

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

PREAMENDED

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

LLS NO. 23-0029.01 Jacob Baus x2173

HOUSE BILL 23-1020

HOUSE SPONSORSHIP

Ricks,

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs & Labor
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SOCIAL EQUITY LICENSES IN THE REGULATED**
102 **MARIJUANA BUSINESS.**

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 an accelerator hospitality business license, accelerator transporter license, and accelerator retail deliverer permittee for social equity licensees qualified to participate in the accelerator program.

The bill requires the department of revenue to provide an annual report to the finance committees of the house of representatives and the

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

senate concerning active social equity licenses, any recommendations for new social equity licenses and permits, and any recommendations for new or innovating funding sources for the social equity licensees or permittees.

Effective January 2, 2024, the bill amends the eligibility requirements for a person to qualify as a social equity licensee. The bill clarifies that the new eligibility requirements only apply to social equity licensee applications received on or after January 2, 2024, or to the reinstatement or reactivation of social equity licenses originally issued before January 2, 2024. The new eligibility requirements do not apply to the renewal of social equity licenses applied for or issued before January 2, 2024.

The bill authorizes a social equity licensee who satisfies the eligibility requirements effective January 2, 2024, with a retail marijuana transporter licensee and a retail marijuana delivery permit or an accelerator retail deliverer permit, to exercise the privileges of a retail marijuana store license without needing to obtain a retail marijuana store license or accelerator store license.

The bill requires the department of revenue to create incentives for social equity licensees and accelerator-endorsed licensees, including reducing or waiving fees.

The bill creates, in the office of economic development, a grant committee that is responsible for reviewing grant applications, selecting grant recipients, and determining grant awards that are issued pursuant to an existing grant program for supporting entrepreneurs in the marijuana industry.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **amend**
3 (2), (58), and (65); and **add** (1.3), (1.7), (4.7), and (18.5) as follows:

4 **44-10-103. Rules - definitions.** As used in this article 10, unless
5 the context otherwise requires:

6 (1.3) "ACCELERATOR HOSPITALITY BUSINESS" MEANS A SOCIAL
7 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR
8 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED
9 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF A MARIJUANA
10 HOSPITALITY BUSINESS ON THE PREMISES OF AN ACCELERATOR-ENDORSED

1 MARIJUANA HOSPITALITY BUSINESS LICENSEE.

2 (1.7) "ACCELERATOR INDEPENDENT DELIVERER" MEANS A SOCIAL
3 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR
4 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED
5 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF AN INDEPENDENT
6 DELIVERER.

7 (2) "Accelerator-endorsed licensee" means a retail marijuana
8 cultivation facility licensee, retail marijuana products manufacturer
9 licensee, or retail marijuana store, who, MARIJUANA HOSPITALITY
10 BUSINESS LICENSEE, RETAIL MARIJUANA TRANSPORTER LICENSEE, OR
11 INDEPENDENT DELIVERER LICENSEE THAT has, pursuant to rule, been
12 endorsed to host and offer technical and capital support to a social equity
13 licensee pursuant to the requirements of the accelerator program
14 established pursuant to this article 10.

15 (4.7) "ACCELERATOR TRANSPORTER" MEANS A SOCIAL EQUITY
16 LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR PROGRAM
17 ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT
18 TO RULE TO EXERCISE THE PRIVILEGES OF THE ACCELERATOR-ENDORSED
19 RETAIL MARIJUANA TRANSPORTER LICENSEE.

20 (18.5) "INDEPENDENT DELIVERER" MEANS A PERSON LICENSED
21 PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT TO RULES
22 PROMULGATED PURSUANT TO THIS ARTICLE 10 TO OPERATE A BUSINESS AS
23 DESCRIBED IN SECTION 44-10-613.

24 (58) "Retail marijuana business" means a retail marijuana store,
25 a retail marijuana cultivation facility, a retail marijuana products
26 manufacturer, a marijuana hospitality business, a retail marijuana
27 hospitality and sales business, a retail marijuana testing facility, a retail

1 marijuana business operator, or a retail marijuana transporter, OR AN
2 INDEPENDENT DELIVERER licensed pursuant to this article 10.

3 (65) "Retail marijuana transporter" means an entity or person
4 licensed to transport retail marijuana and retail marijuana products from
5 one retail marijuana business to another retail marijuana business and to
6 temporarily store the transported retail marijuana and retail marijuana
7 products at its licensed premises, but not authorized to sell retail
8 marijuana or retail marijuana products under any circumstances UNLESS
9 THE PERSON IS A SOCIAL EQUITY LICENSEE WITH A RETAIL MARIJUANA
10 TRANSPORTER LICENSE AND RETAIL MARIJUANA DELIVERY PERMIT AND
11 THE PERSON OBTAINED AN INDEPENDENT DELIVERY LICENSE AS DESCRIBED
12 IN SECTION 44-10-613.

13 **SECTION 2.** In Colorado Revised Statutes, 44-10-104, amend
14 (2)(a) as follows:

15 **44-10-104. Applicability - medical marijuana - retail**
16 **marijuana.** (2) (a) A person applying for licensure pursuant to this
17 article 10 must complete forms as provided by the state licensing
18 authority and must pay the application fee and the licensing fee, which
19 must be credited to the marijuana cash fund established pursuant to
20 section 44-10-801. The state licensing authority shall forward, within
21 seven days, one-half of the retail marijuana business license application
22 fee to the local jurisdiction unless the application is for an accelerator
23 cultivator, accelerator manufacturer, or accelerator store, ACCELERATOR
24 HOSPITALITY BUSINESS, ACCELERATOR TRANSPORTER, OR ACCELERATOR
25 INDEPENDENT DELIVERER license, or unless the local jurisdiction has
26 prohibited the operation of retail marijuana businesses pursuant to section
27 16 (5)(f) of article XVIII of the state constitution. If the license is denied,

1 the state licensing authority shall refund the licensing fee to the applicant.

2 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, add
3 (2)(kk) as follows:

4 **44-10-203. State licensing authority - rules. (2) Mandatory**
5 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
6 must include, but need not be limited to, the following subjects:

7 (kk) INDEPENDENT DELIVERY LICENSES, INCLUDING PROCEDURES
8 FOR A SOCIAL EQUITY LICENSEE WHO HOLDS A RETAIL TRANSPORTER
9 LICENSE AND A RETAIL MARIJUANA DELIVERY PERMIT TO APPLY FOR AN
10 INDEPENDENT DELIVERY LICENSE; PROCEDURES FOR AN APPLICANT TO
11 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A
12 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING
13 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT
14 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A
15 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL
16 MARIJUANA AND RETAIL MARIJUANA PRODUCTS; AND THE CIRCUMSTANCES
17 WHEN AN INDEPENDENT DELIVERY LICENSEE MAY PURCHASE, STORE, AND
18 CONDUCT SALES FOR RETAIL MARIJUANA AND RETAIL MARIJUANA
19 PRODUCTS.

20 **SECTION 4.** In Colorado Revised Statutes, add 44-10-207 as
21 follows:

22 **44-10-207. Social equity report. (1)** BY JANUARY 31, 2025, AND
23 BY JANUARY 31 EACH YEAR THEREAFTER, THE STATE LICENSING
24 AUTHORITY SHALL SUBMIT A REPORT CONCERNING SOCIAL EQUITY
25 LICENSES TO THE FINANCE COMMITTEES OF THE HOUSE OF
26 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT
27 A MINIMUM, THE REPORT MUST INCLUDE:

1 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO
2 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY
3 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES
4 THAT ARE OPERATIONAL;

5 (b) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES;

6 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES THAT
7 ARE OPERATIONAL;

8 (d) THE TOTAL NUMBER OF SOCIAL EQUITY LICENSES THAT ARE
9 ENDORSED BY EACH ACCELERATOR-ENDORSED LICENSE TYPE;

10 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED
11 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308
12 (8);

13 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY LICENSE TYPES;
14 AND

15 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING
16 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

17 (2) THE STATE LICENSING AUTHORITY SHALL CONVENE A NEW, OR
18 UTILIZE AN EXISTING, WORKING GROUP OF PERSONS INTERESTED IN SOCIAL
19 EQUITY OPPORTUNITIES AND THE ACCELERATOR PROGRAM ESTABLISHED
20 PURSUANT TO THIS ARTICLE 10 FOR THE PURPOSE OF DEVELOPING
21 RECOMMENDATIONS PURSUANT TO SUBSECTIONS (1)(f) AND (1)(g) OF THIS
22 SECTION.

23 (3) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
24 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS
25 SECTION CONTINUES INDEFINITELY.

26 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**
27 (4) introductory portion and (5); and **add** (4)(e), (6), (7), and (8) as

1 follows:

2 **44-10-308. Business and owner requirements - rules -**
3 **legislative declaration - definition.** (4) Effective January 1, 2021,
4 THROUGH JANUARY 1, 2024, a person who qualifies as a social equity
5 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated
6 marijuana business license or permit, including but not limited to
7 accelerator store, accelerator cultivator, and accelerator manufacturer
8 licenses, issued pursuant to this article 10. A person qualifies as a social
9 equity licensee if such person meets the following criteria, in addition to
10 any criteria established by rule of the state licensing authority:

11 (e) THIS SUBSECTION (4) APPLIES TO SOCIAL EQUITY LICENSEE
12 APPLICATIONS RECEIVED BEFORE JANUARY 2, 2024, AND TO THE RENEWAL
13 OF A SOCIAL EQUITY LICENSE APPLIED FOR OR ISSUED BEFORE JANUARY 2,
14 2024. THIS SUBSECTION (4) DOES NOT APPLY TO REINSTATEMENT OR
15 REACTIVATION OF SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR
16 ISSUED BEFORE JANUARY 2, 2024, OR FOR SOCIAL EQUITY LICENSES
17 APPLIED FOR ON OR AFTER JANUARY 2, 2024.

18 (5) ~~A person who meets the criteria in this section for a social~~
19 ~~equity licensee, pursuant to rule and agency discretion, may be eligible for~~
20 ~~incentives available through the department of revenue or office of~~
21 ~~economic development and international trade, including but not limited~~
22 ~~to a reduction in application or license fees.~~ EFFECTIVE JANUARY 2, 2024,
23 A PERSON WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR
24 ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING,
25 BUT NOT LIMITED TO, ACCELERATOR STORE, ACCELERATOR CULTIVATOR,
26 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS, OR
27 ACCELERATOR TRANSPORTER LICENSES, ISSUED PURSUANT TO THIS

1 ARTICLE 10. A PERSON QUALIFIES AS A SOCIAL EQUITY LICENSEE IF THE
2 PERSON MEETS THE FOLLOWING CRITERIA, IN ADDITION TO ANY CRITERIA
3 ESTABLISHED BY RULE OF THE STATE LICENSING AUTHORITY:

4 (a) HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE SUBJECT
5 TO DISCIPLINARY OR LEGAL ACTION FROM THE STATE LICENSING
6 AUTHORITY RESULTING IN THE REVOCATION OF A LICENSE ISSUED
7 PURSUANT TO THIS ARTICLE 10; AND

8 (b) HAS DEMONSTRATED AT LEAST ONE OF THE FOLLOWING:

9 (I) THE APPLICANT HAS RESIDED:

10 (A) FOR AT LEAST ANY FIVE OF THE THIRTY YEARS PRIOR TO THE
11 APPLICATION IN A CENSUS TRACT DESIGNATED BY THE OFFICE OF
12 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE AS AN
13 OPPORTUNITY ZONE OR DESIGNATED AS A DISPROPORTIONATE IMPACTED
14 AREA AS DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j);

15 (B) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE
16 APPLICATION IN HOUSING WITH FUNDING PROVIDED PURSUANT TO SECTION
17 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS
18 AMENDED, 42 U.S.C. SECS. 1437f AND 1437g; OR

19 (C) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE
20 APPLICATION IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME
21 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,
22 OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM
23 THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE
24 INCOME THAT IS CURRENTLY SUBJECT TO A USE RESTRICTION THAT IS
25 MONITORED TO ENSURE COMPLIANCE BY THE FEDERAL GOVERNMENT, THE
26 STATE GOVERNMENT, A COUNTY GOVERNMENT, OR A MUNICIPAL
27 GOVERNMENT, OR BY ANY POLITICAL SUBDIVISION OR DESIGNATED

1 AGENCY THEREOF; OR

2 (II) (A) THE APPLICANT OR THE APPLICANT'S SPOUSE WAS
3 CONVICTED OF A MARIJUANA OFFENSE; OR

4 (B) THE APPLICANT OR THE APPLICANT'S PARENT, LEGAL
5 GUARDIAN, SIBLING, CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP
6 WAS ARRESTED OR CONVICTED OF A MARIJUANA OFFENSE, AND THE
7 APPLICANT OR THE APPLICANT'S PARENT, LEGAL GUARDIAN, SIBLING,
8 CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP HAS RESIDED IN A
9 DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO
10 SECTION 44-10-203 (1)(j) FOR THE FIVE YEARS PRIOR TO APPLICATION OR
11 WHOSE HOUSEHOLD INCOME DID NOT EXCEED SIXTY PERCENT OF THE
12 STATE'S MEDIAN INCOME FOR THE FIVE YEARS PRIOR TO APPLICATION; OR

13 (III) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST
14 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN
15 YEARS PRIOR TO APPLICATION:

16 (A) THE LOW-INCOME ENERGY ASSISTANCE PROGRAM DESCRIBED
17 IN SECTION 26-2-122.5;

18 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
19 DESCRIBED IN PART 3 OF ARTICLE 2 OF TITLE 26;

20 (C) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS DEFINED IN
21 SECTION 26-2-703 (19);

22 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
23 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.
24 1786; OR

25 (E) THE "COLORADO MEDICAL ASSISTANCE ACT", PURSUANT TO
26 PART 1 OF ARTICLE 4 OF TITLE 25.5; AND

27 (c) THE SOCIAL EQUITY LICENSEE, OR COLLECTIVELY ONE OR MORE

1 SOCIAL EQUITY LICENSEES, HOLDS AT LEAST FIFTY-ONE PERCENT OF THE
2 BENEFICIAL OWNERSHIP OF THE REGULATED MARIJUANA BUSINESS
3 LICENSE.

4 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF
5 THE APPLICANT, OR COLLECTIVELY ONE OR MORE APPLICANTS, IS A
6 CONTROLLING BENEFICIAL OWNER OR PASSIVE BENEFICIAL OWNER OF
7 THREE OR MORE RETAIL MARIJUANA STORE LICENSES, MEDICAL
8 MARIJUANA STORE LICENSES, RETAIL MARIJUANA CULTIVATION FACILITY
9 LICENSES, OR MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR
10 ANY COMBINATION THEREOF, THE APPLICANT IS NOT ELIGIBLE FOR A
11 SOCIAL EQUITY LICENSE;

12 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,
13 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE
14 LICENSES, CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY AND
15 MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR CO-LOCATED
16 RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSES THAT ARE MOBILE
17 CONSTITUTE ONE LICENSE.

18 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL
19 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER JANUARY 2, 2024,
20 THE RENEWAL OF A SOCIAL EQUITY LICENSE FIRST APPLIED FOR ON OR
21 AFTER JANUARY 2, 2024, OR TO REINSTATEMENT OR REACTIVATION OF
22 SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR ISSUED BEFORE
23 JANUARY 2, 2024.

24 (b) SUBSECTION (5) OF THIS SECTION DOES NOT APPLY TO THE
25 RENEWAL OF SOCIAL EQUITY LICENSES APPLIED FOR OR ISSUED BEFORE
26 JANUARY 2, 2024.

27 (8) A PERSON WHO MEETS THE CRITERIA IN THIS SECTION FOR A

1 SOCIAL EQUITY LICENSE IS ELIGIBLE FOR INCENTIVES AVAILABLE THROUGH
2 THE DEPARTMENT OF REVENUE OR OFFICE OF ECONOMIC DEVELOPMENT
3 AND INTERNATIONAL TRADE, INCLUDING, BUT NOT LIMITED TO, A
4 REDUCTION IN APPLICATION OR LICENSE FEES. THE STATE LICENSING
5 AUTHORITY SHALL PROMULGATE RULES TO CREATE INCENTIVES REQUIRED
6 BY THIS SUBSECTION (8).

7 **SECTION 6.** In Colorado Revised Statutes, 44-10-401, **amend**
8 **(2)(b)(X); and add (2)(b)(XII), (2)(b)(XIII), (2)(b)(XIV), and (2)(b)(XV)**
9 **as follows:**

10 **44-10-401. Classes of licenses.** (2) (b) The following are retail
11 marijuana licenses:

- 12 (X) Retail marijuana hospitality and sales business license; **and**
- 13 (XII) ACCELERATOR TRANSPORTER LICENSE;
- 14 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE;
- 15 (XIV) INDEPENDENT DELIVERY LICENSE; **AND**
- 16 (XV) ACCELERATOR INDEPENDENT DELIVERY LICENSE.

17 **SECTION 7.** In Colorado Revised Statutes, 44-10-601, **amend**
18 **(16) as follows:**

19 **44-10-601. Retail marijuana store license - rules - definitions.**

20 ~~(16) A retail marijuana store pursuant to rule and the state licensing~~
21 ~~authority discretion, may be~~ THAT HOSTS AN ACCELERATOR STORE
22 LICENSE IS eligible for incentives available through the department of
23 revenue or the office of economic development and international trade,
24 including, but not limited to, a reduction in application or license fees.

25 **SECTION 8.** In Colorado Revised Statutes, 44-10-602, **amend**
26 **(11) as follows:**

27 **44-10-602. Retail marijuana cultivation facility license - rules**

1 - **definitions.** (11) A retail marijuana cultivation facility licensee that
2 hosts an accelerator cultivator licensee ~~pursuant to rule and the state~~
3 ~~licensing authority discretion, may be~~ IS eligible for incentives available
4 through the department of revenue or the office of economic development
5 and international trade, including, but not limited to, a reduction in
6 application or license fees.

7 **SECTION 9.** In Colorado Revised Statutes, 44-10-603, **amend**
8 (14) as follows:

9 **44-10-603. Retail marijuana products manufacturer license -**
10 **rules - definition.** (14) A retail marijuana products manufacturer
11 licensee ~~pursuant to rule and the state licensing authority discretion, may~~
12 ~~be~~ THAT HOSTS AN ACCELERATOR MANUFACTURER LICENSE IS eligible for
13 incentives through the department of revenue or the office of economic
14 development and international trade, including, but not limited to, a
15 reduction in application or license fees.

16 **SECTION 10.** In Colorado Revised Statutes, 44-10-605, **add**
17 (5)(k), (6), (7), and (8) as follows:

18 **44-10-605. Retail marijuana transporter license - definition.**
19 (5) (k) IN ADDITION TO THE REQUIREMENTS OF THIS SUBSECTION (5), A
20 PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION
21 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA
22 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED NOT LATER THAN
23 OCTOBER 31, 2023, MAY APPLY FOR AN INDEPENDENT DELIVERY LICENSE
24 ON OR AFTER OCTOBER 31, 2023, AND BEFORE AUGUST 1, 2025.

25 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON
26 THE PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF, BEFORE
27 EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE RETAIL

1 MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED
2 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS
3 APPROVED TO OPERATE ON THAT PREMISES.

4 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
5 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,
6 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
7 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON
8 ITS PREMISES.

9 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
10 ACCELERATOR TRANSPORTER LICENSEE IS ELIGIBLE FOR INCENTIVES
11 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF
12 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT
13 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

14 **SECTION 11.** In Colorado Revised Statutes, 44-10-609, **add** (5),
15 (6), and (7) as follows:

16 **44-10-609. Marijuana hospitality business license.** (5) AN
17 ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON THE
18 PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF, BEFORE
19 EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES, THE
20 MARIJUANA HOSPITALITY BUSINESS LICENSEE HAS ITS PREMISES ENDORSED
21 PURSUANT TO RULE AND EACH ACCELERATOR HOSPITALITY BUSINESS
22 LICENSEE IS APPROVED TO OPERATE ON THAT PREMISES.

23 (6) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
24 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY, PURSUANT TO
25 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
26 ASSISTANCE TO AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE
27 OPERATING ON ITS PREMISES.

1 (7) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
2 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE IS ELIGIBLE FOR
3 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE
4 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,
5 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR
6 LICENSE FEES.

7 **SECTION 12.** In Colorado Revised Statutes, **add** 44-10-612 as
8 follows:

9 **44-10-612. Retail marijuana accelerator hospitality business**
10 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS
11 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE
12 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON
13 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA
14 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR
15 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE
16 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY
17 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

18 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
19 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY
20 BUSINESS LICENSES ON JANUARY 2, 2024.

21 **SECTION 13.** In Colorado Revised Statutes, **add** 44-10-613 as
22 follows:

23 **44-10-613. Independent delivery license - rules - definitions -**
24 **repeal.** (1) (a) (I) ON AND AFTER OCTOBER 31, 2023, AND BEFORE
25 AUGUST 1, 2025, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO
26 A PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION
27 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA

1 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED ON OR BEFORE
2 OCTOBER 31, 2023.

3 (II) ON AND AFTER AUGUST 1, 2025, AND BEFORE JANUARY 1,
4 2028, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO A PERSON
5 QUALIFIED AS A SOCIAL EQUITY LICENSEE PURSUANT TO SECTION
6 44-10-308 (5).

7 (b) AN INDEPENDENT DELIVERER MAY PURCHASE RETAIL
8 MARIJUANA FROM A LICENSED RETAIL MARIJUANA CULTIVATION FACILITY.

9 (c) AN INDEPENDENT DELIVERER SHALL NOT ACCEPT ANY RETAIL
10 MARIJUANA PURCHASED FROM A RETAIL MARIJUANA CULTIVATION
11 FACILITY UNLESS THE INDEPENDENT DELIVERER IS PROVIDED WITH
12 EVIDENCE THAT ANY APPLICABLE EXCISE TAX DUE, PURSUANT TO ARTICLE
13 28.8 OF TITLE 39, WAS PAID.

14 (d) AN INDEPENDENT DELIVERER SHALL TRACK ALL OF ITS RETAIL
15 MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM THE POINT THAT
16 THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION
17 FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURER TO THE POINT
18 OF SALE.

19 (e) THE INDEPENDENT DELIVERY LICENSE APPLICANT SHALL
20 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A
21 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING
22 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT
23 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A
24 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL
25 MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

26 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, AN
27 INDEPENDENT DELIVERY LICENSEE MAY ALSO SELL RETAIL MARIJUANA

1 PRODUCTS THAT ARE PREPACKAGED AND LABELED AS REQUIRED BY RULES
2 OF THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203
3 (2)(f) AND (3)(b).

4 (b) AN INDEPENDENT DELIVERY LICENSEE MAY TRANSACT WITH A
5 RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE FOR THE
6 PURCHASE OF RETAIL MARIJUANA PRODUCTS AT A RETAIL MARIJUANA
7 PRODUCTS MANUFACTURER LICENSEE'S LICENSED PREMISES OR AT A STATE
8 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY.

9 (3) (a) (I) AN INDEPENDENT DELIVERER MAY NOT SELL MORE THAN
10 ONE OUNCE OF RETAIL MARIJUANA OR ITS EQUIVALENT IN RETAIL
11 MARIJUANA PRODUCTS, INCLUDING RETAIL MARIJUANA CONCENTRATE,
12 EXCEPT FOR NONEDIBLE, NONPSYCHOACTIVE RETAIL MARIJUANA
13 PRODUCTS, INCLUDING OINTMENTS, LOTIONS, BALMS, AND OTHER
14 NONTRANSDERMAL TOPICAL PRODUCTS, DURING A SINGLE TRANSACTION
15 TO A PERSON.

16 (II) AS USED IN THIS SUBSECTION (3)(a), "EQUIVALENT IN RETAIL
17 MARIJUANA PRODUCTS" HAS THE SAME MEANING AS ESTABLISHED BY THE
18 STATE LICENSING AUTHORITY BY RULE PURSUANT TO SECTION 44-10-203
19 (4).

20 (b) (I) PRIOR TO INITIATING A SALE, THE EMPLOYEE OF THE
21 INDEPENDENT DELIVERER MAKING THE SALE SHALL VERIFY THAT THE
22 PURCHASER HAS A VALID IDENTIFICATION CARD SHOWING THE PURCHASER
23 IS TWENTY-ONE YEARS OF AGE OR OLDER. IF A PERSON UNDER
24 TWENTY-ONE YEARS OF AGE PRESENTS A FRAUDULENT PROOF OF AGE, ANY
25 ACTION RELYING ON THE FRAUDULENT PROOF OF AGE IS NOT GROUNDS FOR
26 THE REVOCATION OR SUSPENSION OF ANY LICENSE ISSUED UNDER THIS
27 ARTICLE 10.

1 (II) (A) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE
2 HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS UNDER
3 TWENTY-ONE YEARS OF AGE AND IS EXHIBITING FRAUDULENT PROOF OF
4 AGE IN AN ATTEMPT TO OBTAIN ANY RETAIL MARIJUANA OR RETAIL
5 MARIJUANA PRODUCT, THE LICENSEE OR EMPLOYEE IS AUTHORIZED TO
6 CONFISCATE THE FRAUDULENT PROOF OF AGE, IF POSSIBLE, AND SHALL,
7 WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION, REMIT IT TO A
8 STATE OR LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO
9 CONFISCATE THE FRAUDULENT PROOF OF AGE OR TO REMIT IT TO A STATE
10 OR LOCAL LAW ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS
11 AFTER THE CONFISCATION DOES NOT CONSTITUTE A CRIMINAL OFFENSE.

12 (B) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE
13 BELIEVES THAT A PERSON IS UNDER TWENTY-ONE YEARS OF AGE AND IS
14 EXHIBITING FRAUDULENT PROOF OF AGE IN AN ATTEMPT TO OBTAIN ANY
15 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT, THE LICENSEE OR
16 EMPLOYEE OR A PEACE OFFICER, ACTING IN GOOD FAITH AND UPON
17 PROBABLE CAUSE BASED UPON REASONABLE GROUNDS THEREFOR, MAY
18 DETAIN AND QUESTION THE PERSON IN A REASONABLE MANNER FOR THE
19 PURPOSE OF ASCERTAINING WHETHER THE PERSON IS GUILTY OF ANY
20 UNLAWFUL ACT REGARDING THE PURCHASE OF RETAIL MARIJUANA OR
21 RETAIL MARIJUANA PRODUCT. THE QUESTIONING OF A PERSON BY AN
22 EMPLOYEE OR A PEACE OFFICER DOES NOT RENDER THE LICENSEE, THE
23 EMPLOYEE, OR THE PEACE OFFICER CIVILLY OR CRIMINALLY LIABLE FOR
24 SLANDER, FALSE ARREST, FALSE IMPRISONMENT, MALICIOUS PROSECUTION,
25 OR UNLAWFUL DETENTION.

26 (c) (I) AN INDEPENDENT DELIVERER THAT SELLS AN INDUSTRIAL
27 HEMP PRODUCT SHALL ENSURE THAT THE INDUSTRIAL HEMP PRODUCT HAS

1 PASSED ALL TESTING REQUIRED BY RULES PROMULGATED BY THE STATE
2 LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(d). PRIOR TO
3 TAKING POSSESSION OF THE INDUSTRIAL HEMP PRODUCT, AN INDEPENDENT
4 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL
5 TESTING REQUIRED FOR RETAIL MARIJUANA PRODUCTS AT A LICENSED
6 RETAIL MARIJUANA TESTING FACILITY AND THAT THE PERSON
7 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT HAS RECEIVED A
8 REGISTRATION FROM THE DEPARTMENT OF PUBLIC HEALTH AND
9 ENVIRONMENT PURSUANT TO SECTION 25-5-426.

10 (II) ABSENT SAMPLING AND TESTING STANDARDS ESTABLISHED BY
11 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE
12 SAMPLING AND TESTING OF AN INDUSTRIAL HEMP PRODUCT, A PERSON
13 TRANSFERRING AN INDUSTRIAL HEMP PRODUCT TO AN INDEPENDENT
14 DELIVERER PURSUANT TO THIS SECTION SHALL COMPLY WITH SAMPLING
15 AND TESTING STANDARDS CONSISTENT WITH THOSE ESTABLISHED BY THE
16 STATE LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 10. THE STATE
17 LICENSING AUTHORITY SHALL REPORT TO THE DEPARTMENT OF PUBLIC
18 HEALTH AND ENVIRONMENT ANY INVESTIGATIONS OR FINDINGS OF
19 VIOLATIONS OF THIS SECTION BY A PERSON REGISTERED PURSUANT TO
20 SECTION 25-5-426.

21 (d) WHEN COMPLETING A SALE OF RETAIL MARIJUANA
22 CONCENTRATE, THE INDEPENDENT DELIVERER SHALL PROVIDE THE
23 CUSTOMER WITH THE TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE
24 STATE LICENSING AUTHORITY THROUGH RULE-MAKING REGARDING THE
25 USE OF RETAIL MARIJUANA CONCENTRATE.

26 (4) ALL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
27 SOLD BY AN INDEPENDENT DELIVERER MUST BE PACKAGED AND LABELED

1 AS REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT
2 TO SECTION 44-10-203 (2)(f) AND (3)(b).

3 (5) (a) AN INDEPENDENT DELIVERER SHALL ONLY SELL RETAIL
4 MARIJUANA, RETAIL MARIJUANA PRODUCTS, MARIJUANA ACCESSORIES,
5 NONCONSUMABLE PRODUCTS SUCH AS APPAREL, MARIJUANA-RELATED
6 PRODUCTS SUCH AS CHILDPROOF PACKAGING CONTAINERS, AND
7 INDUSTRIAL HEMP PRODUCTS. AN INDEPENDENT DELIVERER SHALL NOT
8 SELL OR GIVE AWAY ANY CONSUMABLE PRODUCT, INCLUDING, BUT NOT
9 LIMITED TO, CIGARETTES OR ALCOHOL, OR EDIBLE PRODUCTS THAT DO NOT
10 CONTAIN MARIJUANA, INCLUDING, BUT NOT LIMITED TO, SODAS, CANDIES,
11 OR BAKED GOODS.

12 (b) AN INDEPENDENT DELIVERER SHALL NOT SELL ANY RETAIL
13 MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT CONTAIN NICOTINE OR
14 ALCOHOL IF THE SALE OF THE ALCOHOL WOULD REQUIRE A LICENSE
15 PURSUANT TO ARTICLE 3 OR 4 OF THIS TITLE 44.

16 (c) AN INDEPENDENT DELIVERER MUST TAKE ORDERS FOR RETAIL
17 MARIJUANA OR RETAIL MARIJUANA PRODUCTS OVER THE INTERNET.

18 (6) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MUST
19 NOT BE CONSUMED IN AN INDEPENDENT DELIVERER'S VEHICLE.

20 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,
21 SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS ARE NOT
22 EXEMPT FROM STATE OR LOCAL SALES TAX.

23 (8) A LISTING FOR SALE BY AN INDEPENDENT DELIVERER FOR
24 RETAIL MARIJUANA CONCENTRATE MUST INCLUDE THE POTENCY OF THE
25 RETAIL MARIJUANA CONCENTRATE NEXT TO THE NAME OF THE PRODUCT
26 AND SAFETY WARNINGS AND HEALTH RISKS FOR RETAIL MARIJUANA
27 CONCENTRATES PROMULGATED BY RULE.

1 (9) (a) AN INDEPENDENT DELIVERER LICENSEE SHALL NOT MAKE
2 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO
3 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL
4 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME
5 VEHICLE.

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

15 (c) AN INDEPENDENT DELIVERER MAY DELIVER RETAIL MARIJUANA
16 AND RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED
17 THE ORDER AND WHO:

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

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

21 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

22 (d) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
23 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
24 AND BE A CURRENT EMPLOYEE OF THE INDEPENDENT DELIVERER; MUST
25 HAVE UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION
26 AND VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
27 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST

1 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
2 AUTHORITY.

3 (e) IN ACCORDANCE WITH THIS SUBSECTION (9) AND RULES
4 ADOPTED TO IMPLEMENT THIS SUBSECTION (9), AN INDEPENDENT
5 DELIVERER:

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

9 (II) SHALL DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS
10 PROVIDED IN THE ORDER;

11 (III) SHALL NOT DELIVER MORE THAN ONCE PER DAY TO THE SAME
12 INDIVIDUAL OR RESIDENCE;

13 (IV) (A) SHALL DELIVER ONLY TO PRIVATE RESIDENCES;

14 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
15 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
16 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
17 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
18 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY;

19 (V) SHALL DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
20 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
21 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
22 44-10-203 (2)(dd);

23 (VI) SHALL USE AN EMPLOYEE TO CONDUCT DELIVERIES; AND

24 (VII) SHALL USE AN ASSOCIATED STATE LICENSING
25 AUTHORITY-AUTHORIZED STORAGE FACILITY TO STORE, PACKAGE, AND
26 LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS.

27 (f) (I) AT THE TIME OF THE ORDER, THE INDEPENDENT DELIVERER

1 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO
2 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE
3 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:

4 (A) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;

5 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER IS
6 DELIVERED; AND

7 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
8 AUTHORITY RULE.

9 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
10 INDIVIDUAL, THE INDEPENDENT DELIVERER DELIVERING THE ORDER SHALL
11 INSPECT THE INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE
12 INFORMATION PROVIDED AT THE TIME THE ORDER IS PLACED MATCHES THE
13 NAME AND AGE ON THE INDIVIDUAL'S IDENTIFICATION.

14 (g) THE INDEPENDENT DELIVERER SHALL NOT SELL RETAIL
15 MARIJUANA OR RETAIL MARIJUANA PRODUCTS DIRECTLY FROM THE
16 DELIVERY VEHICLE.

17 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
18 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
19 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
20 THIS ARTICLE 10 MAY APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
21 RETAIL MARIJUANA PRODUCTS, INCLUDING, BUT NOT LIMITED TO,
22 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
23 REQUIREMENTS.

24 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
25 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO INDEPENDENT
26 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (9).

27 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE CIVIL OR

1 CRIMINAL LAW FOR AN INDEPENDENT DELIVERER, OR SUCH PERSON WHO
2 HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE RENEWAL OF A
3 RETAIL MARIJUANA DELIVERY PERMIT, OR ITS LICENSEES, TO POSSESS,
4 TRANSPORT, AND DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
5 PRODUCTS IN AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY
6 THE STATE LICENSING AUTHORITY.

7 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
8 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
9 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
10 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
11 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING
12 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
13 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

14 (k) (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) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(k)(I)

1 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
2 RETAIL MARIJUANA PRODUCTS FROM AN INDEPENDENT DELIVERER THAT
3 IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
4 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
5 BOUNDARIES.

6 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
7 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
8 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
9 HIGHER EDUCATION.

10 (m) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
11 RETAIL MARIJUANA DELIVERY PERMITS TO QUALIFIED INDEPENDENT
12 DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER THAN, OCTOBER
13 31, 2023.

14 (10) AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY
15 OPERATE WITH AN INDEPENDENT DELIVERY LICENSEE IF BEFORE AN
16 ACCELERATOR INDEPENDENT DELIVERY LICENSEE OPERATES, THE
17 INDEPENDENT DELIVERY LICENSEE HAS ITS PREMISES ENDORSED
18 PURSUANT TO RULE AND EACH ACCELERATOR INDEPENDENT DELIVERY
19 LICENSEE IS APPROVED TO OPERATE WITH THE ENDORSED LICENSEE.

20 (11) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN
21 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY, PURSUANT TO
22 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
23 ASSISTANCE TO AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE
24 OPERATING ON ITS PREMISES WITH SHARED OPERATIONS PRIVILEGES.

25 (12) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN
26 ACCELERATOR INDEPENDENT DELIVERER IS ELIGIBLE FOR INCENTIVES
27 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF

1 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT
2 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

3 (13) AN INDEPENDENT DELIVERER SHALL NOT SELL MORE THAN
4 EIGHT GRAMS OF RETAIL MARIJUANA CONCENTRATE TO A PERSON IN A
5 SINGLE DAY.

6 **SECTION 14.** In Colorado Revised Statutes, **add** 44-10-614 as
7 follows:

8 **44-10-614. Retail marijuana accelerator independent delivery**
9 **license - repeal.** (1) A RETAIL MARIJUANA ACCELERATOR INDEPENDENT
10 DELIVERY LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO
11 EXERCISE THE PRIVILEGES OF A RETAIL MARIJUANA INDEPENDENT
12 DELIVERY LICENSEE ON THE PREMISES OF AN ACCELERATOR-ENDORSED
13 INDEPENDENT DELIVERY LICENSEE. THE RETAIL MARIJUANA
14 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY RECEIVE
15 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL
16 MARIJUANA INDEPENDENT DELIVERY LICENSEE WITH AN ACCELERATOR
17 ENDORSEMENT.

18 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
19 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY
20 BUSINESS LICENSES ON JANUARY 2, 2024.

21 **SECTION 15.** In Colorado Revised Statutes, 44-10-1401, **amend**
22 (2) as follows:

23 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the
24 repeal of this article 10, the department of regulatory agencies shall
25 conduct a sunset review as described in section 24-34-104 (5). AS A PART
26 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES
27 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS

1 CONCERNING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY
2 LICENSE.

3 **SECTION 16.** In Colorado Revised Statutes, 24-34-104, **amend**
4 **(29)(a)(XII)** as follows:

5 **24-34-104. General assembly review of regulatory agencies**
6 **and functions for repeal, continuation, or reestablishment -**
7 **legislative declaration - repeal.** (29) (a) The following agencies,
8 functions, or both, are scheduled for repeal on September 1, 2028:

9 (XII) The "Colorado Marijuana Code", article 10 of title 44,
10 INCLUDING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY
11 LICENSE;

12 **SECTION 17.** In Colorado Revised Statutes, 24-48.5-128, **add**
13 **(3)(e)** as follows:

14 **24-48.5-128. Program - marijuana entrepreneurs - social**
15 **equity licensees - committee - report - marijuana entrepreneur fund**
16 **- creation - legislative declaration - definitions.** (3) **Loans, grants,**
17 **and technical assistance.** (e) (I) THERE IS CREATED IN THE OFFICE THE
18 PROGRAM GRANT COMMITTEE THAT IS RESPONSIBLE FOR REVIEWING
19 GRANT APPLICATIONS, SELECTING GRANT RECIPIENTS, AND DETERMINING
20 GRANT AWARDS ISSUED PURSUANT TO THIS SECTION. ON OR BEFORE
21 SEPTEMBER 1, 2023, THE OFFICE DIRECTOR SHALL APPOINT THE
22 FOLLOWING MEMBERS TO SERVE ON THE COMMITTEE:

23 (A) FIVE PERSONS WHO OWN A BUSINESS THAT IS CURRENTLY
24 LOCATED AND OPERATING IN COLORADO;

25 (B) FIVE PERSONS WITH EXPERIENCE REPRESENTING MARIJUANA
26 LICENSEES; AND

27 (C) FIVE PERSONS WHO ARE INTERESTED COMMUNITY MEMBERS.

1 (II) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
2 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND
3 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

4 (III) THE MEMBERSHIP OF THE COMMITTEE MUST NOT INCLUDE A
5 LICENSEE, AS DEFINED BY SECTION 44-10-103 (25).

6 (IV) MEMBERS OF THE COMMITTEE SERVE TWO-YEAR TERMS AND
7 MAY BE REAPPOINTED FOR AN ADDITIONAL TWO-YEAR TERM. MEMBERS
8 OF THE COMMITTEE SERVE AT THE PLEASURE OF THE OFFICE DIRECTOR. IF
9 A MEMBER OF THE COMMITTEE LEAVES THE COMMITTEE PRIOR TO THE
10 EXPIRATION OF THE MEMBER'S TERM, THE OFFICE DIRECTOR SHALL
11 APPOINT A NEW MEMBER TO SERVE FOR THE REMAINDER OF THE TERM.

12 (V) MEMBERS OF THE COMMITTEE SERVE WITHOUT
13 COMPENSATION OR REIMBURSEMENT OF EXPENSES.

14 **SECTION 18. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article
18 V of the state constitution against this act or an item, section, or part of
19 this act within such period, then the act, item, section, or part will not
20 take effect unless approved by the people at the general election to be
21 held in November 2024 and, in such case, will take effect on the date of
22 the official declaration of the vote thereon by the governor.