



Legislative Council Staff

Research Note

Version: Final

Date: 3/29/2017

Bill Number

House Bill 17-1197

Sponsors

Representative Ginal
Senator Coram

Short Title

*Exclude Marijuana From Farm
Products Definition*

Research Analyst

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Status

This research note reflects the final version of the bill, which becomes effective August 9, 2017, assuming no referendum petition is filed.

Background

Colorado Farm Products Act. Under the Colorado Farm Products Act (Act), dealers of farm products are required to be licensed with the Colorado Department of Agriculture (department). Farm products are defined as unprocessed products of the soil, such as vegetables and fruit, livestock, milk, honey, and hay. Farm products do not include poultry, nursery stock, timber products, or livestock purchased and not resold or processed within 90 days. Dealers, which include farm products cash buyers, small-volume dealers, and farm products agents are required to obtain a license from the department. Once licensed, dealers are permitted to buy farm products for processing or resale.

The majority of transactions between medical marijuana cultivators and infused products manufacturers and marijuana establishments, or dispensaries, would not be subject to the act because marijuana businesses are required to share common ownership; however, transactions between marijuana cultivation facilities and retail marijuana infused products manufacturers and dispensaries may be subject to the act because they are not required to share ownership.

House Action

House Agriculture, Livestock, and Natural Resources Committee (March 6, 2017). At the hearing, representatives from the Colorado Department of Agriculture testified in support of the bill. One representative from Hemp Sources Inc. testified in opposition. The committee adopted

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Amendment L.001, which clarified that the definition of marijuana as applied in the bill would be the same as set forth in Section 16(2)(f) of Article XVIII of the Colorado Constitution. The committee referred the bill, as amended to the House Committee of the Whole.

House Second Reading (March 9, 2017). The House adopted the House Agriculture, Livestock, and Natural Resources committee report. The House passed the bill on second reading, as amended.

House Third Reading (March 10, 2017). The House passed the bill on third reading with no amendments.

Senate Action

Senate Agriculture, Energy, and Natural Resources Committee (March 23, 2017). One member from the Colorado Department of Agriculture testified in support of the bill. The committee referred the bill without amendments to the Senate Committee of the Whole.

Senate Second Reading (March 27, 2017). The Senate passed the bill on second reading without amendments.

Senate Third Reading (March 28, 2017). The Senate passed the bill on third reading without amendments.