

**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
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SOCIAL EQUITY LICENSES IN THE REGULATED**
102 **MARIJUANA BUSINESS, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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

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.*

report to the finance committees of the house of representatives and the 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), and (58); 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 TO
21 DELIVER AND SELL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
22 TO CONSUMERS AT THE CONSUMER'S PRIVATE RESIDENCE PURSUANT TO
23 THIS ARTICLE 10; RULES PROMULGATED PURSUANT TO THIS ARTICLE 10;
24 AND THE PROVISIONS OF AN ENACTED, INITIATED, OR REFERRED
25 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE
26 LICENSEE OPERATES.

27 (58) "Retail marijuana business" means a retail marijuana store,

1 a retail marijuana cultivation facility, a retail marijuana products
2 manufacturer, a marijuana hospitality business, a retail marijuana
3 hospitality and sales business, a retail marijuana testing facility, a retail
4 marijuana business operator, or a retail marijuana transporter, OR AN
5 INDEPENDENT DELIVERER licensed pursuant to this article 10.

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

8 **44-10-104. Applicability - medical marijuana - retail**
9 **marijuana.** (2) (a) A person applying for licensure pursuant to this
10 article 10 must complete forms as provided by the state licensing
11 authority and must pay the application fee and the licensing fee, which
12 must be credited to the marijuana cash fund established pursuant to
13 section 44-10-801. The state licensing authority shall forward, within
14 seven days, one-half of the retail marijuana business license application
15 fee to the local jurisdiction unless the application is for an accelerator
16 cultivator, accelerator manufacturer, or accelerator store, ACCELERATOR
17 HOSPITALITY BUSINESS, ACCELERATOR TRANSPORTER, OR ACCELERATOR
18 INDEPENDENT DELIVERER license, or unless the local jurisdiction has
19 prohibited the operation of retail marijuana businesses pursuant to section
20 16 (5)(f) of article XVIII of the state constitution. If the license is denied,
21 the state licensing authority shall refund the licensing fee to the applicant.

22 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **amend**
23 (2)(dd) introductory portion and (2)(dd)(II); and **add** (1)(j.3) and (2)(kk)
24 as follows:

25 **44-10-203. State licensing authority - rules.** (1) **Permissive**
26 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
27 may include but need not be limited to the following subjects:

1 (j.3) THE DOCUMENTATION NECESSARY TO BE PROVIDED BY A
2 PERSON APPLYING FOR A SOCIAL EQUITY LICENSE AND REQUIREMENTS
3 DEEMED NECESSARY BY THE STATE LICENSING AUTHORITY TO VERIFY THE
4 DOCUMENTATION.

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

8 (dd) Requirements for medical marijuana and medical marijuana
9 products delivery as described in section 44-10-501 (11) and section
10 44-10-505 (5) and retail marijuana and retail marijuana products delivery
11 as described in section 44-10-601 (13), and section 44-10-605 (5), AND
12 SECTION 44-10-613, including:

13 (II) Training requirements for personnel of medical marijuana
14 stores, retail marijuana stores, INDEPENDENT DELIVERERS, medical
15 marijuana transporters, and retail marijuana transporters that hold a
16 medical marijuana or retail marijuana delivery permit who will deliver
17 medical marijuana or medical marijuana products or retail marijuana or
18 retail marijuana products pursuant to this article 10 and requirements that
19 medical marijuana stores, retail marijuana stores, INDEPENDENT
20 DELIVERERS, medical marijuana transporters, and retail marijuana
21 transporters be considered to have a responsible vendor designation
22 pursuant to section 44-10-1201 prior to conducting a delivery;

23 (kk) INDEPENDENT DELIVERY LICENSES, INCLUDING:

24 (I) PROCEDURES FOR A SOCIAL EQUITY LICENSEE WHO HOLDS A
25 RETAIL TRANSPORTER LICENSE AND A RETAIL MARIJUANA DELIVERY
26 PERMIT TO CONVERT TO AN INDEPENDENT DELIVERY LICENSE PRIOR TO
27 JANUARY 2, 2024;

1 (II) PROCEDURES FOR A SOCIAL EQUITY LICENSEE TO APPLY FOR AN
2 INDEPENDENT DELIVERY LICENSE;

3 (III) REQUIREMENTS AND CONDITIONS UNDER WHICH AN
4 INDEPENDENT DELIVERY LICENSEE MAY PURCHASE, STORE, AND CONDUCT
5 SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS;

6 (IV) REQUIREMENTS AND CONDITIONS UNDER WHICH AN
7 INDEPENDENT DELIVERY LICENSEE MAY CONTRACT WITH ANOTHER
8 INDEPENDENT DELIVERY LICENSEE TO SHARE A LICENSED PREMISES FOR
9 THE PURPOSES OF STORING RETAIL MARIJUANA AND RETAIL MARIJUANA
10 PRODUCTS, INCLUDING TRACKING AND RECORD-KEEPING REQUIREMENTS
11 FOR SEPARATE INVENTORY; AND

12 (V) PROCEDURES AND REQUIREMENTS FOR AN APPLICANT TO
13 PROVIDE PROOF OF AN OBTAINED LICENSED PREMISES, INCLUDING AN
14 AUTHORIZED STORAGE FACILITY.

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

17 **44-10-207. Social equity report.** (1) BY JANUARY 31, 2025, AND
18 BY JANUARY 31 EACH YEAR THEREAFTER, THE STATE LICENSING
19 AUTHORITY SHALL SUBMIT A REPORT CONCERNING SOCIAL EQUITY
20 LICENSES TO THE FINANCE COMMITTEES OF THE HOUSE OF
21 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT
22 A MINIMUM, THE REPORT MUST INCLUDE:

23 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO
24 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY
25 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES
26 THAT ARE OPERATIONAL;

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

1 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES THAT
2 ARE OPERATIONAL;

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

5 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED
6 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308
7 (8);

8 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY LICENSE TYPES;
9 AND

10 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING
11 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

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

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

21 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**
22 (4) introductory portion and (5); and **add** (4)(e), (6), (7), and (8) as
23 follows:

24 **44-10-308. Business and owner requirements - rules -**
25 **legislative declaration - definition.** (4) Effective January 1, 2021,
26 THROUGH JANUARY 1, 2024, a person who qualifies as a social equity
27 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated

1 marijuana business license or permit, including but not limited to
2 accelerator store, accelerator cultivator, and accelerator manufacturer
3 licenses, issued pursuant to this article 10. A PERSON WHO QUALIFIES FOR
4 A SOCIAL EQUITY LICENSE PURSUANT TO THIS SUBSECTION (4) MAY APPLY
5 FOR ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT ON OR
6 AFTER JANUARY 2, 2024, WITHOUT HAVING TO QUALIFY AS A SOCIAL
7 EQUITY LICENSEE PURSUANT TO SUBSECTION (5) OF THIS SECTION, UNLESS
8 THE QUALIFICATION WAS BASED UPON THE SOCIAL EQUITY LICENSEE'S
9 INCOME. A person qualifies as a social equity licensee if such person
10 meets the following criteria, in addition to any criteria established by rule
11 of the state licensing authority:

12 (e) THIS SUBSECTION (4) APPLIES TO SOCIAL EQUITY LICENSEE
13 APPLICATIONS RECEIVED BEFORE JANUARY 2, 2024, AND TO THE RENEWAL
14 OF A SOCIAL EQUITY LICENSE APPLIED FOR OR ISSUED BEFORE JANUARY 2,
15 2024.

16 ~~(5) A person who meets the criteria in this section for a social
17 equity licensee, pursuant to rule and agency discretion, may be eligible for
18 incentives available through the department of revenue or office of
19 economic development and international trade, including but not limited
20 to a reduction in application or license fees. EFFECTIVE JANUARY 2, 2024,
21 A PERSON WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR
22 ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING,
23 BUT NOT LIMITED TO, ACCELERATOR STORE, ACCELERATOR CULTIVATOR,
24 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS, OR
25 ACCELERATOR TRANSPORTER LICENSES, ISSUED PURSUANT TO THIS
26 ARTICLE 10. A PERSON QUALIFIES AS A SOCIAL EQUITY LICENSEE IF THE
27 PERSON MEETS THE FOLLOWING CRITERIA, IN ADDITION TO ANY CRITERIA~~

1 ESTABLISHED BY RULE OF THE STATE LICENSING AUTHORITY:

2 (a) HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE SUBJECT

3 TO DISCIPLINARY OR LEGAL ACTION FROM THE STATE LICENSING

4 AUTHORITY RESULTING IN THE REVOCATION OF A LICENSE ISSUED

5 PURSUANT TO THIS ARTICLE 10; AND

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

7 (I) THE APPLICANT HAS RESIDED:

8 (A) FOR AT LEAST ANY FIVE YEARS OF THE THIRTY-YEAR PERIOD

9 PRIOR TO THE APPLICATION IN WHICH DATA IS AVAILABLE IN A CENSUS

10 TRACT DESIGNATED BY THE OFFICE OF ECONOMIC DEVELOPMENT AND

11 INTERNATIONAL TRADE AS AN OPPORTUNITY ZONE OR DESIGNATED AS A

12 DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO

13 SECTION 44-10-203 (1)(j); OR

14 (B) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE

15 APPLICATION IN HOUSING WITH FUNDING PROVIDED PURSUANT TO SECTION

16 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS

17 AMENDED, 42 U.S.C. SECS. 1437f AND 1437g; OR

18 (C) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE

19 APPLICATION IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME

20 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,

21 OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM

22 THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE

23 INCOME THAT AT THE TIME OF RESIDENCE WAS SUBJECT TO A USE

24 RESTRICTION THAT WAS MONITORED TO ENSURE COMPLIANCE BY THE

25 FEDERAL GOVERNMENT, THE STATE GOVERNMENT, A COUNTY

26 GOVERNMENT, OR A MUNICIPAL GOVERNMENT, OR BY ANY POLITICAL

27 SUBDIVISION OR DESIGNATED AGENCY THEREOF; OR

1 (II) THE APPLICANT OR THE APPLICANT'S SPOUSE, PARENT, OR
2 LEGAL GUARDIAN WAS CONVICTED OF A MARIJUANA OFFENSE; OR

3 (III) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
4 APPLICANT'S GUARDIANSHIP WAS ARRESTED OR CONVICTED OF A
5 MARIJUANA OFFENSE; AND

6 (A) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
7 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED OR CONVICTED OF A
8 MARIJUANA OFFENSE RESIDED IN A DISPROPORTIONATE IMPACTED AREA AS
9 DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j) FOR ANY OF THE
10 FIVE YEARS OF THE THIRTY-YEAR PERIOD PRIOR TO APPLICATION; OR

11 (B) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
12 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED OR CONVICTED OF A
13 MARIJUANA OFFENSE HAS RECEIVED ASSISTANCE FROM AT LEAST ONE OF
14 THE PROGRAMS LISTED IN SUBSECTIONS (5)(b)(V)(A) TO (5)(b)(V)(E) OF
15 THIS SECTION FOR AT LEAST ANY FIVE OF THE TEN YEARS PRIOR TO
16 APPLICATION; OR

17 (IV) THE APPLICANT WAS A MEMBER OF THE MILITARY AND WAS
18 DISHONORABLY DISCHARGED BECAUSE THE APPLICANT WAS CONVICTED
19 OF A MARIJUANA OFFENSE; OR

20 (V) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST
21 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN
22 YEARS PRIOR TO APPLICATION:

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

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

27 (C) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS DEFINED IN

1 SECTION 26-2-703 (19);

2 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
3 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.
4 1786; OR

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

7 (c) THE SOCIAL EQUITY LICENSEE, OR COLLECTIVELY ONE OR MORE
8 SOCIAL EQUITY LICENSEES, HOLDS AT LEAST FIFTY-ONE PERCENT OF THE
9 BENEFICIAL OWNERSHIP OF THE REGULATED MARIJUANA BUSINESS
10 LICENSE.

11 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF
12 THE APPLICANT, OR COLLECTIVELY ONE OR MORE APPLICANTS, IS A
13 CONTROLLING BENEFICIAL OWNER, UPON ATTESTATION ON THE
14 APPLICATION OF THE LICENSES TO WHICH THE APPLICANT IS A PASSIVE
15 BENEFICIAL OWNER, OR PASSIVE BENEFICIAL OWNER OF THREE OR MORE
16 RETAIL MARIJUANA STORE LICENSES, MEDICAL MARIJUANA STORE
17 LICENSES, RETAIL MARIJUANA CULTIVATION FACILITY LICENSES, OR
18 MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR ANY
19 COMBINATION THEREOF, THE APPLICANT IS NOT ELIGIBLE FOR A SOCIAL
20 EQUITY LICENSE;

21 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,
22 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE
23 LICENSES, OR CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY
24 AND MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, CONSTITUTE
25 ONE LICENSE.

26 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL
27 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER JANUARY 2, 2024,

1 OR THE RENEWAL OF A SOCIAL EQUITY LICENSE FIRST APPLIED FOR ON OR
2 AFTER JANUARY 2, 2024.

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

6 (8) A PERSON WHO MEETS THE CRITERIA IN THIS SECTION FOR A
7 SOCIAL EQUITY LICENSE MAY BE ELIGIBLE FOR INCENTIVES AVAILABLE
8 THROUGH THE DEPARTMENT OF REVENUE OR OFFICE OF ECONOMIC
9 DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT NOT LIMITED
10 TO, A REDUCTION IN APPLICATION OR LICENSE FEES. THE STATE LICENSING
11 AUTHORITY MAY PROMULGATE RULES TO CREATE INCENTIVES REQUIRED
12 BY THIS SUBSECTION (8).

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

16 **44-10-401. Classes of licenses.** (2) (b) The following are retail
17 marijuana licenses:

18 (X) Retail marijuana hospitality and sales business license; **and**

19 (XII) ACCELERATOR TRANSPORTER LICENSE;

20 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE;

21 (XIV) INDEPENDENT DELIVERY LICENSE; AND

22 (XV) ACCELERATOR INDEPENDENT DELIVERY LICENSE.

23 **SECTION 7.** In Colorado Revised Statutes, 44-10-601, **amend**
24 **(16); and add (2)(d) as follows:**

25 **44-10-601. Retail marijuana store license - rules - definitions.**

26 (2) (d) A RETAIL MARIJUANA STORE MAY SELL WHOLESALE RETAIL
27 MARIJUANA AND WHOLESALE RETAIL MARIJUANA PRODUCTS TO AN

1 INDEPENDENT DELIVERY LICENSEE.

2 (16) A retail marijuana store ~~pursuant to rule and the state~~
3 ~~licensing authority discretion, may be~~ THAT HOSTS AN ACCELERATOR
4 STORE LICENSE MAY BE eligible for incentives available through the
5 department of revenue or the office of economic development and
6 international trade, including, but not limited to, a reduction in application
7 or license fees.

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

10 **44-10-602. Retail marijuana cultivation facility license - rules**
11 **- definitions.** (11) A retail marijuana cultivation facility licensee that
12 hosts an accelerator cultivator licensee ~~pursuant to rule and the state~~
13 ~~licensing authority discretion, may be~~ MAY BE eligible for incentives
14 available through the department of revenue or the office of economic
15 development and international trade, including, but not limited to, a
16 reduction in application or license fees.

17 **SECTION 9.** In Colorado Revised Statutes, 44-10-603, **amend**
18 (14); and **add** (1)(f) as follows:

19 **44-10-603. Retail marijuana products manufacturer license -**
20 **rules - definition.** (1) (f) A RETAIL MARIJUANA PRODUCTS
21 MANUFACTURER MAY SELL WHOLESALE RETAIL MARIJUANA AND
22 WHOLESALE RETAIL MARIJUANA PRODUCTS TO AN INDEPENDENT DELIVERY
23 LICENSEE.

24 (14) A retail marijuana products manufacturer licensee ~~pursuant~~
25 ~~to rule and the state licensing authority discretion, may be~~ THAT HOSTS AN
26 ACCELERATOR MANUFACTURER LICENSE MAY BE eligible for incentives
27 through the department of revenue or the office of economic development

1 and international trade, including, but not limited to, a reduction in
2 application or license fees.

3 **SECTION 10.** In Colorado Revised Statutes, 44-10-605, **add** (6),
4 (7), and (8) as follows:

5 **44-10-605. Retail marijuana transporter license - definition.**

6 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON THE
7 PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF, BEFORE
8 EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE RETAIL
9 MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED
10 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS
11 APPROVED TO OPERATE ON THAT PREMISES.

12 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
13 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,
14 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
15 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON
16 ITS PREMISES.

17 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
18 ACCELERATOR TRANSPORTER LICENSEE MAY BE ELIGIBLE FOR INCENTIVES
19 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF
20 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT
21 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

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

24 **44-10-609. Marijuana hospitality business license.** (5) AN
25 ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON THE
26 PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF, BEFORE
27 EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES, THE

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

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

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

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

17 **44-10-612. Retail marijuana accelerator hospitality business**
18 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS
19 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE
20 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON
21 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA
22 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR
23 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE
24 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY
25 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

26 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
27 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY

1 BUSINESS LICENSES ON JANUARY 2, 2024.

2 SECTION 13. In Colorado Revised Statutes, add 44-10-613 as
3 follows:

4 44-10-613. Independent delivery license - rules - definitions -
5 repeal. (1) (a) ON OR AFTER JANUARY 2, 2024, AND BEFORE JANUARY 1,
6 2028, THE STATE LICENSING AUTHORITY MAY ISSUE AN INDEPENDENT
7 DELIVERY LICENSE TO A PERSON WITH A SOCIAL EQUITY LICENSE
8 AUTHORIZING THE PERSON TO DELIVER AND SELL RETAIL MARIJUANA AND
9 RETAIL MARIJUANA PRODUCTS TO CONSUMERS AT THE CONSUMER'S
10 PRIVATE RESIDENCE PURSUANT TO THIS ARTICLE 10; RULES PROMULGATED
11 PURSUANT TO THIS ARTICLE 10; AND THE PROVISIONS OF THE ORDINANCE
12 OR RESOLUTION OF THE LOCAL JURISDICTION WHERE THE LICENSEE
13 OPERATES.

14 (b) AN INDEPENDENT DELIVERER MAY PURCHASE WHOLESALE
15 RETAIL MARIJUANA AND WHOLESALE RETAIL MARIJUANA PRODUCTS FROM
16 A RETAIL MARIJUANA STORE LICENSEE, AND THE INDEPENDENT DELIVERER
17 MAY PURCHASE WHOLESALE RETAIL MARIJUANA AND WHOLESALE RETAIL
18 MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA PRODUCTS
19 MANUFACTURER LICENSEE.

20 (c) AN INDEPENDENT DELIVERER SHALL TRACK ALL OF ITS RETAIL
21 MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM THE POINT THAT
22 THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA STORE OR RETAIL
23 MARIJUANA PRODUCTS MANUFACTURER TO THE POINT OF SALE.

24 (d) THE INDEPENDENT DELIVERY LICENSE APPLICANT SHALL
25 PROVIDE PROOF OF AN OBTAINED LICENSED PREMISES OR PROOF OF A
26 CONTRACT WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO
27 MAINTAINS A LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE

1 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS. THE STATE
2 LICENSING AUTHORITY SHALL PROMULGATE RULES CONCERNING
3 PERMITTING AN INDEPENDENT DELIVERER TO STORE RETAIL MARIJUANA
4 OR RETAIL MARIJUANA PRODUCTS AT A STATE-AUTHORIZED STORAGE
5 FACILITY OR LICENSED PREMISES.

6 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, AN
7 INDEPENDENT DELIVERY LICENSEE MAY ALSO SELL RETAIL MARIJUANA
8 PRODUCTS THAT ARE PREPACKAGED AND LABELED AS REQUIRED BY RULES
9 OF THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203
10 (2)(f) AND (3)(b).

11 (b) AN INDEPENDENT DELIVERY LICENSEE MAY TRANSACT WITH A
12 RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE FOR THE
13 PURCHASE OF RETAIL MARIJUANA PRODUCTS AT A RETAIL MARIJUANA
14 PRODUCTS MANUFACTURER LICENSEE'S LICENSED PREMISES OR AT THE
15 INDEPENDENT DELIVERY LICENSEE'S LICENSED PREMISES.

16 (3) (a) AN INDEPENDENT DELIVERER MAY DELIVER AND SELL
17 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS NOT IN EXCESS OF
18 THE AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

19 (b) (I) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
20 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
21 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
22 PROVIDED AT THE TIME OF THE ORDER MATCHES THE NAME AND AGE ON
23 THE INDIVIDUAL'S IDENTIFICATION.

24 (II) (A) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE
25 HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS UNDER
26 TWENTY-ONE YEARS OF AGE AND IS EXHIBITING FRAUDULENT PROOF OF
27 AGE IN AN ATTEMPT TO OBTAIN ANY RETAIL MARIJUANA OR RETAIL

1 MARIJUANA PRODUCT, THE LICENSEE OR EMPLOYEE IS AUTHORIZED TO
2 CONFISCATE THE FRAUDULENT PROOF OF AGE, IF POSSIBLE, AND SHALL,
3 WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION, REMIT IT TO A
4 STATE OR LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO
5 CONFISCATE THE FRAUDULENT PROOF OF AGE OR TO REMIT IT TO A STATE
6 OR LOCAL LAW ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS
7 AFTER THE CONFISCATION DOES NOT CONSTITUTE A CRIMINAL OFFENSE.

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

22 (c) (I) AN INDEPENDENT DELIVERER THAT SELLS AN INDUSTRIAL
23 HEMP PRODUCT SHALL ENSURE THAT THE INDUSTRIAL HEMP PRODUCT HAS
24 PASSED ALL TESTING REQUIRED BY RULES PROMULGATED BY THE STATE
25 LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(d). PRIOR TO
26 TAKING POSSESSION OF THE INDUSTRIAL HEMP PRODUCT, AN INDEPENDENT
27 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL

1 TESTING REQUIRED FOR RETAIL MARIJUANA PRODUCTS AT A LICENSED
2 RETAIL MARIJUANA TESTING FACILITY AND THAT THE PERSON
3 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT HAS RECEIVED A
4 REGISTRATION FROM THE DEPARTMENT OF PUBLIC HEALTH AND
5 ENVIRONMENT PURSUANT TO SECTION 25-5-426.

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

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

22 (4) ALL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
23 SOLD BY AN INDEPENDENT DELIVERER MUST BE PACKAGED AND LABELED
24 AS REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT
25 TO SECTION 44-10-203 (2)(f) AND (3)(b).

26 (5) (a) AN INDEPENDENT DELIVERER SHALL ONLY SELL RETAIL
27 MARIJUANA, RETAIL MARIJUANA PRODUCTS, MARIJUANA ACCESSORIES,

1 NONCONSUMABLE PRODUCTS SUCH AS APPAREL, MARIJUANA-RELATED
2 PRODUCTS SUCH AS CHILDPROOF PACKAGING CONTAINERS, AND
3 INDUSTRIAL HEMP PRODUCTS. AN INDEPENDENT DELIVERER SHALL NOT
4 SELL OR GIVE AWAY ANY CONSUMABLE PRODUCT, INCLUDING, BUT NOT
5 LIMITED TO, CIGARETTES OR ALCOHOL, OR EDIBLE PRODUCTS THAT DO NOT
6 CONTAIN MARIJUANA, INCLUDING, BUT NOT LIMITED TO, SODAS, CANDIES,
7 OR BAKED GOODS.

8 (b) AN INDEPENDENT DELIVERER SHALL NOT SELL ANY RETAIL
9 MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT CONTAIN NICOTINE OR
10 ALCOHOL IF THE SALE OF THE ALCOHOL WOULD REQUIRE A LICENSE
11 PURSUANT TO ARTICLE 3, 4, 5, OR 7 OF THIS TITLE 44.

12 (6) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MUST
13 NOT BE CONSUMED IN AN INDEPENDENT DELIVERER'S VEHICLE OR ON ANY
14 LICENSED PREMISES.

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

18 (8) A LISTING FOR SALE BY AN INDEPENDENT DELIVERER FOR
19 RETAIL MARIJUANA CONCENTRATE MUST INCLUDE THE POTENCY OF THE
20 RETAIL MARIJUANA CONCENTRATE NEXT TO THE NAME OF THE PRODUCT
21 AND SAFETY WARNINGS AND HEALTH RISKS FOR RETAIL MARIJUANA
22 CONCENTRATES PROMULGATED BY RULE.

23 (9)(a) AN INDEPENDENT DELIVERER LICENSEE WITH A RETAIL
24 MARIJUANA TRANSPORTER LICENSE MAY TRANSPORT RETAIL MARIJUANA
25 OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSEES' LICENSED
26 PREMISES; EXCEPT THAT THE INDEPENDENT DELIVERER LICENSEE SHALL
27 NOT MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA

1 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
2 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSEES'
3 LICENSED PREMISES.

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

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

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

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

19 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

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

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

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

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

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

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

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

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

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

22 (VII) SHALL USE AN ASSOCIATED LICENSED PREMISES TO STORE,
23 PACKAGE, AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA
24 PRODUCTS.

25 (f) (I) AT THE TIME OF THE ORDER, THE INDEPENDENT DELIVERER
26 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO
27 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE

1 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:

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

3 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER IS
4 DELIVERED; AND

5 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
6 AUTHORITY RULE.

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

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

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

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

25 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE CIVIL OR
26 CRIMINAL LAW FOR AN INDEPENDENT DELIVERER, OR SUCH PERSON WHO
27 HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE RENEWAL OF A

1 RETAIL MARIJUANA DELIVERY PERMIT, OR ITS LICENSEES, TO POSSESS,
2 TRANSPORT, AND DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
3 PRODUCTS IN AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY
4 THE STATE LICENSING AUTHORITY.

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

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

25 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(k)(I)
26 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
27 RETAIL MARIJUANA PRODUCTS FROM AN INDEPENDENT DELIVERER THAT

1 IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
2 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
3 BOUNDARIES.

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

8 (m) THE STATE LICENSING AUTHORITY MAY BEGIN ISSUING
9 INDEPENDENT DELIVERY LICENSES TO QUALIFIED INDEPENDENT
10 DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER THAN, JANUARY
11 2, 2024.

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

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

23 (12) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN
24 ACCELERATOR INDEPENDENT DELIVERER MAY BE ELIGIBLE FOR
25 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE
26 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,
27 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR

1 LICENSE FEES.

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

4 **44-10-614. Retail marijuana accelerator independent delivery**

5 **license - repeal.** (1) A RETAIL MARIJUANA ACCELERATOR INDEPENDENT
6 DELIVERY LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO
7 EXERCISE THE PRIVILEGES OF A RETAIL MARIJUANA INDEPENDENT
8 DELIVERY LICENSEE ON THE PREMISES OF AN ACCELERATOR-ENDORSED
9 INDEPENDENT DELIVERY LICENSEE. THE RETAIL MARIJUANA
10 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY RECEIVE
11 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL
12 MARIJUANA INDEPENDENT DELIVERY LICENSEE WITH AN ACCELERATOR
13 ENDORSEMENT.

14 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
15 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR INDEPENDENT
16 DELIVERY LICENSES ON JANUARY 2, 2024.

17 **SECTION 15.** In Colorado Revised Statutes, **add** 44-10-615 as
18 follows:

19 **44-10-615. Retail marijuana accelerator transporter license.**

20 (1) A RETAIL MARIJUANA ACCELERATOR TRANSPORTER LICENSE MAY BE
21 ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE PRIVILEGES OF A
22 RETAIL MARIJUANA TRANSPORTER LICENSEE ON THE PREMISES OF AN
23 ACCELERATOR-ENDORSED TRANSPORTER LICENSEE. THE RETAIL
24 MARIJUANA ACCELERATOR TRANSPORTER LICENSEE MAY RECEIVE
25 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL
26 MARIJUANA TRANSPORTER LICENSEE WITH AN ACCELERATOR
27 ENDORSEMENT.

1 (2) THE STATE LICENSING AUTHORITY MAY BEGIN ACCEPTING
2 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR TRANSPORTER
3 LICENSES ON JANUARY 2, 2024.

4 **SECTION 16.** In Colorado Revised Statutes, 44-10-1401, **amend**
5 (2) as follows:

6 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the
7 repeal of this article 10, the department of regulatory agencies shall
8 conduct a sunset review as described in section 24-34-104 (5). AS A PART
9 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES
10 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS
11 CONCERNING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY
12 LICENSE.

13 **SECTION 17.** In Colorado Revised Statutes, 24-34-104, **amend**
14 (29)(a)(XII) as follows:

15 **24-34-104. General assembly review of regulatory agencies**
16 **and functions for repeal, continuation, or reestablishment -**
17 **legislative declaration - repeal.** (29) (a) The following agencies,
18 functions, or both, are scheduled for repeal on September 1, 2028:

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

22 **SECTION 18.** In Colorado Revised Statutes, 24-48.5-128, **add**
23 (3)(e) as follows:

24 **24-48.5-128. Program - marijuana entrepreneurs - social**
25 **equity licensees - committee - report - marijuana entrepreneur fund**
26 **- creation - legislative declaration - definitions.** (3) **Loans, grants,**
27 **and technical assistance.** (e) (I) THERE IS CREATED IN THE OFFICE THE

1 PROGRAM GRANT COMMITTEE THAT IS RESPONSIBLE FOR REVIEWING
2 GRANT APPLICATIONS, SELECTING GRANT RECIPIENTS, AND DETERMINING
3 GRANT AWARDS ISSUED PURSUANT TO THIS SECTION. ON OR BEFORE
4 SEPTEMBER 1, 2023, OR UPON REAUTHORIZATION OF THE PROGRAM, THE
5 OFFICE DIRECTOR SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE ON
6 THE COMMITTEE:

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

9 (B) FIVE PERSONS WITH EXPERIENCE REPRESENTING MARIJUANA
10 LICENSEES; AND

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

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

15 (III) THE MEMBERSHIP OF THE COMMITTEE MUST INCLUDE NOT
16 MORE THAN THREE LICENSEES, AS DEFINED BY SECTION 44-10-103 (25).

17 (IV) MEMBERS OF THE COMMITTEE SERVE TWO-YEAR TERMS AND
18 MAY BE REAPPOINTED FOR AN ADDITIONAL TWO-YEAR TERM. MEMBERS
19 OF THE COMMITTEE SERVE AT THE PLEASURE OF THE OFFICE DIRECTOR. IF
20 A MEMBER OF THE COMMITTEE LEAVES THE COMMITTEE PRIOR TO THE
21 EXPIRATION OF THE MEMBER'S TERM, THE OFFICE DIRECTOR SHALL
22 APPOINT A NEW MEMBER TO SERVE FOR THE REMAINDER OF THE TERM.

23 (V) MEMBERS OF THE COMMITTEE SERVE WITHOUT
24 COMPENSATION OR REIMBURSEMENT OF EXPENSES.

25 **SECTION 19.** In Colorado Revised Statutes, 39-28.8-202,
26 **amend** (1)(a)(I) as follows:

27 **39-28.8-202. Retail marijuana sales tax.** (1) (a) (I) In addition

1 to the tax imposed pursuant to part 1 of article 26 of this title 39 and the
2 sales tax imposed by a local government pursuant to title 29, 30, 31, or
3 32, but except as otherwise set forth in subsections (1)(a)(II) and
4 (1)(a)(III) of this section, beginning January 1, 2014, and through June
5 30, 2017, there is imposed upon all RETAIL sales of retail marijuana and
6 retail marijuana products by a retailer a tax at the rate of ten percent of
7 the amount of the sale. Beginning July 1, 2017, there is imposed upon all
8 sales of retail marijuana and retail marijuana products by a retailer a tax
9 at the rate of fifteen percent of the amount of the sale. The tax imposed
10 by this section is computed in accordance with schedules or forms
11 prescribed by the executive director of the department; except that a ~~retail~~
12 ~~marijuana store~~ RETAILER is not allowed to retain any portion of the retail
13 marijuana sales tax collected pursuant to this part 2 to cover the expenses
14 of collecting and remitting the tax. The executive director may
15 promulgate rules to implement this section.

16 **SECTION 20. Appropriation.** (1) For the 2023-24 state fiscal
17 year, \$330,625 is appropriated to the marijuana cash fund created in
18 section 44-10-801 (1)(a), C.R.S. This appropriation is from the general
19 fund. The department of revenue is responsible for the accounting related
20 to this appropriation.

21 (2) For the 2023-24 state fiscal year, \$330,625 is appropriated to
22 the department of revenue. This appropriation is from reappropriated
23 funds in the marijuana cash funds fund under subsection (1) of this
24 section. Any money appropriated in this subsection (2) not expended
25 prior to July 1, 2024, is further appropriated to the department for the
26 2024-25 state fiscal year for the same purposes. To implement this act,
27 the department may use the appropriation as follows:

1 (a) \$216,426 for marijuana enforcement, which amount is based
2 on an assumption that the department will require an additional 1.1 FTE;
3 and

4 (b) \$114,199 for the purchase of legal services.

5 (3) For the 2023-24 state fiscal year, \$114,199 is appropriated to
6 the department of law. This appropriation is from reappropriated funds
7 received from the department of revenue under subsection (2)(b) of this
8 section and is based on an assumption that the department of law will
9 require an additional 0.4 FTE. To implement this act, the department of
10 law may use this appropriation to provide legal services for the
11 department of revenue. Any money appropriated in this subsection (3) not
12 expended prior to July 1, 2024, is further appropriated to the department
13 for the 2024-25 state fiscal year for the same purpose.

14 **SECTION 21. 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.