

CHAPTER 170

PROFESSIONS AND OCCUPATIONS

SENATE BILL 18-187

BY SENATOR(S) Marble and Tate, Aguilar, Coram, Court, Crowder, Fenberg, Fields, Garcia, Jahn, Kefalas, Kerr, Martinez Humenik, Moreno, Neville T., Todd;
also REPRESENTATIVE(S) Arndt, Esgar, Gray, Herod, Hooton, Kennedy, Kraft-Tharp, Lontine, Melton, Roberts, Rosenthal, Singer.

AN ACT**CONCERNING TRANSFERRING MARIJUANA FIBROUS WASTE FOR THE PURPOSE OF PRODUCING INDUSTRIAL FIBER PRODUCTS.**

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

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

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

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

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

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

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.

(IV) CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED TO TRANSFER FIBROUS WASTE TO A PERSON FOR THE PURPOSE OF PRODUCING ONLY INDUSTRIAL FIBER PRODUCTS. THE CONDITIONS MUST INCLUDE CONTRACT REQUIREMENTS THAT STIPULATE THAT THE FIBROUS WASTE WILL ONLY BE USED TO PRODUCE INDUSTRIAL FIBER PRODUCTS; RECORD-KEEPING REQUIREMENTS; SECURITY MEASURES RELATED TO THE TRANSPORT AND TRANSFER OF FIBROUS WASTE; HANDLING CONTAMINATED FIBROUS WASTE REQUIREMENTS; AND PROCESSES ASSOCIATED WITH HANDLING FIBROUS WASTE. THE RULES SHALL NOT REQUIRE LICENSEES TO ALTER FIBROUS WASTE FROM ITS NATURAL STATE PRIOR TO TRANSFER.

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

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

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

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

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

12-43.4-202. Powers and duties of state licensing authority - rules. (5) RULES PROMULGATED PURSUANT TO THIS SUBSECTION (5) MUST ALSO INCLUDE THE CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED TO TRANSFER FIBROUS WASTE TO A PERSON FOR THE PURPOSE OF PRODUCING ONLY INDUSTRIAL FIBER PRODUCTS. THE CONDITIONS MUST INCLUDE CONTRACT REQUIREMENTS THAT STIPULATE THAT THE FIBROUS WASTE WILL ONLY BE USED TO PRODUCE INDUSTRIAL FIBER PRODUCTS; RECORD-KEEPING REQUIREMENTS; SECURITY MEASURES RELATED TO THE TRANSPORT AND TRANSFER OF FIBROUS WASTE; HANDLING CONTAMINATED FIBROUS WASTE REQUIREMENTS; AND PROCESSES ASSOCIATED WITH HANDLING FIBROUS WASTE. THE RULES SHALL NOT REQUIRE LICENSEES TO ALTER FIBROUS WASTE FROM ITS NATURAL STATE PRIOR TO TRANSFER.

SECTION 5. Act subject to petition - effective date. This act takes effect January 1, 2019; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

Approved: April 26, 2018