

SENATE COMMITTEE OF REFERENCE REPORT

March 5, 2024

Chair of Committee

Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB24-076 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 9, strike "PLANTS;" and substitute "PLANTS CONTAINING A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION OF NO MORE THAN THREE-TENTHS OF ONE PERCENT ON A DRY WEIGHT BASIS;".
- 5 Page 4, line 6, strike "(2)(d)(I), (2)(d)(II), (2)(d)(III)," and substitute "(2)(d)(III)(A), (2)(d)(III)(B),".
- 7 Page 4, line 7, strike "(2)(dd)(XIV), (9)(a), and (9)(b)(I);" and substitute "(2)(dd)(XIV), and (3)(h);".
- 9 Page 4, strike lines 12 through 26.
- 10 Page 4, line 27, before "(III)" insert "(d)".
- 11 Page 5, line 1, strike "IN AN AMOUNT THAT IS".
- 12 Page 5, lines 13 and 14, strike "~~quantities of any~~ A substance IN AN AMOUNT THAT IS" and substitute "quantities of ~~any~~ A substance".
- 14 Page 5, strike lines 17 through 20.
- 15 Page 5, line 22, strike "~~and frequency~~" and substitute "and frequency".
- 16 Page 6, lines 17 and 18, strike "FEE, NOT TO EXCEED FOUR THOUSAND DOLLARS PER FACILITY," and substitute "FEE".
- 18 Page 8, line 3, strike "SECTION," and substitute "SECTION, ON AND AFTER

1 JANUARY 1, 2027,".

2 Page 8, after line 5 insert:

3 "(3) In promulgating rules pursuant to this section, the state
4 licensing authority may seek the assistance of the department of public
5 health and environment when necessary before promulgating rules on the
6 following subjects:

7 (h) A requirement that every medical marijuana store and retail
8 marijuana store post, at all times and in a prominent place AT EVERY
9 POINT OF SALE, a warning that has a minimum height of three inches and
10 a width of six inches and that reads:

11 **Warning:** Using marijuana, in any form, while you are
12 pregnant or breastfeeding passes THC to your baby and
13 may be harmful to your baby. There is no known safe
14 amount of marijuana use during pregnancy or
15 breastfeeding.".

16 Page 8, strike lines 6 through 25.

17 Renumber succeeding sections accordingly.

18 Page 9, line 1, after "(b)" insert "(I)".

19 Page 9, after line 7 insert:

20 "(II) (A) THIS SUBSECTION (6)(b) APPLIES TO LICENSES ISSUED
21 AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED.

22 (B) THIS SUBSECTION (6)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
23 2026.".

24 Page 9, lines 8 and 9, strike "**amend** (2); and".

25 Page 9, strike lines 11 through 27 and substitute "**rules**. (3) A LICENSE
26 ISSUED BY THE STATE LICENSING AUTHORITY UNDER THIS ARTICLE 10
27 EXPIRES TWO YEARS AFTER ISSUANCE; EXCEPT THAT A PERSON THAT
28 HOLDS MULTIPLE LICENSES MAY ELECT TO HAVE ONE OR MORE LICENSES
29 EXPIRE IN LESS".

30 Page 10, strike lines 6 through 15 and substitute:

31 "(4) ON OR AFTER JANUARY 1, 2026, THE STATE LICENSING
32 AUTHORITY SHALL PROMULGATE RULES AUTHORIZING MULTIPLE

1 REGULATED MARIJUANA BUSINESS LICENSEES WITH IDENTICAL
2 CONTROLLING BENEFICIAL OWNERS TO SUBMIT A SINGLE INITIAL
3 APPLICATION OR A SINGLE RENEWAL APPLICATION THROUGH A UNIFIED
4 APPLICATION PROCESS. THE STATE LICENSING AUTHORITY SHALL
5 PROMULGATE RULES SETTING STANDARDS AND REQUIREMENTS FOR
6 UNIFIED APPLICATION PROCESSING.".

7 Page 10, line 17, before "(11)(a)(II)" insert "(3)(g) and".

8 Page 10, strike line 18 and substitute:

9 **"44-10-501. Medical marijuana store license.** (3) (g) When
10 completing a sale of medical marijuana concentrate, the medical
11 marijuana store shall ~~provide the patient with~~ PHYSICALLY ATTACH TO
12 THE PATIENT'S RECEIPT OF SALE, PRODUCT CONTAINER, OR EXIT
13 PACKAGING the tangible educational resource created by the state
14 licensing authority ~~pursuant to section 44-10-202 (8)~~ regarding the use of
15 medical marijuana concentrate.

16 (11) (a) (II) A".

17 Page 10, line 25, strike "and (7)(c)" and substitute "(7)(c), and (7)(d)".

18 Page 11, line 13, strike "TRANSFER OR DELIVER" and substitute "SELL,
19 TRANSFER, OR SHIP".

20 Page 11, strike lines 24 through 27 and substitute:

21 "(III) FOR SALES, TRANSFERS, OR SHIPMENTS TO AN INDIVIDUAL,
22 A MEDICAL MARIJUANA CULTIVATION FACILITY SHALL ESTABLISH
23 PROCESSES AND PROCEDURES TO CONFIRM THAT THE PURCHASING OR
24 RECEIVING INDIVIDUAL IS TWENTY-ONE YEARS OF AGE OR OLDER USING AN
25 AGE VERIFICATION PROCESS, SUCH AS AUTHENTICATION VERIFICATION,
26 BIOMETRIC VERIFICATION, OR DOCUMENT VERIFICATION. THE STATE
27 LICENSING AUTHORITY SHALL VERIFY COMPLIANCE WITH THIS
28 REQUIREMENT BY CONFIRMING THAT THE LICENSEE HAS ESTABLISHED THE
29 PROCESSES AND PROCEDURES REQUIRED UNDER THIS SUBSECTION
30 (7)(b)(III).".

31 Page 12, line 2, strike "TRANSFER OR DELIVERY" and substitute "SALE,
32 TRANSFER, OR SHIPMENT".

33 Page 12, after line 3 insert:

1 "(V) A LICENSED MEDICAL MARIJUANA CULTIVATION FACILITY
2 SHALL NOT TRANSFER GENETIC MATERIAL DIRECTLY TO CONSUMERS WHO
3 ARE PRESENT ON THE LICENSED PREMISES.".

4 Page 12, line 6, strike "RECORD KEEPING, AND AGE VERIFICATION." and
5 substitute "AND RECORD KEEPING.".

6 Page 12, line 7, after "RULES" insert "AND CONDUCTING ENFORCEMENT
7 ACTIONS".

8 Page 12, line 11, strike "POSSESSED BY" and substitute "ON THE LICENSED
9 PREMISES OF".

10 Page 12, line 17, strike "OR".

11 Page 12, line 20, strike "MATERIAL." and substitute "MATERIAL; OR
12 (IV) MONITOR OR TAKE ENFORCEMENT ACTION ASSOCIATED WITH
13 A LICENSEE'S GENETIC MATERIAL ACTIVITIES THAT OCCUR OUTSIDE OF THE
14 LICENSED PREMISES.

15 (d) THIS SUBSECTION (7) DOES NOT LIMIT THE APPLICABILITY OF
16 ANOTHER STATE'S LAW, THE APPLICABILITY OF FEDERAL LAW, OR
17 ENFORCEMENT BY FEDERAL AGENCIES.".

18 Page 13, line 1, before "(13)(a)(II)" insert "(3)(d) and".

19 Page 13, strike line 3 and substitute:

20 "(3)(d) When completing a sale of retail marijuana concentrate, the retail
21 marijuana store shall ~~provide the customer with~~ PHYSICALLY ATTACH TO
22 THE CUSTOMER'S RECEIPT OF SALE, PRODUCT CONTAINER, OR EXIT
23 PACKAGING the tangible educational resource created by the state
24 licensing authority through rule-making ~~pursuant to section 44-10-202(8)~~
25 regarding the use of medical marijuana concentrate.

26 (13) (a) (II) A retail marijuana delivery permit is valid for ~~one~~
27 ~~year~~ TWO".

28 Page 13, line 9, strike "and (12)(c)" and substitute "(12)(c), and (12)(d)".

29 Page 13, line 25, strike "TRANSFER OR DELIVER" and substitute "SELL,
30 TRANSFER, OR SHIP".

31 Page 14, strike lines 9 through 12 and substitute:

1 "(III) FOR SALES, TRANSFERS, OR SHIPMENTS TO AN INDIVIDUAL,
2 A RETAIL MARIJUANA CULTIVATION FACILITY SHALL ESTABLISH PROCESSES
3 AND PROCEDURES TO CONFIRM THAT THE PURCHASING OR RECEIVING
4 INDIVIDUAL IS TWENTY-ONE YEARS OF AGE OR OLDER USING AN AGE
5 VERIFICATION PROCESS, SUCH AS AUTHENTICATION VERIFICATION,
6 BIOMETRIC VERIFICATION, OR DOCUMENT VERIFICATION. THE STATE
7 LICENSING AUTHORITY SHALL VERIFY COMPLIANCE WITH THIS
8 REQUIREMENT BY CONFIRMING THAT THE LICENSEE HAS ESTABLISHED THE
9 PROCESSES AND PROCEDURES REQUIRED UNDER THIS SUBSECTION
10 (12)(b)(III).".

11 Page 14, line 14, strike "TRANSFER OR DELIVERY" and substitute "SALE,
12 TRANSFER, OR SHIPMENT".

13 Page 14, after line 15 insert:

14 "(V) A LICENSED RETAIL MARIJUANA CULTIVATION FACILITY
15 SHALL NOT TRANSFER GENETIC MATERIAL DIRECTLY TO CONSUMERS WHO
16 ARE PRESENT ON THE LICENSED PREMISES.".

17 Page 14, line 18, strike "RECORD KEEPING, AND AGE VERIFICATION." and
18 substitute "AND RECORD KEEPING.".

19 Page 14, line 19, after "RULES" insert "AND CONDUCTING ENFORCEMENT
20 ACTIONS".

21 Page 14, line 23, strike "POSSESSED BY" and substitute "ON THE LICENSED
22 PREMISES OF".

23 Page 15, line 2, strike "OR".

24 Page 15, line 5, strike "MATERIAL." and substitute "MATERIAL; OR
25 (IV) MONITOR OR TAKE ENFORCEMENT ACTION ASSOCIATED WITH
26 A LICENSEE'S GENETIC MATERIAL ACTIVITIES THAT OCCUR OUTSIDE OF THE
27 LICENSED PREMISES.".

28 Page 15, after line 5 insert:

29 "(d) THIS SUBSECTION (12) DOES NOT LIMIT THE APPLICABILITY OF
30 ANOTHER STATE'S LAW, THE APPLICABILITY OF FEDERAL LAW, OR
31 ENFORCEMENT BY FEDERAL AGENCIES.".

32 Page 15, strike lines 12 through 27.

- 1 Page 16, strike lines 1 through 8.
- 2 Rerunber succeeding sections accordingly.

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