

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0822.01 Michael Dohr x4347

HOUSE BILL 19-1234

HOUSE SPONSORSHIP

Valdez A. and Singer, Gray, Melton

SENATE SPONSORSHIP

Gonzales and Marble, Fenberg, Winter

House Committees

Business Affairs & Labor
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ALLOWING DELIVERY OF REGULATED MARIJUANA BY**
102 **REGULATED MARIJUANA SELLERS.**

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 creates marijuana delivery permits for licensed medical marijuana centers and transporters and licensed retail marijuana stores and transporters that allow the centers, stores, and transporters to deliver medical marijuana, medical marijuana-infused products, retail marijuana, and retail marijuana products to customers. The bill gives the state licensing authority rule-making authority over the permit and delivery

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.

system. Medical marijuana delivery permitting begins January 2, 2020, and retail marijuana delivery permitting begins January 2, 2021.

The bill requires responsible vendor training programs to include marijuana delivery training.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-11-202, **amend**
3 (2)(a)(XXI), (2)(a)(XXVIII), and (2)(a)(XXIX); and **add** (2)(a)(XXX) as
4 follows:

5 **44-11-202. Powers and duties of state licensing authority -**
6 **rules.** (2) (a) Rules promulgated pursuant to subsection (1)(b) of this
7 section may include, but need not be limited to, the following subjects:

8 (XXI) Medical marijuana transporter licensed businesses,
9 including requirements for drivers, including obtaining and maintaining
10 a valid Colorado driver's license; insurance requirements; acceptable time
11 frames for transport, storage, and delivery; requirements for transport
12 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
13 premises;

14 (XXVIII) Requirements for a centralized distribution permit for
15 optional premises cultivation facilities issued pursuant to section
16 44-11-403 (5), including but not limited to permit application
17 requirements and privileges and restrictions of a centralized distribution
18 permit; ~~and~~

19 (XXIX) Requirements for issuance of colocation permits to a
20 marijuana research and development licensee or a marijuana research and
21 development cultivation licensee authorizing colocation with a medical
22 marijuana-infused products manufacturing licensed premises, including
23 application requirements, eligibility, restrictions to prevent

1 cross-contamination and to ensure physical separation of inventory and
2 research activities, and other privileges and restrictions of permits; AND
3 (XXX) REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL
4 MARIJUANA-INFUSED PRODUCTS DELIVERY AS DESCRIBED IN SECTION
5 44-11-402 (11) AND SECTION 44-11-406 (5), INCLUDING:
6 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR
7 LICENSED MEDICAL MARIJUANA CENTERS AND MEDICAL MARIJUANA
8 TRANSPORTERS APPLYING FOR A MEDICAL MARIJUANA DELIVERY PERMIT;
9 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL
10 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS THAT
11 HOLD A MEDICAL MARIJUANA DELIVERY PERMIT WHO WILL DELIVER
12 MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS
13 PURSUANT TO THIS ARTICLE 11 AND REQUIREMENTS THAT MEDICAL
14 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS OBTAIN
15 A RESPONSIBLE VENDOR DESIGNATION PURSUANT TO SECTION 44-11-1102
16 PRIOR TO CONDUCTING A DELIVERY;
17 (C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY
18 AND AGE IDENTIFICATION AND VERIFICATION;
19 (D) SECURITY REQUIREMENTS;
20 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
21 REQUIREMENTS FOR SURVEILLANCE;
22 (F) RECORD-KEEPING REQUIREMENTS;
23 (G) LIMITS ON THE AMOUNT OF MEDICAL MARIJUANA AND
24 MEDICAL MARIJUANA-INFUSED PRODUCTS THAT MAY BE CARRIED IN A
25 DELIVERY VEHICLE AND DELIVERED TO A PATIENT OR PARENT OR
26 GUARDIAN, WHICH CANNOT EXCEED LIMITS PLACED ON SALES AT LICENSED
27 MEDICAL MARIJUANA CENTERS;

1 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;

2 (I) HEALTH AND SAFETY REQUIREMENTS FOR MEDICAL MARIJUANA
3 AND MEDICAL MARIJUANA-INFUSED PRODUCTS DELIVERED TO A PATIENT
4 OR PARENT OR GUARDIAN;

5 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
6 DELIVERING MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
7 PRODUCTS PURSUANT TO THIS ARTICLE 11 DO NOT DISCLOSE PERSONAL
8 IDENTIFYING INFORMATION AND HEALTH CARE INFORMATION TO ANY
9 PERSON OTHER THAN THOSE WHO NEED THAT INFORMATION IN ORDER TO
10 TAKE, PROCESS, OR DELIVER THE ORDER OR AS OTHERWISE REQUIRED OR
11 AUTHORIZED BY THIS ARTICLE 11, TITLE 18, OR TITLE 25; AND

12 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
13 MEDICAL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
14 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE MEDICAL
15 MARIJUANA DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE
16 LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND
17 INDIRECT COSTS.

18 (L) THE PERMITTED HOURS OF DELIVERY OF MEDICAL MARIJUANA
19 AND MEDICAL MARIJUANA-INFUSED PRODUCTS;

20 (M) REQUIREMENTS FOR AREAS WHERE MEDICAL MARIJUANA AND
21 MEDICAL MARIJUANA-INFUSED PRODUCTS ORDERS ARE STORED, WEIGHED,
22 PACKAGED, PREPARED, AND TAGGED, INCLUDING REQUIREMENTS THAT
23 MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS
24 CANNOT BE PLACED INTO A DELIVERY VEHICLE UNTIL AFTER AN ORDER
25 HAS BEEN PLACED AND THAT ALL DELIVERY ORDERS MUST BE PACKAGED
26 ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA CENTER OR ITS
27 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE

1 FACILITY AS DEFINED BY RULE AFTER AN ORDER HAS BEEN RECEIVED; AND
2 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
3 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

4 **SECTION 2.** In Colorado Revised Statutes, 44-12-202, **amend**
5 (3)(a)(XVIII), (3)(a)(XXIII), and (3)(a)(XXIV); and **add** (3)(a)(XXV) as
6 follows:

7 **44-12-202. Powers and duties of state licensing authority -**
8 **rules.** (3) (a) Rules promulgated pursuant to subsection (2)(b) of this
9 section must include, but need not be limited to, the following subjects:

10 (XVIII) Retail marijuana transporter licensed businesses,
11 including requirements for drivers, including obtaining and maintaining
12 a valid Colorado driver's license; insurance requirements; acceptable time
13 frames for transport, storage, and delivery; requirements for transport
14 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
15 premises;

16 (XXIII) Requirements for a centralized distribution permit for
17 retail marijuana cultivation facilities issued pursuant to section 44-12-403
18 (7), including but not limited to permit application requirements and
19 privileges and restrictions of a centralized distribution permit; ~~and~~

20 (XXIV) Requirements for issuance of colocation permits to a
21 marijuana research and development licensee or a marijuana research and
22 development cultivation licensee authorizing colocation with a retail
23 marijuana products manufacturing licensed premises, including
24 application requirements, eligibility, restrictions to prevent
25 cross-contamination and to ensure physical separation of inventory and
26 research activities, and other privileges and restrictions of permits; AND

27 (XXV) REQUIREMENTS FOR RETAIL MARIJUANA AND RETAIL

1 MARIJUANA PRODUCTS DELIVERY AS DESCRIBED IN SECTION 44-12-402
2 (12) AND SECTION 44-12-406 (5), INCLUDING:

- 3 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR RETAIL
4 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS APPLYING
5 FOR A RETAIL MARIJUANA DELIVERY PERMIT;
- 6 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF RETAIL
7 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS THAT HOLD
8 A RETAIL MARIJUANA DELIVERY PERMIT THAT WILL DELIVER RETAIL
9 MARIJUANA OR RETAIL MARIJUANA PRODUCTS PURSUANT TO THIS ARTICLE
10 12 AND REQUIREMENTS THAT RETAIL MARIJUANA STORES AND RETAIL
11 MARIJUANA TRANSPORTERS OBTAIN A RESPONSIBLE VENDOR DESIGNATION
12 PURSUANT TO SECTION 44-11-1102 PRIOR TO CONDUCTING A DELIVERY;
- 13 (C) PROCEDURES FOR AGE IDENTIFICATION AND VERIFICATION;
- 14 (D) SECURITY REQUIREMENTS;
- 15 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
16 REQUIREMENTS FOR SURVEILLANCE;
- 17 (F) RECORD-KEEPING REQUIREMENTS;
- 18 (G) LIMITS ON THE AMOUNT OF RETAIL MARIJUANA AND RETAIL
19 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
20 AND DELIVERED TO AN INDIVIDUAL, WHICH CANNOT EXCEED LIMITS
21 PLACED ON SALES AT RETAIL MARIJUANA STORES;
- 22 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;
- 23 (I) HEALTH AND SAFETY REQUIREMENTS FOR RETAIL MARIJUANA
24 AND RETAIL MARIJUANA PRODUCTS DELIVERED TO AN INDIVIDUAL;
- 25 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
26 DELIVERING RETAIL MARIJUANA PURSUANT TO THIS ARTICLE 12 DO NOT
27 DISCLOSE PERSONAL IDENTIFYING INFORMATION AND HEALTH CARE

1 INFORMATION TO ANY PERSON OTHER THAN THOSE WHO NEED THAT
2 INFORMATION IN ORDER TO TAKE, PROCESS, OR DELIVER THE ORDER OR AS
3 OTHERWISE REQUIRED OR AUTHORIZED BY THIS ARTICLE 12, TITLE 18, OR
4 TITLE 25;

5 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
6 RETAIL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
7 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE RETAIL MARIJUANA
8 DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE LICENSING
9 AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND INDIRECT
10 COSTS.

11 (L) THE PERMITTED HOURS OF DELIVERY OF RETAIL MARIJUANA
12 AND RETAIL MARIJUANA PRODUCTS;

13 (M) REQUIREMENTS FOR AREAS WHERE RETAIL MARIJUANA
14 ORDERS ARE STORED, WEIGHED, PACKAGED, PREPARED, AND TAGGED,
15 INCLUDING REQUIREMENTS THAT RETAIL MARIJUANA AND RETAIL
16 MARIJUANA PRODUCTS CANNOT BE PLACED INTO A DELIVERY VEHICLE
17 UNTIL AFTER AN ORDER HAS BEEN PLACED AND THAT ALL DELIVERY
18 ORDERS MUST BE PACKAGED ON THE LICENSED PREMISES OF A RETAIL
19 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
20 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE AFTER
21 AN ORDER HAS BEEN RECEIVED; AND

22 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
23 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

24 **SECTION 3.** In Colorado Revised Statutes, 44-11-301, **amend**
25 (1) introductory portion, (1)(g), and (1)(h); and **add** (1)(i) as follows:

26 **44-11-301. Local licensing authority - applications - licenses**
27 **- permits.** (1) A local licensing authority may issue only the following

1 medical marijuana licenses OR PERMITS upon payment of the fee and
2 compliance with all local licensing requirements to be determined by the
3 local licensing authority:

4 (g) A marijuana research and development license; ~~and~~

5 (h) A marijuana research and development cultivation license;

6 AND

7 (i) A MEDICAL MARIJUANA DELIVERY PERMIT.

8 **SECTION 4.** In Colorado Revised Statutes, 44-12-301, **amend**
9 (1) as follows:

10 **44-12-301. Local approval - licensing.** (1) When the state
11 licensing authority receives an application for original licensing OR
12 ISSUANCE OF A RETAIL MARIJUANA DELIVERY PERMIT or renewal of an
13 existing license OR PERMIT for any marijuana establishment, the state
14 licensing authority shall provide, within seven days, a copy of the
15 application to the local jurisdiction in which the establishment is to be
16 located unless the local jurisdiction has prohibited the operation of retail
17 marijuana establishments pursuant to section 16 (5)(f) of article XVIII of
18 the state constitution. The local jurisdiction shall determine whether the
19 application complies with local restrictions on time, place, manner, and
20 the number of marijuana businesses. The local jurisdiction shall inform
21 the state licensing authority whether the application complies with local
22 restrictions on time, place, manner, and the number of marijuana
23 businesses.

24 **SECTION 5.** In Colorado Revised Statutes, 44-11-402, **add** (11)
25 as follows:

26 **44-11-402. Medical marijuana center license - medical**
27 **marijuana delivery permit - report - rules - repeal.** (11) (a) (I) THERE

1 IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY PERMIT TO A MEDICAL
2 MARIJUANA CENTER LICENSE AUTHORIZING THE PERMIT HOLDER TO
3 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
4 PRODUCTS.

5 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
6 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
7 MARIJUANA CENTER LICENSE.

8 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
9 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA CENTER;
10 EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY PERMIT MAY
11 APPLY TO MULTIPLE MEDICAL MARIJUANA CENTERS PROVIDED THAT THE
12 MEDICAL MARIJUANA CENTERS ARE IN THE SAME LOCAL JURISDICTION AND
13 ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
14 AUTHORITY FOR PURPOSES OF THIS SECTION.

15 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
16 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
17 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
18 MEDICAL MARIJUANA CENTER LICENSE ISSUED PURSUANT TO THIS ARTICLE
19 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN DETERMINING
20 WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A MEDICAL MARIJUANA
21 DELIVERY PERMIT. A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED BY
22 THE STATE LICENSING AUTHORITY IS DEEMED A REVOCABLE PRIVILEGE OF
23 A LICENSED MEDICAL MARIJUANA CENTER. A VIOLATION RELATED TO A
24 MEDICAL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
25 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR MEDICAL
26 MARIJUANA CENTER LICENSE.

27 (b) A MEDICAL MARIJUANA CENTER LICENSEE SHALL NOT MAKE

1 DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
2 PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS WHILE ALSO
3 TRANSPORTING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
4 PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME VEHICLE.

5 (c) A LICENSED MEDICAL MARIJUANA CENTER SHALL CHARGE A
6 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED MEDICAL
7 MARIJUANA CENTER SHALL REMIT THE SURCHARGES COLLECTED ON A
8 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED MEDICAL
9 MARIJUANA CENTER IS LOCATED, OR TO THE COUNTY IF THE LICENSED
10 MEDICAL MARIJUANA CENTER IS IN AN UNINCORPORATED AREA, FOR
11 LOCAL LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
12 FAILURE TO COMPLY WITH THIS SUBSECTION (11)(c) MAY RESULT IN
13 NONRENEWAL OF THE MEDICAL MARIJUANA DELIVERY PERMIT.

14 (d) A LICENSED MEDICAL MARIJUANA CENTER WITH A MEDICAL
15 MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND
16 MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO THE PATIENT OR
17 PARENT OR GUARDIAN WHO PLACED THE ORDER AND WHO:

18 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
19 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
20 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
21 CAREGIVER;

22 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
23 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

24 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

25 (e) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
26 MARIJUANA-INFUSED PRODUCTS MUST POSSESS A VALID OCCUPATIONAL
27 LICENSE AND BE A CURRENT EMPLOYEE OF THE LICENSED MEDICAL

1 MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER LICENSEE
2 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
3 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
4 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
5 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
6 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
7 AUTHORITY.

8 (f) IN ACCORDANCE WITH THIS SUBSECTION (11) AND RULES
9 ADOPTED TO IMPLEMENT THIS SUBSECTION (11), A LICENSED MEDICAL
10 MARIJUANA CENTER WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT
11 MAY:

12 (I) RECEIVE AN ORDER BY ELECTRONIC OR OTHER MEANS FROM A
13 PATIENT OR THE PARENT OR GUARDIAN FOR THE PURCHASE AND DELIVERY
14 OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS. IF
15 THE ORDER IS FROM AN ONLINE PLATFORM, PRIOR TO THE COMPLETION OF
16 THE TRANSACTION THROUGH THE ONLINE PLATFORM, THE ONLINE
17 PLATFORM MUST MAKE THE PATIENT AWARE OF THE IDENTITY OF THE
18 LICENSED MEDICAL MARIJUANA CENTER THAT WILL FULFILL THE ORDER TO
19 THE PATIENT OR THE PARENT OR GUARDIAN.

20 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
21 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
22 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

23 (III) DELIVER ONLY TO A PATIENT OR A PARENT OR GUARDIAN;

24 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
25 PATIENT OR RESIDENCE;

26 (V) DELIVER ONLY TO PRIVATE RESIDENCES;

27 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL

1 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
2 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
3 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

4 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
5 WITH A MEDICAL MARIJUANA TRANSPORTER THAT HAS A VALID MEDICAL
6 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
7 FROM ITS MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE
8 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY
9 RULE.

10 (g) (I) AT THE TIME OF THE ORDER, THE LICENSED MEDICAL
11 MARIJUANA CENTER SHALL CONFIRM THE PATIENT'S OR PARENT'S OR
12 GUARDIAN'S VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO
13 SECTION 25-1.5-106 AND AGE AS REQUIRED BY THE STATE LICENSING
14 AUTHORITY.

15 (II) PRIOR TO TRANSFERRING POSSESSION OF THE MEDICAL
16 MARIJUANA ORDER TO A PATIENT OR PARENT OR GUARDIAN, THE LICENSED
17 MEDICAL MARIJUANA CENTER DELIVERY PERSON OR ITS CONTRACTED
18 MEDICAL MARIJUANA TRANSPORTER LICENSEE DELIVERY PERSON SHALL
19 CONFIRM THE PATIENT'S OR PARENT'S OR GUARDIAN'S IDENTIFICATION, THE
20 PATIENT'S OR PARENT'S OR GUARDIAN'S POSSESSION OF VALID REGISTRY
21 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106 THAT
22 MATCHES THE NAME ON THE IDENTIFICATION CARD, AND THE ADDRESS
23 PROVIDED WITH THE ORDER AT THE POINT OF DELIVERY.

24 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
25 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
26 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
27 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND

1 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
2 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
3 LABELING REQUIREMENTS.

4 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
5 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL
6 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (11).

7 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
8 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA CENTER OR MEDICAL
9 MARIJUANA TRANSPORTER LICENSEE WITH A VALID MEDICAL MARIJUANA
10 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
11 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
12 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA
13 AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A MEDICAL
14 MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED
15 AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

16 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
17 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
18 ACTIONS, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
19 ACTIVITY MATERIALLY RELATED TO MEDICAL MARIJUANA DELIVERY IN
20 THE LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE
21 LICENSING AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS
22 POSSESSION FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

23 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
24 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
25 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
26 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
27 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE

1 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
2 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
3 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
4 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
5 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
6 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
7 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
8 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

9 (II) DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
10 MARIJUANA-INFUSED PRODUCTS MAY NOT CROSS THE JURISDICTIONAL
11 BOUNDARIES OF THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY
12 WHERE THE ORIGINATING MEDICAL MARIJUANA BUSINESS IS LOCATED
13 UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS
14 DELIVERY FROM OUTSIDE ITS JURISDICTION.

15 (I) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
16 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
17 MARIJUANA CENTER APPLICANTS ON JANUARY 2, 2020.

18 (II) NO LATER THAN JANUARY 2, 2021, THE STATE LICENSING
19 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
20 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
21 COMMITTEES, REGARDING THE NUMBER OF MEDICAL MARIJUANA
22 DELIVERY APPLICATIONS SUBMITTED, THE NUMBER OF MEDICAL
23 MARIJUANA DELIVERY PERMITS ISSUED, ANY FINDINGS BY THE STATE
24 LICENSING AUTHORITY OF CRIMINAL ACTIVITY MATERIALLY RELATED TO
25 MEDICAL MARIJUANA DELIVERY, AND ANY INCIDENT REPORTS THAT
26 INCLUDE FELONY CHARGES MATERIALLY RELATED TO MEDICAL
27 MARIJUANA DELIVERY, WHICH WERE FILED AND REPORTED TO THE STATE

1 LICENSING AUTHORITY BY THE LAW ENFORCEMENT AGENCY, DISTRICT
2 ATTORNEY, OR OTHER AGENCY RESPONSIBLE FOR FILING THE FELONY
3 CHARGES. THE STATE LICENSING AUTHORITY MAY CONSULT WITH THE
4 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IN
5 THE COLLECTION AND ANALYSIS OF ADDITIONAL CRIME DATA MATERIALLY
6 RELATED TO MEDICAL MARIJUANA DELIVERY.

7 **SECTION 6.** In Colorado Revised Statutes, 44-12-402, **add** (12)
8 as follows:

9 **44-12-402. Retail marijuana store license - retail marijuana**
10 **delivery permit - report - rules - repeal.** (12) (a) (I) THERE IS
11 AUTHORIZED A RETAIL MARIJUANA DELIVERY PERMIT TO A RETAIL
12 MARIJUANA STORE LICENSE AUTHORIZING THE PERMIT HOLDER TO DELIVER
13 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

14 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
15 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
16 MARIJUANA STORE LICENSE OR RETAIL MARIJUANA TRANSPORTER LICENSE.

17 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
18 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA STORE; EXCEPT
19 THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY TO
20 MULTIPLE RETAIL MARIJUANA STORES PROVIDED THAT THE RETAIL
21 MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND ARE
22 IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY
23 FOR PURPOSES OF THIS SECTION.

24 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
25 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
26 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
27 MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE 12. A

1 PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
2 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
3 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
4 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
5 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
6 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
7 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
8 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
9 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
10 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
11 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
12 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA STORE OR
13 RETAIL MARIJUANA TRANSPORTER LICENSEE. A VIOLATION RELATED TO A
14 RETAIL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
15 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR RETAIL
16 MARIJUANA STORE LICENSE.

17 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
18 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
19 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
20 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
21 PREMISES IN THE SAME VEHICLE.

22 (c) THE LICENSED RETAIL MARIJUANA STORE SHALL CHARGE A
23 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED RETAIL
24 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
25 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED RETAIL
26 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
27 RETAIL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL

1 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
2 FAILURE TO COMPLY WITH THIS SUBSECTION (12)(c) MAY RESULT IN
3 NONRENEWAL OF THE RETAIL MARIJUANA DELIVERY PERMIT.

4 (d) A LICENSED RETAIL MARIJUANA STORE WITH A RETAIL
5 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
6 RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED THE
7 ORDER AND WHO:

8 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;

9 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
10 MARIJUANA PRODUCTS PURSUANT TO RULES; AND

11 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

12 (e) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
13 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
14 AND BE A CURRENT EMPLOYEE OF THE LICENSED RETAIL MARIJUANA STORE
15 OR RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
16 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
17 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
18 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
19 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
20 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

21 (f) IN ACCORDANCE WITH THIS SUBSECTION (12) AND RULES
22 ADOPTED TO IMPLEMENT THIS SUBSECTION (12), A LICENSED RETAIL
23 MARIJUANA STORE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT
24 MAY:

25 (I) RECEIVE AN ORDER THROUGH ELECTRONIC OR OTHER MEANS
26 FOR THE PURCHASE AND DELIVERY OF RETAIL MARIJUANA OR RETAIL
27 MARIJUANA PRODUCTS. IF THE ORDER IS FROM AN ONLINE PLATFORM,

1 PRIOR TO THE COMPLETION OF THE TRANSACTION THROUGH THE ONLINE
2 PLATFORM, THE ONLINE PLATFORM MUST MAKE THE INDIVIDUAL AWARE
3 OF THE IDENTITY OF THE LICENSED RETAIL MARIJUANA STORE THAT WILL
4 FULFILL THE ORDER TO THE INDIVIDUAL.

5 (II) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
6 NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING
7 AUTHORITY;

8 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
9 IN THE ORDER;

10 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
11 INDIVIDUAL OR RESIDENCE;

12 (V) DELIVER TO PRIVATE RESIDENCES;

13 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
14 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
15 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
16 44-12-202 (3)(a)(XXV); AND

17 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
18 WITH A RETAIL MARIJUANA TRANSPORTER THAT HAS A VALID RETAIL
19 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
20 FROM ITS RETAIL MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
21 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

22 (g) (I) AT THE TIME OF THE ORDER, THE LICENSED RETAIL
23 MARIJUANA STORE SHALL CONFIRM THE VALIDITY OF THE INDIVIDUAL'S
24 AGE AS REQUIRED BY THE STATE LICENSING AUTHORITY.

25 (II) PRIOR TO TRANSFERRING POSSESSION OF THE RETAIL
26 MARIJUANA ORDER TO AN INDIVIDUAL, THE LICENSED RETAIL MARIJUANA
27 STORE DELIVERY PERSON OR ITS CONTRACTED RETAIL MARIJUANA

1 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE
2 INDIVIDUAL'S IDENTIFICATION AND THE ADDRESS PROVIDED WITH THE
3 ORDER AT THE POINT OF DELIVERY.

4 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
5 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
6 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
7 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
8 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
9 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
10 REQUIREMENTS.

11 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
12 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
13 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (12).

14 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
15 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA STORE OR RETAIL
16 MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL MARIJUANA
17 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
18 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
19 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER RETAIL MARIJUANA OR
20 RETAIL MARIJUANA PRODUCTS PURSUANT TO A RETAIL MARIJUANA
21 DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS
22 ESTABLISHED BY THE STATE LICENSING AUTHORITY.

23 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
24 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
25 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
26 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
27 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING

1 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
2 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

3 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
4 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
5 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
6 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
7 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
8 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
9 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
10 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
11 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
12 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
13 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
14 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
15 PURSUANT TO THIS SECTION.

16 (II) DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA
17 PRODUCTS MAY NOT CROSS THE JURISDICTIONAL BOUNDARIES OF THE
18 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY WHERE THE
19 ORIGINATING RETAIL MARIJUANA ESTABLISHMENT IS LOCATED UNLESS THE
20 MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS DELIVERY FROM
21 OUTSIDE ITS JURISDICTION.

22 (l) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
23 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA STORE
24 APPLICANTS ON JANUARY 2, 2021.

25 **SECTION 7.** In Colorado Revised Statutes, 44-11-406, **amend**
26 (1)(a); and **add** (5) as follows:

27 **44-11-406. Medical marijuana transporter license.** (1) (a) A

1 medical marijuana transporter license may be issued to a person to
2 provide logistics, distribution, DELIVERY, and storage of medical
3 marijuana and medical marijuana-infused products. Notwithstanding any
4 other provisions of law, a medical marijuana transporter license is valid
5 for two years but cannot be transferred with a change of ownership. A
6 licensed medical marijuana transporter is responsible for the medical
7 marijuana and medical marijuana-infused products once it takes control
8 of the product.

9 (5) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY
10 PERMIT TO A MEDICAL MARIJUANA TRANSPORTER LICENSE AUTHORIZING
11 THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL
12 MARIJUANA-INFUSED PRODUCTS.

13 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
14 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
15 MARIJUANA TRANSPORTER LICENSE.

16 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
17 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA
18 TRANSPORTER; EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY
19 PERMIT MAY APPLY TO MULTIPLE MEDICAL MARIJUANA TRANSPORTERS
20 PROVIDED THAT THE MEDICAL MARIJUANA TRANSPORTERS ARE IN THE
21 SAME LOCAL JURISDICTION AND ARE IDENTICALLY OWNED, AS DEFINED BY
22 THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION.

23 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
24 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
25 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
26 MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS
27 ARTICLE 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN

1 DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
2 MEDICAL MARIJUANA DELIVERY PERMIT. A MEDICAL MARIJUANA
3 DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED
4 A REVOCABLE PRIVILEGE OF A LICENSED MEDICAL MARIJUANA
5 TRANSPORTER. A VIOLATION RELATED TO A MEDICAL MARIJUANA
6 DELIVERY PERMIT IS GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION
7 OF THE DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER LICENSE.

8 (b) A MEDICAL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
9 MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL
10 MARIJUANA-INFUSED PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS
11 WHILE ALSO TRANSPORTING MEDICAL MARIJUANA OR MEDICAL
12 MARIJUANA-INFUSED PRODUCTS BETWEEN LICENSED PREMISES IN THE
13 SAME VEHICLE.

14 (c) A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A
15 MEDICAL MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL
16 MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ON BEHALF OF
17 A MEDICAL MARIJUANA CENTER ONLY TO THE PATIENT OR PARENT OR
18 GUARDIAN WHO PLACED THE ORDER WITH A MEDICAL MARIJUANA CENTER
19 AND WHO:

20 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
21 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
22 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
23 CAREGIVER;

24 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
25 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

26 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

27 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES

1 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED MEDICAL
2 MARIJUANA TRANSPORTER WITH A VALID MEDICAL MARIJUANA DELIVERY
3 PERMIT MAY:

4 (I) NOT ACCEPT ORDERS ON BEHALF OF A MEDICAL MARIJUANA
5 CENTER AND MAY ONLY PICK UP ALREADY PACKAGED MEDICAL
6 MARIJUANA DELIVERY ORDERS FROM A MEDICAL MARIJUANA CENTER OR
7 ITS ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
8 FACILITY AS DEFINED BY RULE AND DELIVER THOSE ORDERS TO THE
9 APPROPRIATE PATIENT, PARENT, OR GUARDIAN;

10 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
11 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
12 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

13 (III) DELIVER ONLY TO A PATIENT REGISTERED IN THE MEDICAL
14 MARIJUANA PATIENT REGISTRY OR A PARENT OR GUARDIAN OF A PATIENT
15 WHO IS ALSO THAT PATIENT'S PRIMARY CAREGIVER;

16 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
17 PATIENT OR RESIDENCE;

18 (V) DELIVER TO A PRIVATE RESIDENCE;

19 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
20 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
21 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
22 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

23 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
24 AND PURSUANT TO A CONTRACT WITH, A MEDICAL MARIJUANA CENTER
25 THAT HAS A VALID MEDICAL MARIJUANA DELIVERY PERMIT FROM ITS
26 MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE LICENSING
27 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

1 (e) PRIOR TO TRANSFERRING POSSESSION OF THE MEDICAL
2 MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS ORDER TO A
3 PATIENT OR PARENT OR GUARDIAN, THE LICENSED MEDICAL MARIJUANA
4 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE PATIENT'S
5 OR PARENT'S OR GUARDIAN'S IDENTIFICATION, THE PATIENT'S OR PARENT'S
6 OR GUARDIAN'S POSSESSION OF THE MEDICAL MARIJUANA REGISTRY CARD
7 THAT MATCHES THE MEDICAL MARIJUANA REGISTRY NUMBER, AND THE
8 ADDRESS PROVIDED WITH THE ORDER AT THE POINT OF DELIVERY.

9 (f) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
10 MARIJUANA-INFUSED PRODUCTS FOR A MEDICAL MARIJUANA
11 TRANSPORTER MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A
12 CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA TRANSPORTER LICENSEE
13 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
14 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
15 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
16 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
17 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
18 AUTHORITY.

19 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
20 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
21 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
22 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
23 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
24 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
25 LABELING REQUIREMENTS.

26 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
27 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL

1 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

2 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
3 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA TRANSPORTER
4 LICENSEE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT, OR SUCH
5 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
6 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
7 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
8 PRODUCTS PURSUANT TO A MEDICAL MARIJUANA DELIVERY PERMIT IN
9 AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE
10 LICENSING AUTHORITY.

11 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
12 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
13 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
14 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
15 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
16 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
17 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
18 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
19 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
20 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
21 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
22 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
23 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

24 (II) DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
25 MARIJUANA-INFUSED PRODUCTS MAY NOT CROSS THE JURISDICTIONAL
26 BOUNDARIES OF THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY
27 WHERE THE ORIGINATING MEDICAL MARIJUANA CENTER IS LOCATED

1 UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS
2 DELIVERY FROM OUTSIDE ITS JURISDICTION.

3 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
4 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
5 MARIJUANA TRANSPORTER APPLICANTS ON JANUARY 2, 2021.

6 **SECTION 8.** In Colorado Revised Statutes, 44-12-406, **amend**
7 (1)(a); and **add** (5) as follows:

8 **44-12-406. Retail marijuana transporter license.** (1) (a) A
9 retail marijuana transporter license may be issued to a person to provide
10 logistics, distribution, DELIVERY, and storage of retail marijuana and retail
11 marijuana products. Notwithstanding any other provisions of law, a retail
12 marijuana transporter license is valid for two years but cannot be
13 transferred with a change of ownership. A licensed retail marijuana
14 transporter is responsible for the retail marijuana and retail marijuana
15 products once it takes control of the product.

16 (5) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA DELIVERY
17 PERMIT TO A RETAIL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE
18 PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
19 PRODUCTS.

20 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
21 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
22 MARIJUANA TRANSPORTER LICENSE.

23 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
24 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA TRANSPORTER;
25 EXCEPT THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY
26 TO MULTIPLE RETAIL MARIJUANA TRANSPORTERS PROVIDED THAT THE
27 RETAIL MARIJUANA TRANSPORTERS ARE IN THE SAME LOCAL JURISDICTION

1 AND ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
2 AUTHORITY FOR PURPOSES OF THIS SECTION.

3 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
4 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
5 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
6 MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 12.
7 A PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
8 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
9 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
10 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
11 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
12 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
13 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
14 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
15 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
16 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
17 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
18 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA TRANSPORTER.
19 A VIOLATION RELATED TO A RETAIL MARIJUANA DELIVERY PERMIT IS
20 GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION OF THE DELIVERY
21 PERMIT OR RETAIL MARIJUANA TRANSPORTER LICENSE.

22 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
23 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
24 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
25 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
26 PREMISES IN THE SAME VEHICLE.

27 (c) A LICENSED RETAIL MARIJUANA TRANSPORTER WITH A RETAIL

1 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
2 RETAIL MARIJUANA PRODUCTS ON BEHALF OF A RETAIL MARIJUANA STORE
3 ONLY TO THE INDIVIDUAL WHO PLACED THE ORDER WITH A RETAIL
4 MARIJUANA STORE AND WHO:

- 5 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;
- 6 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
7 MARIJUANA PRODUCTS PURSUANT TO RULES; AND
- 8 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

9 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
10 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED RETAIL
11 MARIJUANA TRANSPORTER WITH A VALID RETAIL MARIJUANA DELIVERY
12 PERMIT MAY:

13 (I) NOT ACCEPT ORDERS ON BEHALF OF A RETAIL MARIJUANA
14 STORE AND MAY ONLY PICK UP ALREADY PACKAGED RETAIL MARIJUANA
15 DELIVERY ORDERS FROM A RETAIL MARIJUANA STORE OR ITS ASSOCIATED
16 STATE LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED
17 BY RULE AND DELIVER THOSE ORDERS TO THE APPROPRIATE INDIVIDUAL;

18 (II) DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
19 PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE
20 LICENSING AUTHORITY;

21 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
22 IN THE ORDER;

23 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
24 INDIVIDUAL OR RESIDENCE;

25 (V) DELIVER TO A PRIVATE RESIDENCE;

26 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
27 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION

1 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
2 44-12-202 (3)(a)(XXV); AND

3 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
4 AND PURSUANT TO A CONTRACT WITH, A RETAIL MARIJUANA STORE THAT
5 HAS A VALID RETAIL MARIJUANA DELIVERY PERMIT FROM ITS RETAIL
6 MARIJUANA CENTER OR ITS ASSOCIATED STATE LICENSING
7 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

8 (e) PRIOR TO TRANSFERRING POSSESSION OF THE RETAIL
9 MARIJUANA ORDER TO AN INDIVIDUAL, THE LICENSED RETAIL MARIJUANA
10 TRANSPORTER LICENSEE DELIVERY PERSON SHALL CONFIRM THE
11 INDIVIDUAL'S IDENTIFICATION AND THE ADDRESS PROVIDED WITH THE
12 ORDER AT THE POINT OF DELIVERY.

13 (f) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
14 MARIJUANA PRODUCTS FOR A RETAIL MARIJUANA TRANSPORTER MUST
15 POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE
16 OF THE RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
17 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
18 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
19 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
20 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
21 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

22 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
23 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
24 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
25 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
26 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
27 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING

1 REQUIREMENTS.

2 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
3 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
4 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

5 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
6 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA TRANSPORTER
7 LICENSEE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT, OR SUCH
8 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
9 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
10 DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
11 PURSUANT TO A RETAIL MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT
12 DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING
13 AUTHORITY.

14 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
15 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
16 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
17 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
18 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
19 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
20 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
21 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
22 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
23 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
24 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
25 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
26 PURSUANT TO THIS SECTION.

27 (II) DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA

1 PRODUCTS MAY NOT CROSS THE JURISDICTIONAL BOUNDARIES OF THE
2 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY WHERE THE
3 ORIGINATING RETAIL MARIJUANA STORE IS LOCATED UNLESS THE
4 MUNICIPALITY, COUNTY, OR CITY AND COUNTY ALLOWS DELIVERY FROM
5 OUTSIDE ITS JURISDICTION.

6 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
7 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
8 TRANSPORTER APPLICANTS ON JANUARY 2, 2021.

9 **SECTION 9.** In Colorado Revised Statutes, 44-11-1101, **add**
10 (2)(b)(III.5) as follows:

11 **44-11-1101. Responsible vendor program - standards -**
12 **designation.** (2) An approved training program ~~shall~~ **MUST** contain, at a
13 minimum, the following standards and ~~shall~~ **MUST** be taught in a
14 classroom setting in a minimum of a two-hour period:

15 (b) A core curriculum of pertinent statutory and regulatory
16 provisions, which curriculum includes, but need not be limited to:

17 (III.5) STATUTORY AND REGULATORY REQUIREMENTS RELATED TO
18 MARIJUANA DELIVERY;

19 **SECTION 10. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.