3)(a) IF THE  
14 PERSON WHO IS CULTIVATING NATURAL MEDICINE IS TWENTY-ONE YEARS  
15 OF AGE OR OLDER, IF THE CULTIVATION AREA IS LOCATED IN A DWELLING  
16 ON THE PRIVATE PROPERTY, AND:

17 (I) IF A PERSON UNDER TWENTY-ONE YEARS OF AGE LIVES AT THE  
18 DWELLING, THE CULTIVATION AREA ITSELF IS ENCLOSED AND LOCKED; OR

19 (II) IF NO PERSON UNDER TWENTY-ONE YEARS OF AGE LIVES AT  
20 THE DWELLING, THE EXTERNAL LOCKS ON THE DWELLING CONSTITUTE AN  
21 ENCLOSED AND LOCKED SPACE, BUT IF A PERSON UNDER TWENTY-ONE  
22 YEARS OF AGE ENTERS THE DWELLING, THE PERSON CULTIVATING THE  
23 NATURAL MEDICINE SHALL ENSURE THAT ACCESS TO THE CULTIVATION  
24 AREA IS REASONABLY RESTRICTED FOR THE DURATION OF THE PERSON  
25 UNDER TWENTY-ONE YEARS OF AGE'S PRESENCE IN THE PRIVATE  
26 PROPERTY.

27 (c) IT IS NOT A VIOLATION OF SUBSECTION (3)(a) OF THIS SECTION

1 IF A COUNTY, MUNICIPALITY, OR CITY AND COUNTY LAW EXPRESSLY  
2 PERMITS THE CULTIVATION OF NATURAL MEDICINE THAT CUMULATIVELY  
3 EXCEEDS AN AREA OF MORE THAN TWELVE FEET WIDE BY TWELVE FEET  
4 LONG IN ONE OR MORE CULTIVATION AREAS ON THE PRIVATE PROPERTY  
5 AND THE PERSON CULTIVATES THE NATURAL MEDICINE IN AN ENCLOSED  
6 AND LOCKED SPACE WITHIN THE LIMIT SET BY THE COUNTY, MUNICIPALITY,  
7 OR CITY AND COUNTY WHERE THE NATURAL MEDICINE IS LOCATED.

8 (4) (a) IT IS UNLAWFUL FOR A PERSON WHO IS NOT LICENSED  
9 PURSUANT TO ARTICLE 50 OF TITLE 44 TO KNOWINGLY MANUFACTURE  
10 NATURAL MEDICINE PRODUCT USING AN INHERENTLY HAZARDOUS  
11 SUBSTANCE.

12 (b) IT IS UNLAWFUL FOR A PERSON WHO IS NOT LICENSED  
13 PURSUANT TO ARTICLE 50 OF TITLE 44 WHO OWNS, MANAGES, OPERATES,  
14 OR OTHERWISE CONTROLS THE USE OF A PROPERTY TO KNOWINGLY ALLOW  
15 NATURAL MEDICINE PRODUCT TO BE MANUFACTURED ON THE PREMISES  
16 USING AN INHERENTLY HAZARDOUS SUBSTANCE.

17 (c) A PERSON WHO VIOLATES THIS SUBSECTION (4) COMMITS A  
18 LEVEL 2 DRUG FELONY.

19 (5) (a) UNLESS EXPRESSLY LIMITED BY THIS SECTION, A PERSON  
20 WHO FOR THE PURPOSE OF PERSONAL USE AND WITHOUT REMUNERATION,  
21 POSSESSES, CONSUMES, SHARES, CULTIVATES, OR MANUFACTURES  
22 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, DOES NOT VIOLATE  
23 STATE LAW, OR COUNTY, MUNICIPALITY, OR CITY AND COUNTY  
24 ORDINANCE, RULE, OR RESOLUTION.

25 (b) NOTHING IN THIS SECTION PERMITS A PERSON TO:

26 (I) DISPENSE, SELL, DISTRIBUTE, OR POSSESS WITH INTENT TO  
27 DISPENSE, SELL, OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL

1 MEDICINE PRODUCT TO A PERSON UNDER TWENTY-ONE YEARS OF AGE;

2 (II) DISPENSE, SELL, DISTRIBUTE, OR POSSESS WITH INTENT TO  
3 DISPENSE, SELL, OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL  
4 MEDICINE PRODUCT FOR REMUNERATION, EXCEPT AS PROVIDED BY  
5 ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44;

6 (III) MANUFACTURE, CULTIVATE, POSSESS, CONSUME, USE,  
7 DISPENSE, OR DISTRIBUTE NATURAL MEDICINE OR NATURAL MEDICINE  
8 PRODUCT, OR POSSESS WITH INTENT TO MANUFACTURE, CULTIVATE,  
9 POSSESS, CONSUME, USE, DISPENSE, OR DISTRIBUTE NATURAL MEDICINE OR  
10 NATURAL MEDICINE PRODUCT FOR A PURPOSE OTHER THAN PERSONAL USE  
11 OR AS PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44;

12 (IV) DISPENSE, DISTRIBUTE, OR POSSESS WITH INTENT TO DISPENSE  
13 OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT AS  
14 A PART OF A BUSINESS PROMOTION OR COMMERCIAL ACTIVITY, EXCEPT AS  
15 PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44; OR

16 (V) DISPENSE, SELL, OR DISTRIBUTE, OR POSSESS WITH INTENT TO  
17 DISPENSE, SELL, OR DISTRIBUTE, IBOGAININE OR NATURAL MEDICINE  
18 PRODUCT THAT CONTAINS IBOGAININE TO ANOTHER PERSON, EXCEPT AS  
19 PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44.

20 (c) A PEACE OFFICER SHALL NOT ARREST A PERSON, AND A  
21 DISTRICT ATTORNEY SHALL NOT CHARGE OR PROSECUTE A PERSON FOR A  
22 CRIMINAL OFFENSE INVOLVING NATURAL MEDICINE OR NATURAL MEDICINE  
23 PRODUCT PURSUANT TO THIS PART 4, EXCEPT AS EXPRESSLY PROVIDED IN  
24 THIS SECTION.

25 (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
26 CONTRARY, A PEACE OFFICER MAY ARREST A PERSON, OR A DISTRICT  
27 ATTORNEY MAY CHARGE OR PROSECUTE A PERSON FOR A CRIMINAL

1 OFFENSE PURSUANT TO SECTION 18-18-405 THAT IS NOT EXPRESSLY  
2 LAWFUL PURSUANT TO THIS SECTION OR ARTICLE 170 OF TITLE 12 AND  
3 ARTICLE 50 OF TITLE 44.

4 (6) NOTWITHSTANDING ANY LAW TO THE CONTRARY, AN ACTION  
5 THAT IS LAWFUL PURSUANT TO THIS SECTION, ARTICLE 170 OF TITLE 12, OR  
6 ARTICLE 50 OF TITLE 44, INDIVIDUALLY OR IN COMBINATION WITH  
7 ANOTHER ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION, MUST NOT  
8 BE THE SOLE REASON TO:

9 (a) SUBJECT A PERSON TO A CIVIL FINE, PENALTY, OR SANCTION;

10 (b) DENY A PERSON A RIGHT OR PRIVILEGE; OR

11 (c) SEIZE OR FORFEIT ASSETS.

12 (7) (a) EXCEPT AS PROVIDED IN SUBSECTION (7)(b) OF THIS  
13 SECTION, AN ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION,  
14 INDIVIDUALLY OR IN COMBINATION WITH ANOTHER ACTION THAT IS  
15 LAWFUL PURSUANT TO THIS SECTION, MUST NOT SOLELY BE USED AS A  
16 FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION  
17 DETERMINATION OF ANY CRIMINAL OFFENSE.

18 (b) AN ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION MAY  
19 BE USED AS A FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION  
20 DETERMINATION OF ANY CRIMINAL OFFENSE IF THE ORIGINAL STOP OR  
21 SEARCH WAS LAWFUL AND OTHER FACTORS ARE PRESENT TO SUPPORT A  
22 PROBABLE CAUSE OR REASONABLE SUSPICION DETERMINATION OF ANY  
23 CRIMINAL OFFENSE.

24 (8) THE FACT THAT A PERSON IS ENTITLED TO CONSUME NATURAL  
25 MEDICINE OR NATURAL MEDICINE PRODUCT UNDER THE LAWS OF THIS  
26 STATE DOES NOT CONSTITUTE A DEFENSE AGAINST ANY CHARGE FOR  
27 VIOLATION OF AN OFFENSE RELATED TO THE OPERATION OF A VEHICLE,

1 AIRCRAFT, BOAT, MACHINERY, OR OTHER DEVICE.

2 (9) A COUNTY, MUNICIPALITY, OR CITY AND COUNTY SHALL NOT  
3 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION  
4 IMPOSING ANY GREATER CRIMINAL OR CIVIL PENALTY THAN PROVIDED BY  
5 THIS SECTION OR THAT IS OTHERWISE IN CONFLICT WITH THIS SECTION.

6 (10) NOTHING IN THIS SECTION PROHIBITS A PERSON OR ANY  
7 ENTITY WHO OCCUPIES, OWNS, OR CONTROLS A PROPERTY FROM  
8 PROHIBITING OR OTHERWISE REGULATING THE CULTIVATION OR  
9 MANUFACTURE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
10 ON OR IN THAT PROPERTY.

11 (11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
12 REQUIRES:

13 (a) "INHERENTLY HAZARDOUS SUBSTANCE" MEANS ANY LIQUID  
14 CHEMICAL, COMPRESSED GAS, OR COMMERCIAL PRODUCT THAT HAS A  
15 FLASH POINT AT OR LOWER THAN THIRTY-EIGHT DEGREES CELSIUS OR ONE  
16 HUNDRED DEGREES FAHRENHEIT, INCLUDING BUTANE, PROPANE, AND  
17 DIETHYL ETHER, AND EXCLUDING ALL FORMS OF ALCOHOL AND ETHANOL.

18 (b) (I) "NATURAL MEDICINE" MEANS THE FOLLOWING  
19 SUBSTANCES:

20 (A) DIMETHYLTRYPTAMINE;

21 (B) Mescaline;

22 (C) IBOGAINE;

23 (D) PSILOCYBIN; OR

24 (E) PSILOCYN.

25 (II) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR  
26 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN THIS SUBSECTION  
27 (11)(b), INCLUDING A DERIVATIVE OF A NATURALLY OCCURRING

1 COMPOUND OF NATURAL MEDICINE THAT IS PRODUCED USING CHEMICAL  
2 SYNTHESIS, CHEMICAL MODIFICATION, OR CHEMICAL CONVERSION.

3 (III) NOTWITHSTANDING SUBSECTION (11)(b)(I) OF THIS SECTION,  
4 "MESCALINE" DOES NOT INCLUDE PEYOTE, MEANING ALL PARTS OF THE  
5 PLANT CLASSIFIED BOTANICALLY AS LOPHOPHORA WILLIAMSII LEMAIRE,  
6 WHETHER GROWING OR NOT; ITS SEEDS; ANY EXTRACT FROM ANY PART OF  
7 THE PLANT, AND EVERY COMPOUND, SALT, DERIVATIVE, MIXTURE, OR  
8 PREPARATION OF THE PLANT; OR ITS SEEDS OR EXTRACTS.

9 (c) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
10 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

11 (d) "PERSONAL USE" MEANS THE CONSUMPTION OR USE OF  
12 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT; OR THE AMOUNT OF  
13 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT A PERSON MAY  
14 LAWFULLY POSSESS, CULTIVATE, OR MANUFACTURE THAT IS NECESSARY  
15 TO SHARE WITH ANOTHER PERSON WHO IS TWENTY-ONE YEARS OF AGE OR  
16 OLDER WITHIN THE CONTEXT OF COUNSELING, SPIRITUAL GUIDANCE,  
17 BENEFICIAL COMMUNITY-BASED USE AND HEALING, SUPPORTED USE, OR  
18 RELATED SERVICES. "PERSONAL USE" DOES NOT MEAN THE SALE OF  
19 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT FOR  
20 REMUNERATION; THE POSSESSION, CULTIVATION, OR MANUFACTURE OF  
21 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT WITH INTENT TO  
22 SELL THE NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT FOR  
23 REMUNERATION; OR THE POSSESSION, CULTIVATION, MANUFACTURE, OR  
24 DISTRIBUTION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
25 FOR BUSINESS OR COMMERCIAL PURPOSES, EXCEPT AS PROVIDED BY  
26 ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44.

27 (e) "PRIVATE PROPERTY" MEANS A DWELLING, ITS CURTILAGE, AND

1 A STRUCTURE WITHIN THE CURTILAGE THAT IS BEING USED BY A NATURAL  
2 PERSON OR NATURAL PERSONS FOR HABITATION AND THAT IS NOT OPEN TO  
3 THE PUBLIC.

4 (f) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
5 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
6 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, ANY RIGHT OF  
7 USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
8 THEREWITH, BUSINESS PROMOTION, OR COMMERCIAL ACTIVITY.

9 **SECTION 32.** In Colorado Revised Statutes, **add** 10-16-158 as  
10 follows:

11 **10-16-158. Prohibition on discrimination for coverage based**  
12 **solely on natural medicine consumption - definitions.** (1) A CARRIER  
13 THAT OFFERS, ISSUES, OR RENEWS A HEALTH BENEFIT PLAN SHALL NOT,  
14 SOLELY ON THE BASIS OF A PERSON'S CONSUMPTION OF NATURAL MEDICINE  
15 OR NATURAL MEDICINE PRODUCT:

- 16 (a) DECLINE OR LIMIT COVERAGE OF A PERSON; OR
- 17 (b) PENALIZE A COVERED PERSON OR REDUCE OR LIMIT COVERAGE  
18 FOR A PERSON.

19 (2) A CARRIER THAT OFFERS, ISSUES, OR RENEWS A HEALTH  
20 BENEFIT PLAN THAT PROVIDES COVERAGE FOR ANATOMICAL GIFTS, ORGAN  
21 TRANSPLANTS, OR RELATED TREATMENTS OR SERVICES SHALL NOT,  
22 SOLELY ON THE BASIS OF A COVERED PERSON'S CONSUMPTION OF NATURAL  
23 MEDICINE OR NATURAL MEDICINE PRODUCT:

- 24 (a) DENY COVERAGE TO A COVERED PERSON FOR AN ORGAN  
25 TRANSPLANT OR RELATED TREATMENT OR SERVICES;
- 26 (b) DECLINE OR LIMIT COVERAGE OF A COVERED PERSON SOLELY  
27 FOR THE PURPOSE OF AVOIDING THE REQUIREMENTS OF THIS SECTION; OR

1 (c) PENALIZE A COVERED PERSON OR REDUCE OR LIMIT COVERAGE  
2 FOR A COVERED PERSON FOR HEALTH-CARE SERVICES RELATED TO ORGAN  
3 TRANSPLANTATION, AS DETERMINED IN CONSULTATION WITH THE  
4 ATTENDING PHYSICIAN AND THE COVERED PERSON OR THE COVERED  
5 PERSON'S REPRESENTATIVE.

6 (3) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN TO  
7 PROVIDE COVERAGE FOR THE DONATION OF AN ANATOMICAL GIFT, AN  
8 ORGAN TRANSPLANT, OR RELATED TREATMENT OR SERVICES.

9 (4) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT  
10 OTHERWISE REQUIRES:

11 (a) "ANATOMICAL GIFT" MEANS THE DONATION OF PART OF A  
12 HUMAN BODY FOR THE PURPOSE OF TRANSPLANTATION TO ANOTHER  
13 PERSON.

14 (b) (I) "NATURAL MEDICINE" MEANS THE FOLLOWING  
15 SUBSTANCES:

- 16 (A) DIMETHYLTRYPTAMINE;
- 17 (B) Mescaline;
- 18 (C) IBOGAINE;
- 19 (D) PSILOCYBIN; OR
- 20 (E) PSILOCYN.

21 (II) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR  
22 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN THIS SUBSECTION  
23 (4)(b), INCLUDING A DERIVATIVE OF A NATURALLY OCCURRING COMPOUND  
24 OF NATURAL MEDICINE THAT IS PRODUCED USING CHEMICAL SYNTHESIS,  
25 CHEMICAL MODIFICATION, OR CHEMICAL CONVERSION.

26 (c) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
27 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

1           **SECTION 33.** In Colorado Revised Statutes, 19-3-103, **add** (4)  
2 as follows:

3           **19-3-103. Child not neglected - when.** (4) (a) A PERSON WHO  
4 PERFORMS OR HAS PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO  
5 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44  
6 DOES NOT, BY ITSELF, CONSTITUTE CHILD ABUSE OR NEGLECT BY A PARENT  
7 OR LEGAL GUARDIAN FOR PURPOSES OF THIS ARTICLE 3.

8           (b) THE COURT SHALL NOT RESTRICT OR PROHIBIT FAMILY TIME, OR  
9 DETERMINE THAT FAMILY TIME IS NOT IN THE CHILD'S BEST INTERESTS,  
10 BASED SOLELY ON THE FACT THAT A PERSON PERFORMS OR HAS  
11 PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO SECTION  
12 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, UNLESS  
13 THE COURT FINDS THAT FAMILY TIME WOULD ENDANGER THE CHILD'S  
14 PHYSICAL HEALTH OR SIGNIFICANTLY IMPAIR THE CHILD'S EMOTIONAL  
15 DEVELOPMENT.

16           **SECTION 34.** In Colorado Revised Statutes, 24-72-706, **amend**  
17 (1)(h); and **add** (1)(f.5) as follows:

18           **24-72-706. Sealing of criminal conviction and criminal justice**  
19 **records - processing fee.** (1) **Sealing of conviction records.**  
20 (f.5) (I) NOTWITHSTANDING ANY PROVISION OF THIS PART 7 TO THE  
21 CONTRARY, IF A MOTION IS FILED FOR THE SEALING OF A CIVIL INFRACTION,  
22 A PETTY OFFENSE, A PETTY DRUG OFFENSE, A DRUG MISDEMEANOR, OR A  
23 DRUG FELONY FOR AN OFFENSE THAT WAS UNLAWFUL AT THE TIME OF  
24 CONVICTION, BUT IS AN ACT THAT IS NOT UNLAWFUL PURSUANT TO  
25 SECTION 18-18-434, THE COURT SHALL ORDER THE RECORDS SEALED  
26 AFTER THE MOTION IS FILED AND THE CRIMINAL HISTORY FILED WITH THE  
27 COURT DOCUMENTS TO THE COURT THAT THE DEFENDANT HAS NOT BEEN

1 CONVICTED OF AN OFFENSE SINCE THE DATE OF THE FINAL DISPOSITION OF  
2 ALL PROCEEDINGS AGAINST THE DEFENDANT OR SINCE THE DATE OF THE  
3 DEFENDANT'S RELEASE FROM SUPERVISION, WHICHEVER IS LATER.

4 (II) IF A MOTION IS FILED FOR THE SEALING OF AN OFFENSE  
5 DESCRIBED IN THIS SUBSECTION (1)(f.5), THE DEFENDANT SHALL PROVIDE  
6 NOTICE OF THE MOTION TO THE DISTRICT ATTORNEY. THE DISTRICT  
7 ATTORNEY SHALL DETERMINE WHETHER TO OBJECT TO THE MOTION AFTER  
8 CONSIDERING THE FACTORS LISTED IN SUBSECTION (1)(g) OF THIS SECTION.  
9 IF THE DISTRICT ATTORNEY DOES NOT OBJECT, THE COURT MAY GRANT  
10 THE MOTION WITH OR WITHOUT THE BENEFIT OF A HEARING. IF THE  
11 DISTRICT ATTORNEY OBJECTS TO THE MOTION, THE COURT SHALL SET THE  
12 MATTER FOR HEARING. THE COURT MAY ONLY SEAL THE RECORDS IF THE  
13 CRIMINAL HISTORY FILED WITH THE MOTION AS REQUIRED BY SUBSECTION  
14 (1)(c) OF THIS SECTION DOCUMENTS TO THE COURT THAT THE DEFENDANT  
15 HAS NOT BEEN CONVICTED OF A CRIMINAL OFFENSE SINCE THE DATE OF  
16 THE FINAL DISPOSITION OF ALL CRIMINAL PROCEEDINGS AGAINST THE  
17 DEFENDANT OR SINCE THE DATE OF THE DEFENDANT'S RELEASE FROM  
18 SUPERVISION, WHICHEVER IS LATER. THE COURT SHALL DECIDE THE  
19 MOTION AFTER CONSIDERING THE POSITION OF THE DISTRICT ATTORNEY  
20 AND THE FACTORS LISTED IN SUBSECTION (1)(g) OF THIS SECTION.

21 (h) A defendant who files a motion to seal criminal justice records  
22 pursuant to this section shall pay a processing fee of sixty-five dollars to  
23 cover the actual costs related to the sealing of the criminal justice records.  
24 The defendant shall pay to the Colorado bureau of investigation any costs  
25 related to the sealing of the defendant's criminal justice records in the  
26 custody of the bureau. The court shall waive the processing fee upon a  
27 determination that:

- 1 (I) The defendant is indigent; or
- 2 (II) The defendant's records should have been automatically
- 3 sealed pursuant to section 13-3-117, 24-72-704, or 24-72-705; OR
- 4 (III) THE DEFENDANT FILED A MOTION TO SEAL PURSUANT TO
- 5 SUBSECTION (1)(f.5) OF THIS SECTION.

6 **SECTION 35.** In Colorado Revised Statutes, **add** 24-76.5-104 as  
7 follows:

8 **24-76.5-104. Natural medicine consumption consideration**  
9 **prohibited - exception.** CONSIDERATION OF WHETHER A PERSON  
10 PERFORMS OR HAS PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO  
11 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44  
12 IS NOT A REQUIREMENT FOR ELIGIBILITY FOR A PUBLIC ASSISTANCE  
13 PROGRAM, UNLESS CONSIDERATION IS REQUIRED PURSUANT TO FEDERAL  
14 LAW.

15 **SECTION 36.** In Colorado Revised Statutes, **add** 25-56-104.5 as  
16 follows:

17 **25-56-104.5. Prohibition on discrimination for organ**  
18 **transplants based solely on natural medicine consumption -**  
19 **applicability.** (1) THIS ARTICLE 56 APPLIES TO ALL STAGES OF THE ORGAN  
20 TRANSPLANT PROCESS.

21 (2) A COVERED ENTITY SHALL NOT, SOLELY ON THE BASIS OF A  
22 PERSON'S CONSUMPTION OF NATURAL MEDICINE OR NATURAL MEDICINE  
23 PRODUCT:

24 (a) CONSIDER THE INDIVIDUAL INELIGIBLE TO RECEIVE AN  
25 ANATOMICAL GIFT OR ORGAN TRANSPLANT;

26 (b) DENY MEDICAL SERVICES OR OTHER SERVICES RELATED TO  
27 ORGAN TRANSPLANTATION, INCLUDING DIAGNOSTIC SERVICES,

1 EVALUATION, SURGERY, COUNSELING, AND POST-OPERATIVE TREATMENT  
2 AND SERVICES;

3 (c) REFUSE TO REFER THE INDIVIDUAL TO A TRANSPLANT CENTER  
4 OR OTHER RELATED SPECIALIST FOR THE PURPOSE OF BEING EVALUATED  
5 FOR OR RECEIVING AN ORGAN TRANSPLANT;

6 (d) REFUSE TO PLACE A QUALIFIED RECIPIENT ON AN ORGAN  
7 TRANSPLANT WAITING LIST; OR

8 (e) PLACE A QUALIFIED RECIPIENT ON AN ORGAN TRANSPLANT  
9 WAITING LIST AT A LOWER PRIORITY POSITION THAN THE POSITION AT  
10 WHICH THE PERSON WOULD HAVE BEEN PLACED IF THE PERSON DID NOT  
11 CONSUME NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT.

12 (3) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, A  
13 COVERED ENTITY MAY TAKE A PERSON'S CONSUMPTION OF NATURAL  
14 MEDICINE OR NATURAL MEDICINE PRODUCT INTO ACCOUNT WHEN MAKING  
15 TREATMENT OR COVERAGE RECOMMENDATIONS OR DECISIONS, SOLELY TO  
16 THE EXTENT THAT THE NATURAL MEDICINE OR NATURAL MEDICINE  
17 PRODUCT CONSUMPTION HAS BEEN FOUND BY A PHYSICIAN OR SURGEON,  
18 FOLLOWING AN INDIVIDUALIZED EVALUATION OF THE PERSON, TO BE  
19 MEDICALLY SIGNIFICANT TO THE PROVISION OF THE ANATOMICAL GIFT OR  
20 ORGAN TRANSPLANT.

21 (4) A COVERED ENTITY SHALL:

22 (a) MAKE REASONABLE MODIFICATIONS TO ITS POLICIES,  
23 PRACTICES, AND PROCEDURES TO ALLOW A PERSON WHO CONSUMES  
24 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT ACCESS TO  
25 TRANSPLANTATION-RELATED SERVICES, INCLUDING DIAGNOSTIC SERVICES,  
26 SURGERY, COVERAGE, POST-OPERATIVE TREATMENT, AND COUNSELING,  
27 UNLESS THE COVERED ENTITY DEMONSTRATES THAT MAKING SUCH

1 MODIFICATIONS WOULD FUNDAMENTALLY ALTER THE NATURE OF THE  
2 SERVICES PROVIDED; AND

3 (b) TAKE REASONABLE AND NECESSARY STEPS TO ENSURE THAT A  
4 PERSON'S CONSUMPTION OF NATURAL MEDICINE OR NATURAL MEDICINE  
5 PRODUCT IS NOT THE REASON THE PERSON IS DENIED MEDICAL SERVICES  
6 OR OTHER SERVICES RELATED TO ORGAN TRANSPLANTATION, INCLUDING  
7 DIAGNOSTIC SERVICES, SURGERY, POST-OPERATIVE TREATMENT, OR  
8 COUNSELING, DUE TO THE ABSENCE OF AUXILIARY AIDS OR SERVICES,  
9 UNLESS THE COVERED ENTITY DEMONSTRATES THAT TAKING SUCH STEPS  
10 WOULD FUNDAMENTALLY ALTER THE NATURE OF THE MEDICAL SERVICES  
11 OR OTHER SERVICES RELATED TO ORGAN TRANSPLANTATION OR WOULD  
12 RESULT IN AN UNDUE BURDEN FOR THE COVERED ENTITY.

13 (5) NOTHING IN THIS ARTICLE 56 REQUIRES A COVERED ENTITY TO  
14 MAKE A REFERRAL OR RECOMMENDATION FOR OR PERFORM A MEDICALLY  
15 INAPPROPRIATE ORGAN TRANSPLANT.

16 **SECTION 37.** In Colorado Revised Statutes, 35-36-102, **amend**  
17 (14)(b) as follows:

18 **35-36-102. Rules - definitions.** As used in this article 36, unless  
19 the context otherwise requires:

20 (14) (b) "Farm products" does not include poultry and poultry  
21 products, timber products, nursery stock, commodities, ~~or~~ marijuana, OR  
22 NATURAL MEDICINE AS DEFINED IN SECTION 12-170-104 (11).

23 **SECTION 38.** In Colorado Revised Statutes, 39-22-104, **add**  
24 (4)(r.5) as follows:

25 **39-22-104. Income tax imposed on individuals, estates, and**  
26 **trusts - single rate - report - legislative declaration - definitions -**  
27 **repeal.** (4) There shall be subtracted from federal taxable income:

1 (r.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
2 JANUARY 1, 2024, IF A TAXPAYER IS LICENSED PURSUANT TO THE  
3 "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE 44, AN  
4 AMOUNT EQUAL TO ANY EXPENDITURE THAT IS ELIGIBLE TO BE CLAIMED  
5 AS A FEDERAL INCOME TAX DEDUCTION BUT IS DISALLOWED BY SECTION  
6 280E OF THE INTERNAL REVENUE CODE BECAUSE NATURAL MEDICINE IS A  
7 CONTROLLED SUBSTANCE UNDER FEDERAL LAW;

8 **SECTION 39.** In Colorado Revised Statutes, 39-22-304, **add**  
9 (3)(m.5) as follows:

10 **39-22-304. Net income of corporation - legislative declaration**  
11 **- definitions - repeal.** (3) There shall be subtracted from federal taxable  
12 income:

13 (m.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
14 JANUARY 1, 2024, IF A TAXPAYER IS LICENSED PURSUANT TO THE  
15 "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE 44, AN  
16 AMOUNT EQUAL TO ANY EXPENDITURE THAT IS ELIGIBLE TO BE CLAIMED  
17 AS A FEDERAL INCOME TAX DEDUCTION BUT IS DISALLOWED BY SECTION  
18 280E OF THE INTERNAL REVENUE CODE BECAUSE NATURAL MEDICINE IS A  
19 CONTROLLED SUBSTANCE UNDER FEDERAL LAW;

20 **SECTION 40. Effective date.** This act takes effect July 1, 2023.

21 **SECTION 41. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, or safety.