

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

**INTRODUCED**

LLS NO. 17-0951.01 Jennifer Berman x3286

**HOUSE BILL 17-1197**

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**HOUSE SPONSORSHIP**

**Ginal,**

**SENATE SPONSORSHIP**

**Coram,**

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**House Committees**

Agriculture, Livestock, & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE EXCLUSION OF MARIJUANA FROM THE DEFINITION**  
102                    **OF "FARM PRODUCTS" WITH REGARD TO REGULATION OF FARM**  
103                    **PRODUCTS UNDER THE "FARM PRODUCTS ACT".**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under the "Farm Products Act", the commissioner of agriculture or his or her designee licenses farm product dealers, small-volume dealers, and their agents. The bill excludes marijuana from the definition of "farm products" under the act.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-16-103, **amend**  
3 (5)(b); and **add** (5.3) and (5.7) as follows:

4 **12-16-103. Definitions - rules.** As used in this part 1, unless the  
5 context otherwise requires:

6 (5) (b) "Farm products" does not include poultry and poultry  
7 products, timber products, nursery stock, ~~or~~ commodities, ~~OR~~MARIJUANA.

8 (5.3) "INDUSTRIAL HEMP" MEANS A PLANT OF THE GENUS  
9 CANNABIS AND ANY PART OF THE PLANT, WHETHER GROWING OR NOT,  
10 CONTAINING A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION OF  
11 NO MORE THAN THREE-TENTHS OF ONE PERCENT ON A DRY WEIGHT BASIS.

12 (5.7) (a) "MARIJUANA" HAS THE SAME MEANING AS SET FORTH IN  
13 SECTION 27-80-203 (15).

14 (b) "MARIJUANA" DOES NOT INCLUDE INDUSTRIAL HEMP.

15 **SECTION 2. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2018 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.