

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 20, 2023  
Date

Committee on Finance.

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

SB23-290 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 9, strike line 14 and substitute "THEREWITH,  
2 BUSINESS PROMOTION, OR COMMERCIAL ACTIVITY."
- 3 Page 13, line 12, strike "OR".
- 4 Page 13, line 13, strike "44." and substitute "44, OR FOR STATE OR LOCAL  
5 LAW ENFORCEMENT AGENCIES TO ACCESS RECORDS AND INFORMATION  
6 FOR OTHER STATE OR LOCAL LAW ENFORCEMENT."
- 7 Page 15, line 15, strike "TRADITIONAL" and substitute "TRADITIONAL,  
8 TRIBAL,".
- 9 Page 19, line 1, strike "INDIGENOUS" and substitute "TRIBAL OR  
10 INDIGENOUS".
- 11 Page 19, line 5, strike "TRADITIONAL" and substitute "TRADITIONAL,  
12 TRIBAL, OR".
- 13 Page 19, line 27, strike "EFFECT," and substitute "BENEFITS, HARMS,".
- 14 Page 21, line 25, after "EXISTING" insert "AND CURRENT".
- 15 Page 22, line 23, strike "**Indigenous**" and substitute "**Federally**  
16 **recognized American tribes and Indigenous**".
- 17 Page 22, line 24, strike "AN" and substitute "THE FEDERALLY RECOGNIZED  
18 AMERICAN TRIBES AND".

- 1 Page 25, lines 8 and 9, strike "DOES NOT RECEIVE REMUNERATION,".
- 2 Page 40, strike line 5 and substitute "THEREWITH, BUSINESS PROMOTION,  
3 OR COMMERCIAL ACTIVITY.".
- 4 Page 41, line 10, after "OF" insert "OR IMPAIRMENT FROM".
- 5 Page 41, line 13, after "OF" insert "OR IMPAIRMENT FROM".
- 6 Page 47, line 4, strike "TRADITIONAL" and substitute "TRADITIONAL,  
7 TRIBAL,".
- 8 Page 53, line 7, strike "INSTRUCTIONS" and substitute "GUIDANCE".
- 9 Page 75, line 19, after "SECTION," insert "ARTICLE 170 OF TITLE 12, OR  
10 ARTICLE 50 OF TITLE 44,".
- 11 Page 78, after line 10, insert:
- 12 "(11) NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, THE  
13 OFFENSES PROVIDED FOR IN THIS SECTION DO NOT APPLY TO A PERSON  
14 POSSESSING, DISPLAYING, CULTIVATING, PURCHASING, OR SELLING A  
15 LIVING PLANT FOR ORNAMENTAL PURPOSES ONLY THAT WAS COMMONLY  
16 AND LAWFULLY SOLD PRIOR TO THE EFFECTIVE DATE OF THIS SECTION. FOR  
17 PURPOSES OF THIS SECTION, A "LIVING PLANT" DOES NOT INCLUDE  
18 MUSHROOMS OR OTHER FUNGAL MATTER.".
- 19 Renumber succeeding subsections accordingly.
- 20 Page 78, line 27, strike "(11)(b)," and substitute "(12)(b),".
- 21 Page 79, line 3, strike "(11)(b)(I)" and substitute "(12)(b)(I)".
- 22 Before "INDIGENOUS" insert "THE FEDERALLY RECOGNIZED AMERICAN  
23 TRIBES AND" on **Page 4**, line 10; **Page 5**, lines 1, 7, 13, and 20; **Page 14**,  
24 line 3; **Page 23**, lines 5, 14, and 22; and **Page 50**, line 25.
- 25 Before "INDIGENOUS" insert "TRIBAL AND" on: **Page 5**, line 5; **Page 22**,  
26 line 11; and **Page 23**, lines 1 and 17.

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