

HB1234_L.016

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 44-11-202, **amend**
4 (2)(a)(XXI), (2)(a)(XXVIII), and (2)(a)(XXIX); and **add** (2)(a)(XXX) as
5 follows:

6 **44-11-202. Powers and duties of state licensing authority -**
7 **rules.** (2) (a) Rules promulgated pursuant to subsection (1)(b) of this
8 section may include, but need not be limited to, the following subjects:

9 (XXI) Medical marijuana transporter licensed businesses,
10 including requirements for drivers, including obtaining and maintaining
11 a valid Colorado driver's license; insurance requirements; acceptable time
12 frames for transport, storage, and delivery; requirements for transport
13 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
14 premises;

15 (XXVIII) Requirements for a centralized distribution permit for
16 optional premises cultivation facilities issued pursuant to section
17 44-11-403 (5), including but not limited to permit application
18 requirements and privileges and restrictions of a centralized distribution
19 permit; ~~and~~

20 (XXIX) Requirements for issuance of colocation permits to a
21 marijuana research and development licensee or a marijuana research and
22 development cultivation licensee authorizing colocation with a medical
23 marijuana-infused products manufacturing licensed premises, including
24 application requirements, eligibility, restrictions to prevent
25 cross-contamination and to ensure physical separation of inventory and
26 research activities, and other privileges and restrictions of permits; AND

27 (XXX) REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL
28 MARIJUANA-INFUSED PRODUCTS DELIVERY AS DESCRIBED IN SECTION
29 44-11-402 (11) AND SECTION 44-11-406 (5), INCLUDING:

30 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR
31 LICENSED MEDICAL MARIJUANA CENTERS AND MEDICAL MARIJUANA
32 TRANSPORTERS APPLYING FOR A MEDICAL MARIJUANA DELIVERY PERMIT;

33 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL
34 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS THAT
35 HOLD A MEDICAL MARIJUANA DELIVERY PERMIT WHO WILL DELIVER
36 MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS
37 PURSUANT TO THIS ARTICLE 11 AND REQUIREMENTS THAT MEDICAL
38 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS OBTAIN
39 A RESPONSIBLE VENDOR DESIGNATION PURSUANT TO SECTION 44-11-1102
40 PRIOR TO CONDUCTING A DELIVERY;

41 (C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY

- 1 AND AGE IDENTIFICATION AND VERIFICATION;
- 2 (D) SECURITY REQUIREMENTS;
- 3 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
- 4 REQUIREMENTS FOR SURVEILLANCE;
- 5 (F) RECORD-KEEPING REQUIREMENTS;
- 6 (G) LIMITS ON THE AMOUNT OF MEDICAL MARIJUANA AND
- 7 MEDICAL MARIJUANA-INFUSED PRODUCTS THAT MAY BE CARRIED IN A
- 8 DELIVERY VEHICLE AND DELIVERED TO A PATIENT OR PARENT OR
- 9 GUARDIAN, WHICH CANNOT EXCEED LIMITS PLACED ON SALES AT LICENSED
- 10 MEDICAL MARIJUANA CENTERS;
- 11 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;
- 12 (I) HEALTH AND SAFETY REQUIREMENTS FOR MEDICAL MARIJUANA
- 13 AND MEDICAL MARIJUANA-INFUSED PRODUCTS DELIVERED TO A PATIENT
- 14 OR PARENT OR GUARDIAN;
- 15 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
- 16 DELIVERING MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
- 17 PRODUCTS PURSUANT TO THIS ARTICLE 11 DO NOT DISCLOSE PERSONAL
- 18 IDENTIFYING INFORMATION AND HEALTH CARE INFORMATION TO ANY
- 19 PERSON OTHER THAN THOSE WHO NEED THAT INFORMATION IN ORDER TO
- 20 TAKE, PROCESS, OR DELIVER THE ORDER OR AS OTHERWISE REQUIRED OR
- 21 AUTHORIZED BY THIS ARTICLE 11, TITLE 18, OR TITLE 25; AND
- 22 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
- 23 MEDICAL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
- 24 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE MEDICAL
- 25 MARIJUANA DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE
- 26 LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND
- 27 INDIRECT COSTS.
- 28 (L) THE PERMITTED HOURS OF DELIVERY OF MEDICAL MARIJUANA
- 29 AND MEDICAL MARIJUANA-INFUSED PRODUCTS;
- 30 (M) REQUIREMENTS FOR AREAS WHERE MEDICAL MARIJUANA AND
- 31 MEDICAL MARIJUANA-INFUSED PRODUCTS ORDERS ARE STORED, WEIGHED,
- 32 PACKAGED, PREPARED, AND TAGGED, INCLUDING REQUIREMENTS THAT
- 33 MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS
- 34 CANNOT BE PLACED INTO A DELIVERY VEHICLE UNTIL AFTER AN ORDER
- 35 HAS BEEN PLACED AND THAT ALL DELIVERY ORDERS MUST BE PACKAGED
- 36 ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA CENTER OR ITS
- 37 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
- 38 FACILITY AS DEFINED BY RULE AFTER AN ORDER HAS BEEN RECEIVED; AND
- 39 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
- 40 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

41 **SECTION 2.** In Colorado Revised Statutes, 44-12-202, **amend**
42 **(3)(a)(XVIII), (3)(a)(XXIII), and (3)(a)(XXIV); and add (3)(a)(XXV)** as
43 **follows:**

1 **44-12-202. Powers and duties of state licensing authority -**
2 **rules.** (3) (a) Rules promulgated pursuant to subsection (2)(b) of this
3 section must include, but need not be limited to, the following subjects:
4 (XVIII) Retail marijuana transporter licensed businesses,
5 including requirements for drivers, including obtaining and maintaining
6 a valid Colorado driver's license; insurance requirements; acceptable time
7 frames for transport, storage, and delivery; requirements for transport
8 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
9 premises;
10 (XXIII) Requirements for a centralized distribution permit for
11 retail marijuana cultivation facilities issued pursuant to section 44-12-403
12 (7), including but not limited to permit application requirements and
13 privileges and restrictions of a centralized distribution permit; ~~and~~
14 (XXIV) Requirements for issuance of colocation permits to a
15 marijuana research and development licensee or a marijuana research and
16 development cultivation licensee authorizing colocation with a retail
17 marijuana products manufacturing licensed premises, including
18 application requirements, eligibility, restrictions to prevent
19 cross-contamination and to ensure physical separation of inventory and
20 research activities, and other privileges and restrictions of permits; AND
21 (XXV) REQUIREMENTS FOR RETAIL MARIJUANA AND RETAIL
22 MARIJUANA PRODUCTS DELIVERY AS DESCRIBED IN SECTION 44-12-402
23 (12) AND SECTION 44-12-406 (5), INCLUDING:
24 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR RETAIL
25 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS APPLYING
26 FOR A RETAIL MARIJUANA DELIVERY PERMIT;
27 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF RETAIL
28 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS THAT HOLD
29 A RETAIL MARIJUANA DELIVERY PERMIT THAT WILL DELIVER RETAIL
30 MARIJUANA OR RETAIL MARIJUANA PRODUCTS PURSUANT TO THIS ARTICLE
31 12 AND REQUIREMENTS THAT RETAIL MARIJUANA STORES AND RETAIL
32 MARIJUANA TRANSPORTERS OBTAIN A RESPONSIBLE VENDOR DESIGNATION
33 PURSUANT TO SECTION 44-11-1102 PRIOR TO CONDUCTING A DELIVERY;
34 (C) PROCEDURES FOR AGE IDENTIFICATION AND VERIFICATION;
35 (D) SECURITY REQUIREMENTS;
36 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
37 REQUIREMENTS FOR SURVEILLANCE;
38 (F) RECORD-KEEPING REQUIREMENTS;
39 (G) LIMITS ON THE AMOUNT OF RETAIL MARIJUANA AND RETAIL
40 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
41 AND DELIVERED TO AN INDIVIDUAL, WHICH CANNOT EXCEED LIMITS
42 PLACED ON SALES AT RETAIL MARIJUANA STORES;
43 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;

1 (I) HEALTH AND SAFETY REQUIREMENTS FOR RETAIL MARIJUANA
2 AND RETAIL MARIJUANA PRODUCTS DELIVERED TO AN INDIVIDUAL;

3 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
4 DELIVERING RETAIL MARIJUANA PURSUANT TO THIS ARTICLE 12 DO NOT
5 DISCLOSE PERSONAL IDENTIFYING INFORMATION AND HEALTH CARE
6 INFORMATION TO ANY PERSON OTHER THAN THOSE WHO NEED THAT
7 INFORMATION IN ORDER TO TAKE, PROCESS, OR DELIVER THE ORDER OR AS
8 OTHERWISE REQUIRED OR AUTHORIZED BY THIS ARTICLE 12, TITLE 18, OR
9 TITLE 25;

10 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
11 RETAIL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
12 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE RETAIL MARIJUANA
13 DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE LICENSING
14 AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND INDIRECT
15 COSTS.

16 (L) THE PERMITTED HOURS OF DELIVERY OF RETAIL MARIJUANA
17 AND RETAIL MARIJUANA PRODUCTS;

18 (M) REQUIREMENTS FOR AREAS WHERE RETAIL MARIJUANA
19 ORDERS ARE STORED, WEIGHED, PACKAGED, PREPARED, AND TAGGED,
20 INCLUDING REQUIREMENTS THAT RETAIL MARIJUANA AND RETAIL
21 MARIJUANA PRODUCTS CANNOT BE PLACED INTO A DELIVERY VEHICLE
22 UNTIL AFTER AN ORDER HAS BEEN PLACED AND THAT ALL DELIVERY
23 ORDERS MUST BE PACKAGED ON THE LICENSED PREMISES OF A RETAIL
24 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
25 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE AFTER
26 AN ORDER HAS BEEN RECEIVED; AND

27 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
28 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

29 **SECTION 3.** In Colorado Revised Statutes, 44-11-301, **amend**
30 (1) introductory portion, (1)(g), and (1)(h); and **add** (1)(i) as follows:

31 **44-11-301. Local licensing authority - applications - licenses**
32 **- permits.** (1) A local licensing authority may issue only the following
33 medical marijuana licenses OR PERMITS upon payment of the fee and
34 compliance with all local licensing requirements to be determined by the
35 local licensing authority:

36 (g) A marijuana research and development license; **and**
37 (h) A marijuana research and development cultivation license;

38 AND

39 (i) A MEDICAL MARIJUANA DELIVERY PERMIT.

40 **SECTION 4.** In Colorado Revised Statutes, 44-12-301, **amend**
41 (1) as follows:

42 **44-12-301. Local approval - licensing.** (1) When the state
43 licensing authority receives an application for original licensing OR

1 ISSUANCE OF A RETAIL MARIJUANA DELIVERY PERMIT or renewal of an
2 existing license OR PERMIT for any marijuana establishment, the state
3 licensing authority shall provide, within seven days, a copy of the
4 application to the local jurisdiction in which the establishment is to be
5 located unless the local jurisdiction has prohibited the operation of retail
6 marijuana establishments pursuant to section 16 (5)(f) of article XVIII of
7 the state constitution. The local jurisdiction shall determine whether the
8 application complies with local restrictions on time, place, manner, and
9 the number of marijuana businesses. The local jurisdiction shall inform
10 the state licensing authority whether the application complies with local
11 restrictions on time, place, manner, and the number of marijuana
12 businesses.

13 **SECTION 5.** In Colorado Revised Statutes, 44-11-402, **add** (11)
14 as follows:

15 **44-11-402. Medical marijuana center license - medical**
16 **marijuana delivery permit - report - rules - repeal.** (11) (a) (I) THERE
17 IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY PERMIT TO A MEDICAL
18 MARIJUANA CENTER LICENSE AUTHORIZING THE PERMIT HOLDER TO
19 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
20 PRODUCTS.

21 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
22 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
23 MARIJUANA CENTER LICENSE.

24 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
25 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA CENTER;
26 EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY PERMIT MAY
27 APPLY TO MULTIPLE MEDICAL MARIJUANA CENTERS PROVIDED THAT THE
28 MEDICAL MARIJUANA CENTERS ARE IN THE SAME LOCAL JURISDICTION AND
29 ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
30 AUTHORITY FOR PURPOSES OF THIS SECTION.

31 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
32 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
33 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
34 MEDICAL MARIJUANA CENTER LICENSE ISSUED PURSUANT TO THIS ARTICLE
35 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN DETERMINING
36 WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A MEDICAL MARIJUANA
37 DELIVERY PERMIT. A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED BY
38 THE STATE LICENSING AUTHORITY IS DEEMED A REVOCABLE PRIVILEGE OF
39 A LICENSED MEDICAL MARIJUANA CENTER. A VIOLATION RELATED TO A
40 MEDICAL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
41 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR MEDICAL
42 MARIJUANA CENTER LICENSE.

43 (b) A MEDICAL MARIJUANA CENTER LICENSEE SHALL NOT MAKE

1 DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
2 PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS WHILE ALSO
3 TRANSPORTING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
4 PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME VEHICLE.

5 (c) A LICENSED MEDICAL MARIJUANA CENTER SHALL CHARGE A
6 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED MEDICAL
7 MARIJUANA CENTER SHALL REMIT THE SURCHARGES COLLECTED ON A
8 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED MEDICAL
9 MARIJUANA CENTER IS LOCATED, OR TO THE COUNTY IF THE LICENSED
10 MEDICAL MARIJUANA CENTER IS IN AN UNINCORPORATED AREA, FOR
11 LOCAL LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
12 FAILURE TO COMPLY WITH THIS SUBSECTION (11)(c) MAY RESULT IN
13 NONRENEWAL OF THE MEDICAL MARIJUANA DELIVERY PERMIT.

14 (d) A LICENSED MEDICAL MARIJUANA CENTER WITH A MEDICAL
15 MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND
16 MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO THE PATIENT OR
17 PARENT OR GUARDIAN WHO PLACED THE ORDER AND WHO:

18 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
19 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
20 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
21 CAREGIVER;

22 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
23 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

24 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

25 (e) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
26 MARIJUANA-INFUSED PRODUCTS MUST POSSESS A VALID OCCUPATIONAL
27 LICENSE AND BE A CURRENT EMPLOYEE OF THE LICENSED MEDICAL
28 MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER LICENSEE
29 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
30 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
31 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
32 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
33 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
34 AUTHORITY.

35 (f) IN ACCORDANCE WITH THIS SUBSECTION (11) AND RULES
36 ADOPTED TO IMPLEMENT THIS SUBSECTION (11), A LICENSED MEDICAL
37 MARIJUANA CENTER WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT
38 MAY:

39 (I) RECEIVE AN ORDER BY ELECTRONIC OR OTHER MEANS FROM A
40 PATIENT OR THE PARENT OR GUARDIAN FOR THE PURCHASE AND DELIVERY
41 OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS. IF
42 THE ORDER IS FROM AN ONLINE PLATFORM, PRIOR TO THE COMPLETION OF
43 THE TRANSACTION THROUGH THE ONLINE PLATFORM, THE ONLINE

1 PLATFORM MUST MAKE THE PATIENT AWARE OF THE IDENTITY OF THE
2 LICENSED MEDICAL MARIJUANA CENTER THAT WILL FULFILL THE ORDER TO
3 THE PATIENT OR THE PARENT OR GUARDIAN.

4 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
5 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
6 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

7 (III) DELIVER ONLY TO A PATIENT OR A PARENT OR GUARDIAN;

8 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
9 PATIENT OR RESIDENCE;

10 (V) DELIVER ONLY TO PRIVATE RESIDENCES;

11 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
12 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
13 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
14 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

15 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
16 WITH A MEDICAL MARIJUANA TRANSPORTER THAT HAS A VALID MEDICAL
17 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
18 FROM ITS MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE
19 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY
20 RULE.

21 (g) (I) AT THE TIME OF THE ORDER, THE LICENSED MEDICAL
22 MARIJUANA CENTER SHALL CONFIRM THE PATIENT'S OR PARENT'S OR
23 GUARDIAN'S VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO
24 SECTION 25-1.5-106 AND AGE AS REQUIRED BY THE STATE LICENSING
25 AUTHORITY.

26 (II) PRIOR TO TRANSFERRING POSSESSION OF THE MEDICAL
27 MARIJUANA ORDER TO A PATIENT OR PARENT OR GUARDIAN, THE LICENSED
28 MEDICAL MARIJUANA CENTER DELIVERY PERSON OR ITS CONTRACTED
29 MEDICAL MARIJUANA TRANSPORTER LICENSEE DELIVERY PERSON SHALL
30 CONFIRM THE PATIENT'S OR PARENT'S OR GUARDIAN'S IDENTIFICATION, THE
31 PATIENT'S OR PARENT'S OR GUARDIAN'S POSSESSION OF VALID REGISTRY
32 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106 THAT
33 MATCHES THE NAME ON THE IDENTIFICATION CARD, AND THE ADDRESS
34 PROVIDED WITH THE ORDER AT THE POINT OF DELIVERY.

35 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
36 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
37 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
38 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
39 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
40 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
41 LABELING REQUIREMENTS.

42 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
43 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL

1 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (11).
2 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
3 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA CENTER OR MEDICAL
4 MARIJUANA TRANSPORTER LICENSEE WITH A VALID MEDICAL MARIJUANA
5 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
6 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
7 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA
8 AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A MEDICAL
9 MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED
10 AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.
11 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
12 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
13 ACTIONS, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
14 ACTIVITY MATERIALLY RELATED TO MEDICAL MARIJUANA DELIVERY IN
15 THE LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE
16 LICENSING AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS
17 POSSESSION FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.
18 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
19 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
20 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
21 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
22 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
23 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
24 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
25 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
26 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
27 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
28 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
29 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
30 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.
31 (II) DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
32 MARIJUANA-INFUSED PRODUCTS MAY NOT CROSS THE JURISDICTIONAL
33 BOUNDARIES OF THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY
34 WHERE THE ORIGINATING MEDICAL MARIJUANA BUSINESS IS LOCATED
35 UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS
36 DELIVERY FROM OUTSIDE ITS JURISDICTION.
37 (l) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
38 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
39 MARIJUANA CENTER APPLICANTS ON JANUARY 2, 2020.
40 (II) NO LATER THAN JANUARY 2, 2021, THE STATE LICENSING
41 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
42 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
43 COMMITTEES, REGARDING THE NUMBER OF MEDICAL MARIJUANA

1 DELIVERY APPLICATIONS SUBMITTED, THE NUMBER OF MEDICAL
2 MARIJUANA DELIVERY PERMITS ISSUED, ANY FINDINGS BY THE STATE
3 LICENSING AUTHORITY OF CRIMINAL ACTIVITY MATERIALLY RELATED TO
4 MEDICAL MARIJUANA DELIVERY, AND ANY INCIDENT REPORTS THAT
5 INCLUDE FELONY CHARGES MATERIALLY RELATED TO MEDICAL
6 MARIJUANA DELIVERY, WHICH WERE FILED AND REPORTED TO THE STATE
7 LICENSING AUTHORITY BY THE LAW ENFORCEMENT AGENCY, DISTRICT
8 ATTORNEY, OR OTHER AGENCY RESPONSIBLE FOR FILING THE FELONY
9 CHARGES. THE STATE LICENSING AUTHORITY MAY CONSULT WITH THE
10 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IN
11 THE COLLECTION AND ANALYSIS OF ADDITIONAL CRIME DATA MATERIALLY
12 RELATED TO MEDICAL MARIJUANA DELIVERY.

13 **SECTION 6.** In Colorado Revised Statutes, 44-12-402, **add** (12)
14 as follows:

15 **44-12-402. Retail marijuana store license - retail marijuana**
16 **delivery permit - report - rules - repeal.** (12) (a) (I) THERE IS
17 AUTHORIZED A RETAIL MARIJUANA DELIVERY PERMIT TO A RETAIL
18 MARIJUANA STORE LICENSE AUTHORIZING THE PERMIT HOLDER TO DELIVER
19 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

20 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
21 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
22 MARIJUANA STORE LICENSE OR RETAIL MARIJUANA TRANSPORTER LICENSE.

23 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
24 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA STORE; EXCEPT
25 THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY TO
26 MULTIPLE RETAIL MARIJUANA STORES PROVIDED THAT THE RETAIL
27 MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND ARE
28 IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY
29 FOR PURPOSES OF THIS SECTION.

30 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
31 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
32 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
33 MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE 12. A
34 PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
35 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
36 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
37 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
38 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
39 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
40 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
41 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
42 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
43 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY

1 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
2 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA STORE OR
3 RETAIL MARIJUANA TRANSPORTER LICENSEE. A VIOLATION RELATED TO A
4 RETAIL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
5 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR RETAIL
6 MARIJUANA STORE LICENSE.

7 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
8 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
9 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
10 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
11 PREMISES IN THE SAME VEHICLE.

12 (c) THE LICENSED RETAIL MARIJUANA STORE SHALL CHARGE A
13 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED RETAIL
14 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
15 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED RETAIL
16 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
17 RETAIL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
18 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
19 FAILURE TO COMPLY WITH THIS SUBSECTION (12)(c) MAY RESULT IN
20 NONRENEWAL OF THE RETAIL MARIJUANA DELIVERY PERMIT.

21 (d) A LICENSED RETAIL MARIJUANA STORE WITH A RETAIL
22 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
23 RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED THE
24 ORDER AND WHO:

- 25 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;
- 26 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
27 MARIJUANA PRODUCTS PURSUANT TO RULES; AND
- 28 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

29 (e) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
30 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
31 AND BE A CURRENT EMPLOYEE OF THE LICENSED RETAIL MARIJUANA STORE
32 OR RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
33 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
34 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
35 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
36 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
37 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

38 (f) IN ACCORDANCE WITH THIS SUBSECTION (12) AND RULES
39 ADOPTED TO IMPLEMENT THIS SUBSECTION (12), A LICENSED RETAIL
40 MARIJUANA STORE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT
41 MAY:

- 42 (I) RECEIVE AN ORDER THROUGH ELECTRONIC OR OTHER MEANS
43 FOR THE PURCHASE AND DELIVERY OF RETAIL MARIJUANA OR RETAIL

1 MARIJUANA PRODUCTS. IF THE ORDER IS FROM AN ONLINE PLATFORM,
2 PRIOR TO THE COMPLETION OF THE TRANSACTION THROUGH THE ONLINE
3 PLATFORM, THE ONLINE PLATFORM MUST MAKE THE INDIVIDUAL AWARE
4 OF THE IDENTITY OF THE LICENSED RETAIL MARIJUANA STORE THAT WILL
5 FULFILL THE ORDER TO THE INDIVIDUAL.

6 (II) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
7 NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING
8 AUTHORITY;

9 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
10 IN THE ORDER;

11 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
12 INDIVIDUAL OR RESIDENCE;

13 (V) DELIVER TO PRIVATE RESIDENCES;

14 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
15 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
16 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
17 44-12-202 (3)(a)(XXV); AND

18 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
19 WITH A RETAIL MARIJUANA TRANSPORTER THAT HAS A VALID RETAIL
20 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
21 FROM ITS RETAIL MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
22 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

23 (g) (I) AT THE TIME OF THE ORDER, THE LICENSED RETAIL
24 MARIJUANA STORE SHALL CONFIRM THE VALIDITY OF THE INDIVIDUAL'S
25 AGE AS REQUIRED BY THE STATE LICENSING AUTHORITY.

26 (II) PRIOR TO TRANSFERRING POSSESSION OF THE RETAIL
27 MARIJUANA ORDER TO AN INDIVIDUAL, THE LICENSED RETAIL MARIJUANA
28 STORE DELIVERY PERSON OR ITS CONTRACTED RETAIL MARIJUANA
29 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE
30 INDIVIDUAL'S IDENTIFICATION AND THE ADDRESS PROVIDED WITH THE
31 ORDER AT THE POINT OF DELIVERY.

32 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
33 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
34 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
35 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
36 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
37 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
38 REQUIREMENTS.

39 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
40 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
41 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (12).

42 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
43 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA STORE OR RETAIL

1 MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL MARIJUANA
2 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
3 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
4 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER RETAIL MARIJUANA OR
5 RETAIL MARIJUANA PRODUCTS PURSUANT TO A RETAIL MARIJUANA
6 DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS
7 ESTABLISHED BY THE STATE LICENSING AUTHORITY.

8 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
9 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
10 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
11 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
12 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING
13 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
14 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

15 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
16 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
17 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
18 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
19 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
20 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
21 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
22 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
23 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
24 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
25 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
26 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
27 PURSUANT TO THIS SECTION.

28 (II) DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA
29 PRODUCTS MAY NOT CROSS THE JURISDICTIONAL BOUNDARIES OF THE
30 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY WHERE THE
31 ORIGINATING RETAIL MARIJUANA ESTABLISHMENT IS LOCATED UNLESS THE
32 MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS DELIVERY FROM
33 OUTSIDE ITS JURISDICTION.

34 (l) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
35 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA STORE
36 APPLICANTS ON JANUARY 2, 2021.

37 **SECTION 7.** In Colorado Revised Statutes, 44-11-406, **amend**
38 **(1)(a); and add (5) as follows:**

39 **44-11-406. Medical marijuana transporter license.** (1) (a) A
40 medical marijuana transporter license may be issued to a person to
41 provide logistics, distribution, DELIVERY, and storage of medical
42 marijuana and medical marijuana-infused products. Notwithstanding any
43 other provisions of law, a medical marijuana transporter license is valid

1 for two years but cannot be transferred with a change of ownership. A
2 licensed medical marijuana transporter is responsible for the medical
3 marijuana and medical marijuana-infused products once it takes control
4 of the product.

5 (5) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY
6 PERMIT TO A MEDICAL MARIJUANA TRANSPORTER LICENSE AUTHORIZING
7 THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL
8 MARIJUANA-INFUSED PRODUCTS.

9 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
10 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
11 MARIJUANA TRANSPORTER LICENSE.

12 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
13 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA
14 TRANSPORTER; EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY
15 PERMIT MAY APPLY TO MULTIPLE MEDICAL MARIJUANA TRANSPORTERS
16 PROVIDED THAT THE MEDICAL MARIJUANA TRANSPORTERS ARE IN THE
17 SAME LOCAL JURISDICTION AND ARE IDENTICALLY OWNED, AS DEFINED BY
18 THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION.

19 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
20 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
21 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
22 MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS
23 ARTICLE 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN
24 DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
25 MEDICAL MARIJUANA DELIVERY PERMIT. A MEDICAL MARIJUANA
26 DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED
27 A REVOCABLE PRIVILEGE OF A LICENSED MEDICAL MARIJUANA
28 TRANSPORTER. A VIOLATION RELATED TO A MEDICAL MARIJUANA
29 DELIVERY PERMIT IS GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION
30 OF THE DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER LICENSE.

31 (b) A MEDICAL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
32 MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL
33 MARIJUANA-INFUSED PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS
34 WHILE ALSO TRANSPORTING MEDICAL MARIJUANA OR MEDICAL
35 MARIJUANA-INFUSED PRODUCTS BETWEEN LICENSED PREMISES IN THE
36 SAME VEHICLE.

37 (c) A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A
38 MEDICAL MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL
39 MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ON BEHALF OF
40 A MEDICAL MARIJUANA CENTER ONLY TO THE PATIENT OR PARENT OR
41 GUARDIAN WHO PLACED THE ORDER WITH A MEDICAL MARIJUANA CENTER
42 AND WHO:

43 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA

1 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
2 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
3 CAREGIVER;

4 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
5 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

6 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

7 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
8 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED MEDICAL
9 MARIJUANA TRANSPORTER WITH A VALID MEDICAL MARIJUANA DELIVERY
10 PERMIT MAY:

11 (I) NOT ACCEPT ORDERS ON BEHALF OF A MEDICAL MARIJUANA
12 CENTER AND MAY ONLY PICK UP ALREADY PACKAGED MEDICAL
13 MARIJUANA DELIVERY ORDERS FROM A MEDICAL MARIJUANA CENTER OR
14 ITS ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
15 FACILITY AS DEFINED BY RULE AND DELIVER THOSE ORDERS TO THE
16 APPROPRIATE PATIENT, PARENT, OR GUARDIAN;

17 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
18 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
19 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

20 (III) DELIVER ONLY TO A PATIENT REGISTERED IN THE MEDICAL
21 MARIJUANA PATIENT REGISTRY OR A PARENT OR GUARDIAN OF A PATIENT
22 WHO IS ALSO THAT PATIENT'S PRIMARY CAREGIVER;

23 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
24 PATIENT OR RESIDENCE;

25 (V) DELIVER TO A PRIVATE RESIDENCE;

26 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
27 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
28 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
29 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

30 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
31 AND PURSUANT TO A CONTRACT WITH, A MEDICAL MARIJUANA CENTER
32 THAT HAS A VALID MEDICAL MARIJUANA DELIVERY PERMIT FROM ITS
33 MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE LICENSING
34 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

35 (e) PRIOR TO TRANSFERRING POSSESSION OF THE MEDICAL
36 MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS ORDER TO A
37 PATIENT OR PARENT OR GUARDIAN, THE LICENSED MEDICAL MARIJUANA
38 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE PATIENT'S
39 OR PARENT'S OR GUARDIAN'S IDENTIFICATION, THE PATIENT'S OR PARENT'S
40 OR GUARDIAN'S POSSESSION OF THE MEDICAL MARIJUANA REGISTRY CARD
41 THAT MATCHES THE MEDICAL MARIJUANA REGISTRY NUMBER, AND THE
42 ADDRESS PROVIDED WITH THE ORDER AT THE POINT OF DELIVERY.

43 (f) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL

1 MARIJUANA-INFUSED PRODUCTS FOR A MEDICAL MARIJUANA
2 TRANSPORTER MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A
3 CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA TRANSPORTER LICENSEE
4 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
5 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
6 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
7 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
8 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
9 AUTHORITY.

10 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
11 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
12 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
13 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
14 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
15 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
16 LABELING REQUIREMENTS.

17 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
18 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL
19 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

20 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
21 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA TRANSPORTER
22 LICENSEE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT, OR SUCH
23 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
24 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
25 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
26 PRODUCTS PURSUANT TO A MEDICAL MARIJUANA DELIVERY PERMIT IN
27 AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE
28 LICENSING AUTHORITY.

29 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
30 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
31 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
32 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
33 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
34 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
35 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
36 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
37 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
38 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
39 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
40 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
41 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

42 (II) DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
43 MARIJUANA-INFUSED PRODUCTS MAY NOT CROSS THE JURISDICTIONAL

1 BOUNDARIES OF THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY
2 WHERE THE ORIGINATING MEDICAL MARIJUANA CENTER IS LOCATED
3 UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS
4 DELIVERY FROM OUTSIDE ITS JURISDICTION.

5 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
6 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
7 MARIJUANA TRANSPORTER APPLICANTS ON JANUARY 2, 2021.

8 **SECTION 8.** In Colorado Revised Statutes, 44-12-406, **amend**
9 (1)(a); and **add** (5) as follows:

10 **44-12-406. Retail marijuana transporter license.** (1) (a) A
11 retail marijuana transporter license may be issued to a person to provide
12 logistics, distribution, DELIVERY, and storage of retail marijuana and retail
13 marijuana products. Notwithstanding any other provisions of law, a retail
14 marijuana transporter license is valid for two years but cannot be
15 transferred with a change of ownership. A licensed retail marijuana
16 transporter is responsible for the retail marijuana and retail marijuana
17 products once it takes control of the product.

18 (5) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA DELIVERY
19 PERMIT TO A RETAIL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE
20 PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
21 PRODUCTS.

22 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
23 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
24 MARIJUANA TRANSPORTER LICENSE.

25 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
26 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA TRANSPORTER;
27 EXCEPT THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY
28 TO MULTIPLE RETAIL MARIJUANA TRANSPORTERS PROVIDED THAT THE
29 RETAIL MARIJUANA TRANSPORTERS ARE IN THE SAME LOCAL JURISDICTION
30 AND ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
31 AUTHORITY FOR PURPOSES OF THIS SECTION.

32 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
33 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
34 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
35 MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 12.
36 A PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
37 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
38 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
39 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
40 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
41 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
42 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
43 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION

1 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
2 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
3 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
4 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA TRANSPORTER.
5 A VIOLATION RELATED TO A RETAIL MARIJUANA DELIVERY PERMIT IS
6 GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION OF THE DELIVERY
7 PERMIT OR RETAIL MARIJUANA TRANSPORTER LICENSE.

8 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
9 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
10 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
11 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
12 PREMISES IN THE SAME VEHICLE.

13 (c) A LICENSED RETAIL MARIJUANA TRANSPORTER WITH A RETAIL
14 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
15 RETAIL MARIJUANA PRODUCTS ON BEHALF OF A RETAIL MARIJUANA STORE
16 ONLY TO THE INDIVIDUAL WHO PLACED THE ORDER WITH A RETAIL
17 MARIJUANA STORE AND WHO:

18 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;

19 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
20 MARIJUANA PRODUCTS PURSUANT TO RULES; AND

21 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

22 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
23 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED RETAIL
24 MARIJUANA TRANSPORTER WITH A VALID RETAIL MARIJUANA DELIVERY
25 PERMIT MAY:

26 (I) NOT ACCEPT ORDERS ON BEHALF OF A RETAIL MARIJUANA
27 STORE AND MAY ONLY PICK UP ALREADY PACKAGED RETAIL MARIJUANA
28 DELIVERY ORDERS FROM A RETAIL MARIJUANA STORE OR ITS ASSOCIATED
29 STATE LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED
30 BY RULE AND DELIVER THOSE ORDERS TO THE APPROPRIATE INDIVIDUAL;

31 (II) DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
32 PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE
33 LICENSING AUTHORITY;

34 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
35 IN THE ORDER;

36 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
37 INDIVIDUAL OR RESIDENCE;

38 (V) DELIVER TO A PRIVATE RESIDENCE;

39 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
40 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
41 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
42 44-12-202 (3)(a)(XXV); AND

43 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,

1 AND PURSUANT TO A CONTRACT WITH, A RETAIL MARIJUANA STORE THAT
2 HAS A VALID RETAIL MARIJUANA DELIVERY PERMIT FROM ITS RETAIL
3 MARIJUANA CENTER OR ITS ASSOCIATED STATE LICENSING
4 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

5 (e) PRIOR TO TRANSFERRING POSSESSION OF THE RETAIL
6 MARIJUANA ORDER TO AN INDIVIDUAL, THE LICENSED RETAIL MARIJUANA
7 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE
8 INDIVIDUAL'S IDENTIFICATION AND THE ADDRESS PROVIDED WITH THE
9 ORDER AT THE POINT OF DELIVERY.

10 (f) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
11 MARIJUANA PRODUCTS FOR A RETAIL MARIJUANA TRANSPORTER MUST
12 POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE
13 OF THE RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
14 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
15 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
16 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
17 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
18 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

19 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
20 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
21 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
22 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
23 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
24 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
25 REQUIREMENTS.

26 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
27 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
28 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

29 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
30 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA TRANSPORTER
31 LICENSEE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT, OR SUCH
32 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
33 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
34 DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
35 PURSUANT TO A RETAIL MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT
36 DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING
37 AUTHORITY.

38 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
39 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
40 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
41 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
42 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
43 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL

1 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
2 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
3 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
4 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
5 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
6 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
7 PURSUANT TO THIS SECTION.

8 (II) DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA
9 PRODUCTS MAY NOT CROSS THE JURISDICTIONAL BOUNDARIES OF THE
10 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY WHERE THE
11 ORIGINATING RETAIL MARIJUANA STORE IS LOCATED UNLESS THE
12 MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS DELIVERY FROM
13 OUTSIDE ITS JURISDICTION.

14 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
15 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
16 TRANSPORTER APPLICANTS ON JANUARY 2, 2021.

17 **SECTION 9.** In Colorado Revised Statutes, 44-11-1101, **add**
18 (2)(b)(III.5) as follows:

19 **44-11-1101. Responsible vendor program - standards -**
20 **designation.** (2) An approved training program ~~shall~~ MUST contain, at a
21 minimum, the following standards and ~~shall~~ MUST be taught in a
22 classroom setting in a minimum of a two-hour period:

23 (b) A core curriculum of pertinent statutory and regulatory
24 provisions, which curriculum includes, but need not be limited to:

25 (III.5) STATUTORY AND REGULATORY REQUIREMENTS RELATED TO
26 MARIJUANA DELIVERY;

27 **SECTION 10. Act subject to petition - effective date.** This act
28 takes effect at 12:01 a.m. on the day following the expiration of the
29 ninety-day period after final adjournment of the general assembly (August
30 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
31 referendum petition is filed pursuant to section 1 (3) of article V of the
32 state constitution against this act or an item, section, or part of this act
33 within such period, then the act, item, section, or part will not take effect
34 unless approved by the people at the general election to be held in
35 November 2020 and, in such case, will take effect on the date of the
36 official declaration of the vote thereon by the governor."

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