



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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|-------------------------|--------------------------------|------------------------|---|
| <b>Drafting Number:</b> | LLS 23-0993                    | <b>Date:</b>           | April 13, 2023  |
| <b>Prime Sponsors:</b>  | Sen. Van Winkle<br>Rep. Snyder | <b>Bill Status:</b>    | Senate Business   |
|                         |                                | <b>Fiscal Analyst:</b> | Clayton Mayfield   303-866-5851<br>clayton.mayfield@coleg.gov |

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**Bill Topic:** PROHIBIT PROFESSIONAL DISCIPLINE FOR MARIJUANA

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**Summary of Fiscal Impact:**

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| <input checked="" type="checkbox"/> State Revenue     | <input type="checkbox"/> TABOR Refund            |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government        |
| <input type="checkbox"/> State Transfer               | <input type="checkbox"/> Statutory Public Entity |

The bill limits the consideration of civil or criminal judgements based solely on the consumption, possession, cultivation, or processing of marijuana during professional licensure applications and disciplinary actions. Starting in FY 2023-24, the bill minimally impacts state workload on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the introduced bill.

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## Summary of Legislation

The bill prohibits regulators within the Department of Regulatory Agencies (DORA) from denying applications for licensure, certification, or registration, or taking disciplinary action against a licensee, certificate holder, or registrant, based solely on a civil or criminal judgement regarding the consumption, possession, cultivation, or processing of marijuana. The action underlying the judgement must have been lawful and consistent with professional conduct and standards of care within Colorado, and not have otherwise violated Colorado law. These requirements also apply to consideration of previous professional discipline in Colorado or any other state.

## State Expenditures

The bill minimally increases state workload as described below.

**Department of Regulatory Agencies.** In FY 2023-24 only, the Department of Regulatory Agencies (DORA) may be required to update rules and train staff and professional boards to ensure compliance with the provisions of the bill. Any workload increase is minimal. Legal services, provided by the Department of Law, may be required as part of any rules updates and to consult with regulators in DORA on application of the bill in specific cases. No change in appropriations is required.

**Judicial Department.** The bill minimally impacts trial court workload and associated civil fees in the Judicial Department. Workload will increase if the courts are asked to review cases to make a determination of whether these protections apply to a particular individual or situation; workload may decrease if the protections in the bill reduce civil filings. Any impact is expected to be minimal and no change in appropriations is required.

## **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to conduct occurring on or after the effective date.

## **State and Local Government Contacts**

Judicial  
Regulatory Agencies

Law

Public Health and Environment