

CHAPTER 18

PROFESSIONS AND OCCUPATIONS

SENATE BILL 18-105

BY SENATOR(S) Baumgardner, Crowder, Holbert, Marble, Tate, Grantham;
also REPRESENTATIVE(S) Pabon, Gray, Hooton, Kennedy, Lontine, McKean, McLachlan, Rosenthal, Singer.

AN ACT

CONCERNING CLARIFYING CHANGES TO PROVISIONS THAT WERE CONTAINED IN HOUSE BILL 17-1367.

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

SECTION 1. In Colorado Revised Statutes, 12-43.3-202, **amend (2.5)(a)(I)(G)** as follows:

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

(I) (G) A state, local, or municipal agency shall not employ or use the results of any test of medical marijuana or medical marijuana-infused products conducted by an analytical laboratory that is not certified pursuant to this subsection (2.5)(a)(I) for the particular testing category ~~and~~ **OR IS NOT** accredited pursuant to the International Organization for Standardization/International Electrotechnical Commission 17025:2005 standard, or any subsequent superseding standard, in that field of testing. **STARTING JANUARY 1, 2018, A STATE, LOCAL, OR MUNICIPAL AGENCY MAY USE OR EMPLOY THE RESULTS OF ANY TEST OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS CONDUCTED ON OR AFTER JANUARY 1, 2018, BY AN ANALYTICAL LABORATORY THAT IS CERTIFIED PURSUANT TO THIS SUBSECTION (2.5)(a)(I) FOR THE PARTICULAR TESTING CATEGORY OR IS ACCREDITED PURSUANT TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.**

SECTION 2. In Colorado Revised Statutes, 12-43.4-202, **amend (3)(a)(IV)(H)** as follows:

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

12-43.4-202. Powers and duties of state licensing authority - rules.

(3)(a) Rules promulgated pursuant to subsection (2)(b) of this section must include, but need not be limited to, the following subjects:

(IV) (H) A state, local, or municipal agency shall not employ or use the results of any test of marijuana or marijuana products conducted by an analytical laboratory that is not certified pursuant to this subsection (3)(a)(IV) for the particular testing category ~~and~~ OR IS NOT accredited to the International Organization for Standardization/International Electrotechnical Commission 17025:2005 standard, or any subsequent superseding standard, in that field of testing. STARTING JANUARY 1, 2018, A STATE, LOCAL, OR MUNICIPAL AGENCY MAY USE OR EMPLOY THE RESULTS OF ANY TEST OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS CONDUCTED ON OR AFTER JANUARY 1, 2018, BY AN ANALYTICAL LABORATORY THAT IS CERTIFIED PURSUANT TO THIS SUBSECTION (3)(a)(IV) FOR THE PARTICULAR TESTING CATEGORY OR IS ACCREDITED PURSUANT TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 5, 2018