

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 18-1025.01 Michael Dohr x4347

SENATE BILL 18-187

SENATE SPONSORSHIP

Marble and Tate,

HOUSE SPONSORSHIP

(None),

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING TRANSFERRING MARIJUANA FIBROUS WASTE FOR THE**
102 **PURPOSE OF PRODUCING INDUSTRIAL FIBER PRODUCTS.**

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 gives the state licensing authority rule-making authority to address conditions under which a medical or retail marijuana licensee is authorized to transfer marijuana fibrous waste to a person for the purpose of producing only industrial fiber products.

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

SENATE
Amended 2nd Reading
March 15, 2018

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **add**
3 (1.2) and (1.8) as follows:

4 **12-43.3-104. Definitions.** As used in this article 43.3, unless the
5 context otherwise requires:

6 (1.2) "FIBROUS WASTE" MEANS ANY ROOTS, STALKS, AND STEMS
7 FROM A MEDICAL MARIJUANA PLANT.

8 (1.8) "INDUSTRIAL FIBER PRODUCTS" MEANS INTERMEDIATE OR
9 FINISHED PRODUCTS MADE FROM FIBROUS WASTE THAT ARE NOT INTENDED
10 FOR HUMAN OR ANIMAL CONSUMPTION AND ARE NOT USABLE OR
11 RECOGNIZABLE AS MEDICAL MARIJUANA. INDUSTRIAL FIBER PRODUCTS
12 INCLUDE, BUT ARE NOT LIMITED TO, CORDAGE, PAPER, FUEL, TEXTILES,
13 BEDDING, INSULATION, CONSTRUCTION MATERIALS, COMPOST MATERIALS,
14 AND INDUSTRIAL MATERIALS.

15 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-202, **add**
16 (2.5)(a)(IV) as follows:

17 **12-43.3-202. Powers and duties of state licensing authority -**
18 **rules.** (2.5) (a) Rules promulgated pursuant to subsection (1)(b) of this
19 section must include, but need not be limited to, the following subjects:

20 (IV) CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED TO
21 TRANSFER FIBROUS WASTE TO A PERSON FOR THE PURPOSE OF PRODUCING
22 ONLY INDUSTRIAL FIBER PRODUCTS. THE CONDITIONS MUST INCLUDE
23 CONTRACT REQUIREMENTS THAT STIPULATE THAT THE FIBROUS WASTE
24 WILL ONLY BE USED TO PRODUCE INDUSTRIAL FIBER PRODUCTS;
25 RECORD-KEEPING REQUIREMENTS; SECURITY MEASURES RELATED TO THE
26 TRANSPORT AND TRANSFER OF FIBROUS WASTE; HANDLING
27 CONTAMINATED FIBROUS WASTE REQUIREMENTS; AND PROCESSES

1 ASSOCIATED WITH HANDLING FIBROUS WASTE. THE RULES SHALL NOT
2 REQUIRE LICENSEES TO ALTER FIBROUS WASTE FROM ITS NATURAL STATE
3 PRIOR TO TRANSFER.

4 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend**
5 (1.7) and (2.7) as follows:

6 **12-43.4-103. Definitions.** As used in this article 43.4, unless the
7 context otherwise requires:

8 (1.7) "FIBROUS WASTE" MEANS ANY ROOTS, STALKS, AND STEMS
9 FROM A RETAIL MARIJUANA PLANT.

10 (2.7) "INDUSTRIAL FIBER PRODUCTS" MEANS INTERMEDIATE OR
11 FINISHED PRODUCTS MADE FROM FIBROUS WASTE THAT ARE NOT INTENDED
12 FOR HUMAN OR ANIMAL CONSUMPTION AND ARE NOT USABLE OR
13 RECOGNIZABLE AS RETAIL MARIJUANA. INDUSTRIAL FIBER PRODUCTS
14 INCLUDE, BUT ARE NOT LIMITED TO, CORDAGE, PAPER, FUEL, TEXTILES,
15 BEDDING, INSULATION, CONSTRUCTION MATERIALS, COMPOST MATERIALS,
16 AND INDUSTRIAL MATERIALS.

17 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-202, **add** (5)
18 as follows:

19 **12-43.4-202. Powers and duties of state licensing authority -**
20 **rules.** (5) RULES PROMULGATED PURSUANT TO THIS SUBSECTION (5) MUST
21 ALSO INCLUDE THE CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED
22 TO TRANSFER FIBROUS WASTE TO A PERSON FOR THE PURPOSE OF
23 PRODUCING ONLY INDUSTRIAL FIBER PRODUCTS. THE CONDITIONS MUST
24 INCLUDE CONTRACT REQUIREMENTS THAT STIPULATE THAT THE FIBROUS
25 WASTE WILL ONLY BE USED TO PRODUCE INDUSTRIAL FIBER PRODUCTS;
26 RECORD-KEEPING REQUIREMENTS; SECURITY MEASURES RELATED TO THE
27 TRANSPORT AND TRANSFER OF FIBROUS WASTE; HANDLING

1 CONTAMINATED FIBROUS WASTE REQUIREMENTS; AND PROCESSES
2 ASSOCIATED WITH HANDLING FIBROUS WASTE. THE RULES SHALL NOT
3 REQUIRE LICENSEES TO ALTER FIBROUS WASTE FROM ITS NATURAL STATE
4 PRIOR TO TRANSFER.

5 **SECTION 5. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2018 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.