

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

PREAMENDED

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

LLS NO. 25-0332.02 Jery Payne x2157

HOUSE BILL 25-1209

HOUSE SPONSORSHIP

Lindstedt and Willford, Bacon, Bird, Clifford, English, Garcia, Gonzalez R., Mabrey,
McCluskie, Phillips, Sirota, Valdez

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ADDRESS EFFICIENCY IN THE REGULATION**
102 **OF MARIJUANA LICENSEES, AND, IN CONNECTION THEREWITH,**
103 **REDUCING 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>.)

Current law authorizes the marijuana enforcement division (division) to adopt rules governing records required to be kept by license holders. The bill replaces this with a requirement that the division adopt rules requiring records concerning:

- Child resistance certificates;

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.

HOUSE
3rd Reading Unamended
March 20, 2025

HOUSE
Amended 2nd Reading
March 19, 2025

- Testing records;
- Records demonstrating the composition of raw ingredients used in vaporizers or pressured metered dose inhalers;
- Recall records;
- Adverse health events;
- Corrective action and preventive action records;
- Documentation required to demonstrate valid responsible vendor designation;
- Standard operating procedures;
- Transfer records of regulated marijuana transactions;
- Expiration date testing and use-by-date testing;
- Patient records; and
- Advertising records.

If a license holder is required to maintain books and records in the seed-to-sale inventory tracking system, the license holder need not maintain duplicate copies of the books and records. If a license holder is substantially noncompliant with regulatory requirements, the division may require the license holder to maintain additional records. The division must bring an administrative action to require a license holder to maintain additional records.

Current law requires occupational license holders to be issued an identification card. The bill authorizes digital identification cards and replaces this requirement with authorization for the division to adopt rules governing identification card requirements, including criminal history record checks.

Current law requires applicants for licensure or renewal to submit fingerprints for a criminal history record check. The bill changes this requirement to require that only controlling beneficial owners and passive beneficial owners must get a fingerprint-based criminal history record check, and the fingerprint-based check is only required for initial licensure; name-based judicial record checks are required for license renewal. Occupational license holders are required to obtain a name-based judicial record check. The division may require an applicant or licensee to obtain a fingerprint-based criminal history record check when there is a demonstrated investigative need. Occupational license applicants are authorized to work while the application is pending.

Current law requires the division to adopt rules for security requirements for license holders. The security requirements include video recording requirements. The video recording requirements are changed to require, and must not exceed, video surveillance of the following:

- Each point of ingress and egress to the exterior of the licensed premises;
- Points of sale with coverage of the customer or patient and license holder completing the sale;
- Areas of the licensed premises where shipping and

receiving of regulated marijuana occurs, test batches are collected, and regulated marijuana waste is destroyed; and

- Delivery vehicles surveillance.

To obtain video surveillance footage, the division must demand the video surveillance footage in writing within at least 72 hours before the deadline provided to furnish the footage.

Current law requires the division to notify license holders by first-class mail of the license expiration date at least 90 days before the expiration. The bill replaces first-class mail with digital communication.

The bill authorizes medical marijuana stores and retail marijuana stores to host promotions where licensed marijuana producers can offer patient or customer promotional units (promotional unit). To provide a promotional unit, the promotional unit must be:

- Tested in accordance with the rules of the division;
- Tracked with the seed-to-sale inventory tracking system;
- Transferred to the store before the promotion;
- Packaged in accordance with the rules; and
- Labeled in accordance with the rules.

In addition, the store must:

- Provide the promotional unit during a promotion;
- Verify that the patient or customer is qualified to receive the promotional unit;
- Not charge a patient or customer for a promotional unit;
- Ensure the total amount of promotional units and purchased medical marijuana that are transferred to a patient or customer do not exceed the legal transfer limits.

Current law authorizes marijuana cultivation facilities and marijuana products manufacturers to provide research and development units (R-and-D units) to managers and sets standards for the practice. The bill reforms these standards as follows:

- R-and-D units may be provided to all licensed employees, and the R-and-D unit must be:
 - Labeled with the universal symbol indicating that the package contains marijuana, the license number of the facility that produced the R-and-D unit, the batch number, and any required warning statements;
 - Labeled to indicate that the R-and-D unit must not be sold or resold;
 - Tested in accordance with the rules;
 - Packaged in a child-resistant container;
 - Tracked with the seed-to-sale inventory tracking system; and
 - Provided for product development or quality control purposes; and
- The facility or manufacturer may not:

- Allow an R-and-D unit to be consumed on the licensed premises;
- Use an R-and-D unit as a means of compensation;
- Provide R-and-D units in a manner that would violate the law or to an employee who is not qualified;
- Require an employee to accept or consume an R-and-D unit; or
- Receive compensation for an R-and-D unit.

The amount of marijuana that may be sold in a single transaction at a retail marijuana store is raised from one ounce to 2 ounces or its equivalent in retail marijuana products.

Current law makes it a class 2 misdemeanor for a person to:

- Have a controlling beneficial ownership, passive beneficial ownership, or indirect financial interest in a license that was not disclosed; and
- Engage in transfer of ownership without prior approval.

The bill repeals these provisions.

The bill authorizes the division to set and collect a fee to fulfill requests for copies of a license application. The bill repeals a requirement that retail and medical marijuana products be prepared with equipment that is used exclusively for those products.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **add** [REDACTED]
 3 (52.5) as follows:

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

6 [REDACTED] [REDACTED]
 7 (52.5) "R-AND-D UNIT" MEANS REGULATED MARIJUANA PROVIDED
 8 TO AN OCCUPATIONAL LICENSEE EMPLOYED BY THE LICENSEE PROVIDING
 9 THE [REDACTED] MARIJUANA.

10 **SECTION 2.** In Colorado Revised Statutes, 44-10-203, **amend**
 11 (1) introductory portion, (1)(c), (1)(j.5), [REDACTED] (2) introductory portion,
 12 (2)(c), (2)(e), (2)(x), (2)(bb) introductory portion, (2)(dd) introductory
 13 portion, (2)(dd)(V), [REDACTED] (2)(gg) introductory portion, and (9)(b); **repeal**

1 (2)(t), (2)(bb)(II), (2)(dd)(VI), and (2)(gg)(II); and **add** (1)(l), (1)(m),
2 (2)(kk), and (10) as follows:

3 **44-10-203. State licensing authority - rules. (1) Permissive**
4 **rule-making.** Rules ~~promulgated~~ ADOPTED pursuant to section 44-10-202
5 (1)(c) may include the following subjects:

6 (c) Records to be kept by licensees and the required availability
7 of the records. THE RECORDS REQUIRED TO BE KEPT MAY INCLUDE THE
8 FOLLOWING:

9 (I) CHILD RESISTANCE CERTIFICATES;

10 (II) TESTING RECORDS;

11 (III) CERTIFICATES OF ANALYSIS OR OTHER RECORDS
12 DEMONSTRATING THE COMPOSITION OF RAW INGREDIENTS USED IN
13 VAPORIZERS OR PRESSURED METERED DOSE INHALERS;

14 (IV) RECALL RECORDS;

15 (V) ADVERSE HEALTH EVENTS;

16 (VI) CORRECTIVE ACTION AND PREVENTIVE ACTION RECORDS;

17 (VII) DOCUMENTATION REQUIRED TO DEMONSTRATE VALID
18 RESPONSIBLE VENDOR DESIGNATION;

19 (VIII) STANDARD OPERATING PROCEDURES;

20 (IX) TRANSFER RECORDS TO ACCOUNT FOR REGULATED
21 MARIJUANA TRANSACTIONS;

22 (X) EXPIRATION DATE TESTING AND USE-BY-DATE TESTING;

23 (XI) PATIENT RECORDS; AND

24 (XII) ADVERTISING RECORDS.

25 (j.5) The implementation of contingency plans pursuant to
26 sections 44-10-502 (10) and 44-10-602 (14), including the definition of
27 outdoor cultivation, adverse weather event, or adverse natural occurrence

1 and the process, procedures, requirements, and restrictions for
2 contingency plans; and

3 (I) DEVELOPMENT OF INDIVIDUAL IDENTIFICATION CARDS FOR:

4 (I) CONTROLLING BENEFICIAL OWNERS;

5 (II) PASSIVE BENEFICIAL OWNERS; OR

6 (III) INDIVIDUALS WHO HANDLE OR TRANSPORT REGULATED

7 MARIJUANA ON BEHALF OF ENTITIES LICENSED PURSUANT TO THIS ARTICLE

8 10.

9 (m) REQUIREMENTS FOR MEDICAL MARIJUANA PRODUCTS

10 MANUFACTURERS OR RETAIL MARIJUANA PRODUCTS MANUFACTURERS TO

11 USE AN APPROVED LICENSED PREMISES AND APPROVED EQUIPMENT TO

12 MANUFACTURE AND PREPARE PRODUCTS NOT INFUSED WITH REGULATED

13 MARIJUANA FOR THE PURPOSE OF QUALITY CONTROL AND RESEARCH AND

14 DEVELOPMENT IN THE FORMULATION OF REGULATED MARIJUANA

15 PRODUCTS.

16 (2) **Mandatory rule-making.** Rules ~~promulgated~~ ADOPTED
17 pursuant to section 44-10-202 (1)(c) must include the following subjects:

18 (c) Qualifications for INITIAL licensure pursuant to this article 10,
19 including ~~but not limited to~~ the requirement for a fingerprint-based
20 criminal history record check for all controlling beneficial owners AND
21 passive beneficial owners ~~managers, contractors, employees, and other~~
22 ~~support staff~~ of entities licensed pursuant to this article 10 AND
23 NAME-BASED JUDICIAL RECORD CHECKS FOR EMPLOYEES OF REGULATED
24 MARIJUANA BUSINESSES;

25 (e) Security requirements for any premises licensed pursuant to
26 this article 10. ~~including~~ THE SECURITY REQUIREMENTS MUST INCLUDE,
27 at a minimum, lighting, physical security, video, and alarm requirements;

1 and other minimum procedures for internal control as deemed necessary
2 by the state licensing authority to properly administer and enforce this
3 article 10; ~~including~~ PROCEDURES FOR REQUIRING WRITTEN REQUESTS
4 AND PROVIDING LICENSEES AT LEAST SEVENTY-TWO HOURS TO RESPOND
5 TO REQUESTS TO OBTAIN COPIES OF SURVEILLANCE RECORDINGS CREATED
6 AND MAINTAINED BY THE LICENSEE; AND biennial reporting requirements
7 for changes, alterations, or modifications to the premises. SURVEILLANCE
8 REQUIREMENTS FOR VIDEO RECORDING AREAS OF THE LICENSED PREMISES
9 MUST INCLUDE == THE FOLLOWING REQUIREMENTS:

10 (I) EACH POINT OF INGRESS AND EGRESS TO THE EXTERIOR OF THE
11 LICENSED PREMISES MUST BE SURVEILLED;

12 (II) POINTS OF SALE WITH COVERAGE OF THE CUSTOMER OR
13 PATIENT AND OCCUPATIONAL LICENSEE COMPLETING THE SALE MUST BE
14 SURVEILLED;

15 (III) AREAS OF THE LICENSED PREMISES WHERE SHIPPING AND
16 RECEIVING OF REGULATED MARIJUANA OCCURS, TEST BATCHES ARE
17 COLLECTED, AND REGULATED MARIJUANA WASTE IS DESTROYED MUST BE
18 SURVEILLED; AND

19 (IV) DELIVERY VEHICLE SURVEILLANCE;

20 (t) ~~Development of individual identification cards for individuals~~
21 ~~working in or having unescorted access to the limited access areas of the~~
22 ~~licensed premises of a medical marijuana business or retail marijuana~~
23 ~~business, including a fingerprint-based criminal history record check as~~
24 ~~may be required by the state licensing authority prior to issuing a card;~~

25 (x) The conditions under which a licensee is authorized to transfer
26 fibrous waste to a person for the purpose of producing only industrial
27 fiber products. The conditions must include contract requirements that

1 stipulate that the fibrous waste will only be used to produce industrial
2 fiber products; ~~record-keeping requirements~~; security measures related to
3 the transport and transfer of fibrous waste; requirements for handling
4 contaminated fibrous waste; and processes associated with handling
5 fibrous waste. The rules must not require licensees to alter fibrous waste
6 from its natural state ~~prior to~~ BEFORE transfer.

7 (bb) THE conditions under which a licensee is authorized to
8 collect marijuana consumer waste and transfer it to a person for the
9 purposes of reuse or recycling in accordance with all requirements
10 established by the department of public health and environment pertaining
11 to waste disposal and recycling. The conditions must include:

12 (II) ~~Record-keeping requirements~~;

13 (dd) Requirements for medical marijuana and medical marijuana
14 products delivery as described in ~~section~~ SECTIONS 44-10-501 (11) and
15 ~~section~~ 44-10-505 (5) and retail marijuana and retail marijuana products
16 delivery as described in ~~section~~ SECTIONS 44-10-601 (13) and ~~section~~
17 44-10-605 (5), including:

18 (V) Delivery vehicle requirements; ~~including requirements for~~
19 ~~surveillance~~;

20 (VI) ~~Record-keeping requirements~~;

21 (gg) For marijuana hospitality businesses that are mobile,
22 regulations including: ~~but not limited to~~:

23 (II) ~~Surveillance cameras inside the vehicles~~;

24 (kk) R-AND-D UNIT LIMITS AND REQUIREMENT, INCLUDING LIMITS
25 ON THE NUMBER OF OCCUPATIONAL LICENSEES THAT MAY RECEIVE
26 R-AND-D UNITS FROM AN EMPLOYER, A REQUIREMENT THAT AN
27 OCCUPATIONAL LICENSEE BE DESIGNATED TO RECEIVE R-AND-D UNITS IN

1 THE SEED-TO-SALE INVENTORY TRACKING SYSTEM, AND LIMITS ON HOW
2 MANY R-AND-D UNITS MAY BE EVALUATED BY AN OCCUPATIONAL
3 LICENSEE.

4 (9) (b) (I) The state licensing authority shall base its issuance of
5 an employee license ~~identification card~~ pursuant to this subsection (9) on
6 the results of an initial investigation that demonstrate the applicant is
7 qualified to hold such license. The employee license application for
8 which an employee license ~~identification card~~ was issued pursuant to this
9 subsection (9) remains subject to denial pending the complete results of
10 the applicant's initial ~~fingerprint-based criminal history~~ NAME-BASED
11 JUDICIAL record check.

12 (II) Results of a ~~fingerprint-based criminal history~~ NAME-BASED
13 JUDICIAL record check that demonstrate that an applicant possessing an
14 employee license ~~identification card~~ pursuant to this subsection (9) is not
15 qualified to hold a license issued under this article 10 are grounds for
16 denial of the employee license application. If the employee license
17 application is denied, the applicant shall return the employee license AND
18 identification card to the state licensing authority within a time period that
19 the state licensing authority establishes by rule.

20 (10) (a) THE STATE LICENSING AUTHORITY SHALL ADOPT RULES TO
21 ENABLE A LICENSEE TO CONDUCT RESEARCH AND DEVELOPMENT USING
22 R-AND-D UNITS WHEN EVALUATING DIFFERENT FLAVORS AND
23 NONMARIJUANA INGREDIENTS. ==

24 ==

25 (b) ADDING FLAVORS OR NONMARIJUANA INGREDIENTS ARE NOT
26 CONSIDERED AN ADDITIONAL BATCH AND DO NOT REQUIRE ADDITIONAL
27 TESTING IF THE LICENSEE POSSESSES ANALYSIS OR DOCUMENTATION

1 EVIDENCING THE SAFETY PROFILE OF THE FLAVORS OR NONMARIJUANA
2 INGREDIENTS.

3 (c) A LICENSEE SHALL NOT TRANSFER R-AND-D UNITS TO A
4 REGULATED MARIJUANA STORE.

5
6 **SECTION 3.** In Colorado Revised Statutes, 44-10-307, **amend**
7 (1)(j) and (4)(c); and repeal (1)(h) as follows:

8 **44-10-307. Persons prohibited as licensees - definition.** (1) A
9 license provided by this article 10 shall not be issued to or held by:

10 (h) ~~A person who employs another person at a medical marijuana~~
11 ~~business or retail marijuana business who has not submitted fingerprints~~
12 ~~for a criminal history record check or whose criminal history record check~~
13 ~~reveals that the person is ineligible;~~

14 (j) A person applying for a license for a location that is currently
15 licensed as a retail food establishment, EXCEPT FOR AN APPLICATION FOR
16 A MARIJUANA HOSPITALITY BUSINESS LICENSE ISSUED PURSUANT TO
17 SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES
18 BUSINESS LICENSE ISSUED PURSUANT TO SECTION 44-10-610.

19 (4) (c) (I) ~~At the time of~~ WHEN filing an application for INITIAL
20 issuance ~~or renewal~~ of a state medical marijuana business license or retail
21 marijuana business license, an applicant shall submit a set of ~~his or her~~
22 THEIR fingerprints and file personal history information concerning the
23 applicant's qualifications for a state license on forms prepared by the state
24 licensing authority. The state or local licensing authority or local
25 jurisdiction shall submit the fingerprints to the Colorado bureau of
26 investigation for the purpose of conducting fingerprint-based criminal
27 history record checks. The Colorado bureau of investigation shall forward

1 the fingerprints to the federal bureau of investigation for the purpose of
2 conducting fingerprint-based criminal history record checks. When the
3 results of a fingerprint-based criminal history record check reveal a record
4 of arrest without a disposition, the state or local licensing authority or
5 local jurisdiction shall require an applicant or a license holder to submit
6 to a name-based judicial record check, as defined in section 22-2-119.3
7 (6)(d). The state or local licensing authority or local jurisdiction shall use
8 the information resulting from the fingerprint-based criminal history
9 record check to investigate and determine whether an applicant is
10 qualified to hold a state or local license pursuant to this article 10. The
11 state or local licensing authority or local jurisdiction may verify any of the
12 information an applicant is required to submit.

13 (II) WHEN RENEWING A STATE MEDICAL MARIJUANA BUSINESS
14 LICENSE OR RETAIL MARIJUANA BUSINESS LICENSE, THE LICENSEE SHALL
15 SUBMIT THEIR NAME FOR A NAME-BASED JUDICIAL RECORD CHECK. THE
16 STATE OR LOCAL LICENSING AUTHORITY OR LOCAL JURISDICTION SHALL
17 USE THE INFORMATION RESULTING FROM THE NAME-BASED JUDICIAL
18 RECORD CHECK TO DETERMINE WHETHER A LICENSEE CONTINUES TO BE
19 QUALIFIED TO HOLD A STATE OR LOCAL LICENSE PURSUANT TO THIS
20 ARTICLE 10. THE STATE OR LOCAL LICENSING AUTHORITY OR LOCAL
21 JURISDICTION MAY VERIFY ANY OF THE INFORMATION A LICENSEE IS
22 REQUIRED TO SUBMIT TO RENEW THE LICENSE.

23 **SECTION 4. In Colorado Revised Statutes, 44-10-308, repeal**
24 **(3)(a) as follows:**

25 **44-10-308. Business and owner requirements - legislative**
26 **declaration - definition - rules. (3) (a) All natural persons with**
27 **day-to-day operational control over the business must be Colorado**

1 residents.

2 **SECTION 5.** In Colorado Revised Statutes, 44-10-313, **amend**
3 (3), (4), (12), and (13)(c)(I)(B) as follows:

4 **44-10-313. Licensing in general - rules - repeal.** (3) A medical
5 marijuana business OR RETAIL MARIJUANA BUSINESS that is not a publicly
6 traded corporation shall notify the state licensing authority in writing
7 within ten days after a controlling beneficial owner, passive beneficial
8 owner, or manager ceases to work at, manage, own, or otherwise be
9 associated with the operation. The controlling beneficial owner, passive
10 beneficial owner, or manager shall surrender to the state licensing
11 authority any identification card that may have been issued by the state
12 licensing authority on or before the date of the notification.

13 (4) A medical marijuana business or retail marijuana business that
14 is not a publicly traded corporation shall notify the state licensing
15 authority in writing of the name, address, and date of birth of a
16 controlling beneficial owner, passive beneficial owner, or manager before
17 the new controlling beneficial owner, passive beneficial owner, or
18 manager begins managing or associating with the operation. ~~Any~~ A
19 controlling beneficial owner OR passive beneficial owner ~~manager, or~~
20 ~~employee~~ must pass a fingerprint-based criminal history record check as
21 required by the state licensing authority and obtain the required
22 identification ~~prior to~~ BEFORE being associated with ~~managing~~, OR
23 owning ~~or working at~~ the operation.

24 (12) Each licensee shall manage the licensed premises ~~himself or~~
25 ~~herself~~ PERSONALLY or employ a separate and distinct manager on the
26 premises and shall report the name of the manager to the state and local
27 licensing authorities. ~~The licensee shall report any change in manager to~~

the state and local licensing authorities prior to the change pursuant to subsection (4) of this section.

(13) (c) (I) A medical marijuana cultivation facility or retail marijuana cultivation facility that has obtained an approved change of location from the state licensing authority may operate one license at two geographical locations for the purpose of transitioning operations from one location to another if:

(B) The licensed premises of both geographical locations comply with ~~all surveillance~~, THE security and inventory tracking requirements imposed by this article 10 and any rules ~~promulgated~~ ADOPTED by the state licensing authority;

SECTION 6. In Colorado Revised Statutes, 44-10-314, **amend** (1) and (2) as follows:

44-10-314. License renewal - unified renewal applications - rules. (1) Ninety days ~~prior to~~ BEFORE the expiration date of an existing medical marijuana business or retail marijuana business license, the state licensing authority shall notify the licensee of the expiration date by ~~first-class mail at the licensee's address of record with the state licensing authority~~ DIGITAL COMMUNICATION. A licensee must apply for the renewal of an existing license to the local licensing authority within the time frame required by local ordinance or regulation and to the state licensing authority ~~prior to~~ BEFORE the expiration of the license. The licensee shall provide the state licensing authority with information establishing that the application complies with all local requirements for the renewal of a license. If a licensee submits a timely and sufficient renewal application, the licensee may continue to operate until the application is finally acted upon by the state licensing authority. The local

1 licensing authority may hold a hearing on the application for renewal of
2 a medical marijuana business license only if the licensee has had
3 complaints filed against it, THE LICENSEE has a history of violations, or
4 there are allegations against the licensee that would constitute good cause.
5 The local licensing authority shall not hold a renewal hearing provided
6 for by this subsection (1) for a medical marijuana store until it has posted
7 a notice of hearing on the licensed medical marijuana store premises in
8 the manner described in section 44-10-303 (2) for a period of ten days
9 and provided notice to the applicant at least ten days ~~prior to~~ BEFORE the
10 hearing. The local licensing authority may refuse to renew any license for
11 good cause, subject to judicial review.

12 (2) The state licensing authority may require an additional
13 fingerprint request APPLICANT FOR A CONTROLLING BENEFICIAL OWNER
14 LICENSE TO SUBMIT AN ADDITIONAL FINGERPRINT-BASED CRIMINAL
15 HISTORY RECORD CHECK when there is a demonstrated investigative need.

16 SECTION 7. In Colorado Revised Statutes, 44-10-401, amend
17 (3)(a), (3)(b), and (3)(d) as follows:

18 44-10-401. Classes of licenses. (3) (a) Prior to accepting a court
19 appointment as a receiver, personal representative, executor,
20 administrator, guardian, conservator, trustee, or any other similarly
21 situated person to take possession of, operate, manage, or control a
22 licensed medical marijuana business OR RETAIL MARIJUANA BUSINESS, the
23 proposed appointee shall certify to the court that the proposed appointee
24 is not prohibited from being issued, PURSUANT TO SECTION 44-10-307(1),
25 a medical marijuana license OR RETAIL MARIJUANA LICENSE. pursuant to
26 section 44-10-307 (1). Within the time frame established by rules
27 promulgated ADOPTED by the state licensing authority pursuant to section

1 44-10-203 (2)(q), an appointee shall notify the state and local licensing
2 authorities of the appointment and shall apply to the state licensing
3 authority for a finding of suitability.

4 (b) Upon notification of an appointment required by subsection
5 (3)(a) of this section, the state licensing authority shall issue a temporary
6 appointee registration to the appointee effective as of the date of the
7 appointment. Pursuant to sections 24-4-104, 44-10-202 (1)(b), and
8 44-10-901, the appointee's temporary appointee registration may be
9 suspended, revoked, or subject to other sanction if the state licensing
10 authority finds the appointee to be unsuitable or if the appointee fails to
11 comply with this article 10, the rules ~~promulgated pursuant thereto~~
12 ADOPTED UNDER THIS ARTICLE 10, or any order of the state licensing
13 authority. If an appointee's temporary appointee registration is suspended
14 or revoked, the appointee shall immediately cease performing all
15 activities for which a license is required by this article 10. For purposes
16 of section 44-10-901 (1), the appointee is deemed an agent of the licensed
17 medical marijuana business OR RETAIL MARIJUANA BUSINESS.

18 (d) Unless otherwise permitted by this article 10 and rules
19 ~~promulgated pursuant to~~ ADOPTED UNDER this article 10, a person shall
20 not take possession of, operate, manage, or control a medical marijuana
21 business OR RETAIL MARIJUANA BUSINESS on behalf of another except by
22 court appointment and in accordance with this subsection (3) and rules
23 ~~promulgated pursuant thereto~~ ADOPTED UNDER THIS SUBSECTION (3).

24 **SECTION 8.** In Colorado Revised Statutes, 44-10-501, **amend**
25 **(3)(e)** as follows:

26 **44-10-501. Medical marijuana store license. (3) (e) (I) A**
27 **medical marijuana store that sells a hemp product shall ensure that the**

1 hemp product has passed all testing required by rules promulgated
2 ADOPTED by the state licensing authority pursuant to section 44-10-203
3 (2)(d). Prior to taking possession of the hemp product, a medical
4 marijuana store shall verify the hemp product passed all testing required
5 for medical marijuana products at a licensed medical marijuana testing
6 facility and that the person transferring the hemp product has received a
7 registration from the department of public health and environment
8 pursuant to section 25-5-426 25-5-427.

9 (II) Absent sampling and testing standards established by the
10 department of public health and environment for the sampling and testing
11 of a hemp product, a person transferring a hemp product to a medical
12 marijuana store pursuant to this section shall comply with sampling and
13 testing standards consistent with those established by the state licensing
14 authority pursuant to this article 10. The state licensing authority shall
15 report to the department of public health and environment any
16 investigations or findings of violations of this section by a person
17 registered pursuant to section 25-5-426 25-5-427.

18 
19 **SECTION 9.** In Colorado Revised Statutes, 44-10-502, **amend**
20 (5) and (6)(e) as follows:

21 **44-10-502. Medical marijuana cultivation facility license - **
22 **centralized distribution permit - obtaining genetic material - transfer**
23 **and change of designation of retail marijuana to medical marijuana**
24 **- contingency plan - rules - definitions. (5) (a) A medical marijuana**
25 **cultivation facility licensee may provide a medical marijuana sample and**
26 **a medical marijuana concentrate sample to no more than five managers**
27 **employed by the licensee for purposes of quality control and product**

1 ~~development. A medical marijuana cultivation facility licensee may~~
2 ~~designate no more than five managers per calendar month as recipients~~
3 ~~of quality control and product development samples authorized pursuant~~
4 ~~to this subsection (5)(a) AN R-AND-D UNIT TO AN OCCUPATIONAL~~
5 ~~LICENSEE.~~

6 (b) ~~Managers who receive a sample pursuant to subsection (5)(a)~~
7 ~~of this section must have a valid registry identification card issued~~
8 ~~pursuant to section 25-1.5-106 (9).~~

9 (c) ~~A sample authorized pursuant to subsection (5)(a) of this~~
10 ~~section is limited to one gram of medical marijuana per batch as defined~~
11 ~~in rules promulgated by the state licensing authority and one-quarter gram~~
12 ~~of a medical marijuana concentrate per batch as defined in rules~~
13 ~~promulgated by the state licensing authority; except that the limit is~~
14 ~~one-half gram of medical marijuana concentrate if the intended use of the~~
15 ~~final medical marijuana product is to be used in a device that can deliver~~
16 ~~medical marijuana concentrate in a vaporized form to the person inhaling~~
17 ~~from the device.~~

18 (d) ~~A sample authorized pursuant to subsection (5)(a) of this~~
19 ~~section TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:~~
20 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~
21 ~~section 44-10-203 (2)(f) and (3)(b).~~

22 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE
23 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY
24 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY
25 REQUIRED WARNING STATEMENTS;

26 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
27 SOLD OR RESOLD;

1 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
2 SECTION 44-10-203 (2)(d);

3 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

4 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
5 SYSTEM; AND

6 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
7 CONTROL PURPOSES.

8 (e) ~~A sample provided pursuant to subsection (5)(a) of this section~~
9 ~~must be tracked with the seed-to-sale tracking system. Prior to a manager~~
10 ~~receiving a sample, a manager must be designated in the seed-to-sale~~
11 ~~tracking system as a recipient of quality control and product development~~
12 ~~samples. A manager receiving a sample must make a voluntary decision~~
13 ~~to be tracked in the seed-to-sale tracking system and is not a consumer~~
14 ~~pursuant to section 16(5)(c) of article XVIII of the state constitution. The~~
15 ~~medical marijuana cultivation facility licensee shall maintain~~
16 ~~documentation of all samples and shall make the documentation available~~
17 ~~to the state licensing authority.~~

18 (f) ~~Prior to a manager receiving a sample pursuant to subsection~~
19 ~~(5)(a) of this section, a medical marijuana cultivation facility licensee~~
20 ~~shall provide a standard operating procedure to the manager explaining~~
21 ~~requirements pursuant to this section and personal possession limits~~
22 ~~pursuant to section 18-18-406.~~

23 (g) ~~A manager shall not:~~

24 (I) ~~Receive more than one ounce total of medical marijuana~~
25 ~~samples or fifteen grams of medical marijuana concentrate samples per~~
26 ~~calendar month, regardless of the number of licenses that the manager is~~
27 ~~associated with; or~~

1 ~~(H) Provide or resell the sample to another licensed employee, a~~
2 ~~customer, or any other individual.~~

3 (h) A medical marijuana cultivation facility licensee shall not:

4 (I) Allow ~~a manager to consume the sample~~ AN R-AND-D UNIT TO
5 BE CONSUMED on the licensed premises; ~~or~~

6 (II) Use ~~the sample~~ AN R-AND-D UNIT as a means of
7 compensation; ~~to a manager.~~

8 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT EXCEEDS SALES
9 LIMITATIONS SET FORTH IN SECTION 44-10-501;

10 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D
11 UNIT;

12 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; ==

13 (VI) GIVE AN R-AND-D UNIT TO A PERSON THE DOES NOT HOLD A
14 VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
15 25-1.5-106 (9); OR

16 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
17 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH.

18 ~~(i) The state licensing authority may establish additional inventory~~
19 ~~tracking and record keeping, including additional reporting required for~~
20 ~~implementation. The medical marijuana cultivation facility licensee shall~~
21 ~~maintain the information required by this subsection (5)(i) on the licensed~~
22 ~~premises for inspection by the state and local licensing authorities.~~

23 ~~(j) For purposes of this subsection (5) only, "manager" means an~~
24 ~~employee of the medical marijuana business who holds a valid key~~
25 ~~license or associated key license. and is currently designated pursuant to~~
26 ~~state licensing authority rules as the manager of the medical marijuana~~
27 ~~business.~~

1 (6) (e) All security ~~and surveillance~~ requirements that apply to a
2 medical marijuana cultivation facility apply to activities conducted
3 pursuant to the privileges of a centralized distribution permit.

4 **SECTION 10.** In Colorado Revised Statutes, 44-10-503, **amend**
5 (2), (5)(b), and (10) as follows:

6 **44-10-503. Medical marijuana products manufacturer license**
7 **- hemp products - R-and-D units - transfer and change of designation**
8 **of retail marijuana to medical marijuana - rules - definition.**

9 (2) Medical marijuana products must be prepared on a licensed premises
10 that is used exclusively for the manufacture and preparation of medical
11 marijuana products and using equipment that is used exclusively for the
12 manufacture and preparation of medical marijuana products **UNLESS**
13 **PERMITTED BY RULE ADOPTED BY THE STATE LICENSING AUTHORITY**
14 **UNDER SECTION 44-10-203 (1)(m);** except that, subject to rules of the state
15 licensing authority, a medical marijuana products manufacturer licensee
16 may share the same premises as a commonly owned marijuana research
17 and development licensee so long as virtual or physical separation of
18 inventory and research activity is maintained.

19 (5) (b) (I) A medical marijuana products manufacturer that uses
20 a hemp product as an ingredient in a medical marijuana product shall
21 ensure that the hemp product has passed all testing required by rules
22 promulgated ADOPTED by the state licensing authority pursuant to section
23 44-10-203 (2)(d). Prior to taking possession of the hemp product, a
24 medical marijuana products manufacturer shall verify the hemp product
25 passed all testing required for medical marijuana products at a licensed
26 medical marijuana testing facility and that the person transferring the
27 hemp product has received a registration from the department of public

1 health and environment pursuant to section 25-5-426 25-5-427.

2 (II) Absent sampling and testing standards established by the
3 department of public health and environment for the sampling and testing
4 of a hemp product, a person transferring a hemp product to a medical
5 marijuana products manufacturer pursuant to this section shall comply
6 with sampling and testing standards consistent with those established by
7 the state licensing authority pursuant to this article 10. The state licensing
8 authority shall report to the department of public health and environment
9 any investigations or findings of violations of this section by a person
10 registered pursuant to section 25-5-426 25-5-427.

11 (10)(a) A medical marijuana products manufacturer licensee may
12 provide a medical marijuana concentrate and a medical marijuana product
13 sample to no more than five managers employed by the licensee for
14 purposes of quality control and product development. A medical
15 marijuana products manufacturer licensee may designate no more than
16 five managers per calendar month as recipients of quality control and
17 product development samples authorized pursuant to this subsection
18 ~~(10)(a) AN R-AND-D UNIT TO AN OCCUPATIONAL LICENSEE.~~

19 (b) ~~Managers who receive a sample pursuant to subsection (10)(a)~~
20 ~~of this section must have a valid registry identification card issued~~
21 ~~pursuant to section 25-1.5-106 (9).~~

22 (c) ~~A sample authorized pursuant to subsection (10)(a) of this~~
23 ~~section is limited to one serving size of edible medical marijuana product~~
24 ~~and its applicable equivalent serving size of nonedible medical marijuana~~
25 ~~product per batch as defined in rules promulgated by the state licensing~~
26 ~~authority and one-quarter gram of medical marijuana concentrate per~~
27 ~~batch as defined in rules promulgated by the state licensing authority;~~

1 ~~except that the limit is one-half gram of medical marijuana concentrate~~
2 ~~if the intended use of the final product is to be used in a device that can~~
3 ~~be used to deliver medical marijuana concentrate in a vaporized form to~~
4 ~~the person inhaling from the device.~~

5 ~~(d) A sample authorized pursuant to subsection (10)(a) of this~~
6 ~~section~~ TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:
7 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~
8 ~~section 44-10-203 (2)(f) and (3)(b).~~

9 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE
10 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY
11 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY
12 REQUIRED WARNING STATEMENTS;

13 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
14 SOLD OR RESOLD;

15 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
16 SECTION 44-10-203 (2)(d);

17 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

18 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
19 SYSTEM; AND

20 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
21 CONTROL.

22 ~~(e) A sample provided pursuant to subsection (10)(a) of this~~
23 ~~section must be tracked with the seed-to-sale tracking system. Prior to a~~
24 ~~manager receiving a sample, a manager must be designated in the~~
25 ~~seed-to-sale tracking system as a recipient of quality control and product~~
26 ~~development samples. A manager receiving a sample must make a~~
27 ~~voluntary decision to be tracked in the seed-to-sale tracking system and~~

1 is not a consumer pursuant to section 16 (5)(c) of article XVIII of the
2 state constitution. The medical marijuana products manufacturer licensee
3 shall maintain documentation of all samples and shall make the
4 documentation available to the state licensing authority.

5 (f) Prior to a manager receiving a sample pursuant to subsection
6 (10)(a) of this section, a medical marijuana products manufacturer
7 licensee shall provide a standard operating procedure to the manager
8 explaining requirements pursuant to this section and personal possession
9 limits pursuant to section 18-18-406.

10 (g) A manager shall not:

11 (I) Receive more than a total of fifteen grams of medical
12 marijuana concentrate or fourteen individual serving-size edibles or its
13 applicable equivalent in nonedible medical marijuana products per
14 calendar month, regardless of the number of licenses that the manager is
15 associated with; or

16 (II) Provide to or resell the sample to another licensed employee,
17 a customer, or any other individual.

18 (h) A medical marijuana products manufacturer licensee shall not:

19 (I) Allow a manager to consume the sample AN R-AND-D UNIT TO
20 BE CONSUMED on the licensed premises; or

21 (II) Use the sample AN R-AND-D UNIT as a means of
22 compensation; to a manager.

23 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT EXCEEDS SALES
24 LIMITATIONS SET FORTH IN SECTION 44-10-601;

25 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D
26 UNIT;

27 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; ==

1 (VI) GIVE AN R-AND-D UNIT TO A PERSON THAT DOES NOT HOLD
2 A VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
3 25-1.5-106 (9); OR

4 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
5 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH.

6 (i) ~~The state licensing authority may establish additional inventory~~
7 ~~tracking and record keeping, including additional reporting required for~~
8 ~~implementation. The medical marijuana products manufacturer licensee~~
9 ~~shall maintain the information required by this subsection (10)(i) on the~~
10 ~~licensed premises for inspection by the state and local licensing~~
11 ~~authorities.~~

12 (j) ~~For purposes of this subsection (10) only, "manager" means an~~
13 ~~employee of the medical marijuana products manufacturer who holds a~~
14 ~~valid key license or associated key license and is currently designated~~
15 ~~pursuant to state licensing authority rules as the manager of the medical~~
16 ~~marijuana products manufacturer.~~

17 

18 **SECTION 11. In Colorado Revised Statutes, 44-10-601, amend**
19 **(3)(c) as follows:**

20 **44-10-601. Retail marijuana store license - rules - definitions.**

21 (3) (c) (I) A retail marijuana store that sells a hemp product shall ensure
22 that the hemp product has passed all testing required by rules promulgated
23 ADOPTED by the state licensing authority pursuant to section 44-10-203
24 (2)(d). Prior to taking possession of the hemp product, a retail marijuana
25 store shall verify the hemp product passed all testing required for retail
26 marijuana products at a licensed retail marijuana testing facility and that
27 the person transferring the hemp product has received a registration from

1 the department of public health and environment pursuant to section
2 25-5-426 25-5-427.

3 (II) Absent sampling and testing standards established by the
4 department of public health and environment for the sampling and testing
5 of a hemp product, a person transferring a hemp product to a retail
6 marijuana store pursuant to this section shall comply with sampling and
7 testing standards consistent with those established by the state licensing
8 authority pursuant to this article 10. The state licensing authority shall
9 report to the department of public health and environment any
10 investigations or findings of violations of this section by a person
11 registered pursuant to section 25-5-426 25-5-427.

12 **SECTION 12.** In Colorado Revised Statutes, 44-10-602, **amend**
13 **(6)(a), (6)(d), (6)(h), and (7)(e); repeal (6)(c), (6)(e), (6)(f), (6)(g), (6)(i),**
14 **and (6)(j) as follows:**

15 **44-10-602. Retail marijuana cultivation facility license -**
16 **R-and-D units - centralized distribution permit - genetic material -**
17 **transfer and change of designation of retail marijuana to medical**
18 **marijuana - contingency plan - rules - definitions. (6) (a) A retail**
19 **marijuana cultivation facility licensee may provide a retail marijuana**
20 **sample and a retail marijuana concentrate sample to no more than five**
21 **managers employed by the licensee for purposes of quality control and**
22 **product development. A retail marijuana cultivation facility licensee may**
23 **designate no more than five managers per calendar month as recipients**
24 **of quality control and product development samples authorized pursuant**
25 **to this subsection (6)(a) AN R-AND-D UNIT TO AN OCCUPATIONAL**
26 **LICENSEE.**

27 **(c) A sample authorized pursuant to subsection (6)(a) of this**

1 ~~section is limited to one gram of retail marijuana per batch as defined in~~
2 ~~rules promulgated by the state licensing authority, and one-quarter gram~~
3 ~~of a retail marijuana concentrate per batch as defined in rules~~
4 ~~promulgated by the state licensing authority; except that the limit is~~
5 ~~one-half gram of retail marijuana concentrate if the intended use of the~~
6 ~~final product is to be used in a device that can be used to deliver retail~~
7 ~~marijuana concentrate in a vaporized form to the person inhaling from the~~
8 ~~device.~~

9 (d) ~~A sample authorized pursuant to subsection (6)(a) of this~~
10 ~~section~~ TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:
11 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~
12 ~~section 44-10-203 (2)(f) and (3)(b).~~

13 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE
14 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY
15 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY
16 REQUIRED WARNING STATEMENTS;

17 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
18 SOLD OR RESOLD;

19 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
20 SECTION 44-10-203 (2)(d);

21 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

22 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
23 SYSTEM; AND

24 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
25 CONTROL.

26 (e) ~~A sample provided pursuant to subsection (6)(a) of this section~~
27 ~~must be tracked with the seed-to-sale tracking system. Prior to a manager~~

1 ~~receiving a sample, a manager must be designated in the seed-to-sale~~
2 ~~tracking system as a recipient of quality control and product development~~
3 ~~samples. A manager receiving a sample must make a voluntary decision~~
4 ~~to be tracked in the seed-to-sale tracking system and is not a consumer~~
5 ~~pursuant to section 16(5)(c) of article XVIII of the state constitution. The~~
6 ~~retail marijuana cultivation facility licensee shall maintain documentation~~
7 ~~of all samples and shall make the documentation available to the state~~
8 ~~licensing authority.~~

9 (f) ~~Prior to a manager receiving a sample pursuant to subsection~~
10 ~~(6)(a) of this section, a retail marijuana cultivation facility licensee shall~~
11 ~~provide a standard operating procedure to the manager explaining~~
12 ~~requirements pursuant to this section and personal possession limits~~
13 ~~pursuant to section 18-18-406.~~

14 (g) ~~A manager shall not:~~

15 (I) ~~Receive more than one ounce total of retail marijuana or eight~~
16 ~~grams of retail marijuana concentrate samples per calendar month,~~
17 ~~regardless of the number of licenses that the manager is associated with;~~
18 ~~or~~

19 (II) ~~Provide to or resell the sample to another licensed employee,~~
20 ~~a customer, or any other individual.~~

21 (h) A retail marijuana cultivation facility licensee shall not:

22 (I) ~~Allow a manager to consume the sample~~ AN R-AND-D UNIT TO
23 BE CONSUMED on the licensed premises; ~~or~~

24 (II) ~~Use the sample~~ AN R-AND-D UNIT as a means of
25 compensation; ~~to a manager.~~

26 (III) ~~PROVIDE R-AND-D UNITS IN A MANNER THAT WOULD VIOLATE~~
27 ~~SECTION 18-18-406;~~

1 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D
2 UNIT; ==

3 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; OR

4 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
5 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH.

6 (i) ~~The state licensing authority may establish additional inventory~~
7 ~~tracking and record keeping, including additional reporting required for~~
8 ~~implementation. The retail marijuana cultivation facility licensee shall~~
9 ~~maintain the information required by this subsection (6)(i) on the licensed~~
10 ~~premises for inspection by the state and local licensing authorities.~~

11 (j) ~~For purposes of this subsection (6) only, "manager" means an~~
12 ~~employee of the retail marijuana cultivation facility who holds a valid key~~
13 ~~license or associated key license and is currently designated pursuant to~~
14 ~~state licensing authority rules as the manager of the retail marijuana~~
15 ~~cultivation facility.~~

16 (7) (e) All security ~~and surveillance~~ requirements that apply to a
17 retail marijuana cultivation facility apply to activities conducted pursuant
18 to the privileges of a centralized distribution permit.

19 **SECTION 13.** In Colorado Revised Statutes, 44-10-603, **amend**
20 (2) introductory portion, (10), and (11) as follows:

21 **44-10-603. Retail marijuana products manufacturer license -**
22 **rules - definition.** (2) Retail marijuana products must be prepared on a
23 licensed premises that is used exclusively for the manufacture and
24 preparation of retail marijuana or retail marijuana products and using
25 equipment that is used exclusively for the manufacture and preparation
26 of retail marijuana products UNLESS PERMITTED BY RULE ADOPTED BY THE
27 STATE LICENSING AUTHORITY UNDER SECTION 44-10-203 (1)(m); except

1 that, if permitted by the local jurisdiction and subject to rules of the state
2 licensing authority, a retail marijuana products manufacturer licensee may
3 share the same premises as:

4 (10) (a) A retail marijuana products manufacturer licensee may
5 provide a retail marijuana product sample and a retail marijuana
6 concentrate sample to no more than five managers employed by the
7 licensee for purposes of quality control and product development. A retail
8 marijuana products manufacturer licensee may designate no more than
9 five managers per calendar month as recipients of quality control and
10 product development samples authorized pursuant to this subsection
11 ~~(10)(a)~~ AN R-AND-D UNIT TO AN OCCUPATIONAL LICENSEE.

12 (b) ~~A sample authorized pursuant to subsection (10)(a) of this~~
13 ~~section is limited to one serving size of an edible retail marijuana product~~
14 ~~not exceeding ten milligrams of THC and its applicable equivalent~~
15 ~~serving size of nonedible retail marijuana product per batch as defined in~~
16 ~~rules promulgated by the state licensing authority and one-quarter gram~~
17 ~~of retail marijuana concentrate per batch as defined in rules promulgated~~
18 ~~by the state licensing authority; except that the limit is one-half gram of~~
19 ~~retail marijuana concentrate if the intended use of the final product is to~~
20 ~~be used in a device that can be used to deliver retail marijuana~~
21 ~~concentrate in a vaporized form to the person inhaling from the device.~~

22 (c) ~~A sample authorized pursuant to subsection (10)(a) of this~~
23 ~~section~~ TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:
24 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~
25 ~~section 44-10-203 (2)(f) and (3)(b).~~

26 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE
27 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY

1 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY
2 REQUIRED WARNING STATEMENTS;

3 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
4 SOLD OR RESOLD;

5 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
6 SECTION 44-10-203 (2)(d);

7 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

8 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
9 SYSTEM; AND

10 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
11 CONTROL.

12 (d) ~~A sample provided pursuant to subsection (10)(a) of this~~
13 ~~section must be tracked with the seed-to-sale tracking system. Prior to a~~
14 ~~manager receiving a sample, a manager must be designated in the~~
15 ~~seed-to-sale tracking system as a recipient of quality control and product~~
16 ~~development samples. A manager receiving a sample must make a~~
17 ~~voluntary decision to be tracked in the seed-to-sale tracking system and~~
18 ~~is not a consumer pursuant to section 16 (5)(c) of article XVIII of the~~
19 ~~state constitution. The retail marijuana products manufacturer licensee~~
20 ~~shall maintain documentation of all samples and shall make the~~
21 ~~documentation available to the state licensing authority.~~

22 (e) ~~Prior to a manager receiving a sample pursuant to subsection~~
23 ~~(10)(a) of this section, a retail marijuana products manufacturer licensee~~
24 ~~shall provide a standard operating procedure to the manager explaining~~
25 ~~requirements pursuant to this section and personal possession limits~~
26 ~~pursuant to section 18-18-406.~~

27 (f) ~~A manager shall not:~~

1 ~~(I) Receive more than a total of eight grams of retail marijuana~~
2 ~~concentrate or fourteen individual serving-size edibles or its applicable~~
3 ~~equivalent in nonedible retail marijuana products per calendar month,~~
4 ~~regardless of the number of licenses that the manager is associated with;~~
5 ~~or~~

6 ~~(II) Provide to or resell the sample to another licensed employee,~~
7 ~~a customer, or any other individual.~~

8 (g) A retail marijuana products ~~manufacturing~~ MANUFACTURER
9 licensee shall not:

10 (I) Allow ~~a manager to consume the sample~~ AN R-AND-D UNIT TO
11 BE CONSUMED on the licensed premises; ~~or~~

12 (II) Use ~~the sample~~ AN R-AND-D UNIT as a means of
13 compensation; ~~to a manager.~~

14 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT WOULD VIOLATE
15 SECTION 18-18-406;

16 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D
17 UNIT; ==

18 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; OR

19 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
20 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH.

21 ~~(h) The state licensing authority may establish additional~~
22 ~~inventory tracking and record keeping, including additional reporting~~
23 ~~required for implementation. The retail marijuana products manufacturer~~
24 ~~licensee shall maintain the information required by this subsection (10)(h)~~
25 ~~on the licensed premises for inspection by the state and local licensing~~
26 ~~authorities.~~

27 (i) For purposes of this subsection (10) only, "manager" means an

1 employee of the retail marijuana products manufacturer who holds a valid
2 key license or associated key license and is currently designated pursuant
3 to state licensing authority rules as the manager of the retail marijuana
4 products manufacturer.

5 (11) (a) A retail marijuana products manufacturer that uses a
6 hemp product as an ingredient in a retail marijuana product shall ensure
7 that the hemp product has passed all testing required by rules promulgated
8 ADOPTED by the state licensing authority pursuant to section 44-10-203
9 (2)(d). Prior to taking possession of the hemp product, a retail marijuana
10 products manufacturer shall verify that the hemp product passed all
11 testing required for retail marijuana products at a licensed retail marijuana
12 testing facility and that the person transferring the hemp product has
13 received a registration from the department of public health and
14 environment pursuant to section 25-5-426 25-5-427.

15 (b) Absent sampling and testing standards established by the
16 department of public health and environment for the sampling and testing
17 of a hemp product, a person transferring a hemp product to a retail
18 marijuana products manufacturer pursuant to this section shall comply
19 with sampling and testing standards consistent with those established by
20 the state licensing authority pursuant to this article 10. The state licensing
21 authority shall report to the department of public health and environment
22 any investigations or findings in violation of this section by a person
23 registered pursuant to section 25-5-426 25-5-427.

24 **SECTION 14. In Colorado Revised Statutes, 44-10-604, amend**

25 **(1)(a) as follows:**

26 **44-10-604. Retail marijuana testing facility license - rules.**

27 **(1) (a) A retail marijuana testing facility license may be issued to a**

1 person who performs testing and research on retail marijuana and
2 industrial hemp as regulated by article 61 of title 35 and hemp products
3 as regulated by part 4 of article 5 of title 25. The facility may develop and
4 test retail marijuana products, industrial hemp as regulated by article 61
5 of title 35, and hemp products as regulated by part 4 of article 5 of title
6 25. Prior to performing testing on industrial hemp, a facility shall verify
7 that the person requesting the testing has received a registration from the
8 commissioner as required by section 35-61-104. Prior to performing
9 testing on hemp products, a facility shall verify that the person requesting
10 the testing has received a registration as required by section 25-5-426
11 25-5-427.

12 **SECTION 15.** In Colorado Revised Statutes, 44-10-701, **amend**
13 (2)(d); and **repeal** (2)(b) and (2)(e) as follows:

14 **44-10-701. Unlawful acts - exceptions.** (2) It is unlawful for a
15 person to:

16 (b) ~~Have a controlling beneficial ownership, passive beneficial~~
17 ~~ownership, or indirect financial interest in a license pursuant to this article~~
18 ~~10 that was not disclosed in accordance with section 44-10-309; except~~
19 ~~that this subsection (2)(b) does not apply to banks or savings and loan~~
20 ~~associations supervised and regulated by an agency of the state or federal~~
21 ~~government, or to FHA-approved mortgagees, or to stockholders,~~
22 ~~directors, or officers thereof;~~

23 (d) Exercise any privilege associated with holding a controlling
24 beneficial ownership, passive beneficial ownership, or indirect financial
25 interest in a license that was not disclosed in accordance with section
26 44-10-309. ~~or~~

27 (e) ~~Engage in transfer of ownership without prior approval as~~

1 required by this article 10, including but not limited to:

2 (I) ~~A proposed transferee operating a medical marijuana business~~
3 ~~or retail marijuana business before a transfer of ownership request for that~~
4 ~~business is approved in writing by the state licensing authority; or~~

5 (II) ~~A current controlling beneficial owner, passive beneficial~~
6 ~~owner, or proposed transferor failing to retain full responsibility for a~~
7 ~~medical marijuana business or retail marijuana business identified in the~~
8 ~~transfer of ownership application until the transfer request is approved in~~
9 ~~writing by the state licensing authority.~~

10 **SECTION 16.** In Colorado Revised Statutes, 44-10-801, **amend**
11 (3)(a) introductory portion, (3)(a)(IV), and (3)(a)(V); and **add** (3)(a)(VI)
12 as follows:

13 **44-10-801. Marijuana cash fund - transfer.** (3) (a) The state
14 licensing authority shall establish fees for processing the following types
15 of applications, licenses, notices, REQUESTS, or reports required to be
16 submitted to the state licensing authority:

17 (IV) License renewal and expired license renewal applications
18 pursuant to section 44-10-314; and

19 (V) Licenses as listed in section 44-10-401; AND

20 (VI) REQUESTS FOR COPIES OF A LICENSE APPLICATION SUBMITTED
21 BY THE APPLICANT.

22 **SECTION 17.** In Colorado Revised Statutes, 44-10-1001, **add** (4)
23 as follows:

24 **44-10-1001. Inspection procedures.** (4) NOTWITHSTANDING THE
25 PROVISIONS OF THIS SECTION:

26 (a) IF A LICENSEE IS REQUIRED TO MAINTAIN BOOKS AND RECORDS
27 IN THE SEED-TO-SALE INVENTORY TRACKING SYSTEM, THE LICENSEE NEED

1 NOT MAINTAIN DUPLICATE COPIES OF THE BOOKS AND RECORDS; AND

2 (b) THE STATE LICENSING AUTHORITY MAY REQUIRE THE LICENSEE
3 TO MAINTAIN ADDITIONAL RECORDS BEYOND THOSE REQUIRED BY THIS
4 ARTICLE 10 OR THE RULES ADOPTED UNDER THIS ARTICLE 10 UPON A
5 FINDING OF A VIOLATION BY THE LICENSEE OR BY AN AGENT OR EMPLOYEE
6 OF THE LICENSEE OF THIS ARTICLE 10 OR A RULE ADOPTED UNDER THIS
7 ARTICLE 10.

8 **SECTION 18. In Colorado Revised Statutes, 44-10-1201, amend**
9 **(2) introductory portion as follows:**

10 **44-10-1201. Responsible vendor program - standards -**
11 **designation. (2) An approved training program must contain, at a**
12 **minimum, the following standards and be taught in a classroom setting in**
13 **a minimum of a two-hour** FOR A MINIMUM TIME period AS DETERMINED BY
14 **RULE:**

15 **SECTION 19. Appropriation - adjustments to 2025 long bill.**

16 (1) Except as provided in subsection (2) of this section, to implement this
17 act, the cash fund appropriation from the marijuana cash fund created in
18 section 44-10-801 (1)(a), C.R.S., made in the annual general
19 appropriation act for the 2025-26 state fiscal year to the department of
20 revenue for use by the marijuana enforcement division for operating
21 expenses is decreased by \$25,883.

22 (2) Subsection (1) of this section does not require a reduction of
23 an appropriation in the annual general appropriation act for the 2025-26
24 state fiscal year if:

25 (a) The amount of the marijuana cash fund appropriation made in
26 the annual general appropriation act for the 2025-26 state fiscal year to
27 the department of revenue for use by the marijuana enforcement division

1 for operating expenses is less than the amount of the adjustment required
2 in subsection (1) of this section; or

3 (b) The annual general appropriation act for the 2025-26 state
4 fiscal year does not include an appropriation to the department of revenue
5 for use by the marijuana enforcement division for operating expenses.

6 (3) Except as provided in subsections (4) and 5 of this section, to
7 implement this act, the cash fund appropriation from the Colorado bureau
8 of investigation identification unit fund created in section 24-33.5-426,
9 C.R.S., made in the annual general appropriation act for the 2025-26 state
10 fiscal year to the department of public safety for use by the biometric
11 identification and records unit is decreased as follows:

12 (a) \$156,758 for personal services, and the related FTE is
13 decreased by 1.5 FTE; and

14 (b) \$95,887 for operating expenses related to the biometric
15 identification and records unit.

16 (4) Subsection (3)(a) of this section does not require a reduction
17 of an appropriation in the annual general appropriation act for the
18 2025-26 state fiscal year if:

19 (a) The amount of the Colorado bureau of investigation
20 identification unit fund appropriation made in the annual general
21 appropriation act for the 2025-26 state fiscal year to the department of
22 public safety for use by the biometric identification and records unit for
23 personal services is less than the amount of the adjustment required in
24 subsection (3)(a) of this section; or

25 (b) The annual general appropriation act for the 2025-26 state
26 fiscal year does not include an appropriation to the department of public
27 safety for use by the biometric identification and records unit for personal

1 services.

2 (5) Subsection (3)(b) of this section does not require a reduction
3 of an appropriation in the annual general appropriation act for the
4 2025-26 state fiscal year if:

5 (a) The amount from the Colorado bureau of investigation
6 identification unit fund appropriation made in the annual general
7 appropriation act for the 2025-26 state fiscal year to the department of
8 public safety for use by the biometric identification and records unit for
9 operating expenses is less than the amount of the adjustment required in
10 subsection (3)(b) of this section; or

11 (b) The annual general appropriation act for the 2025-26 state
12 fiscal year does not include an appropriation to the department of public
13 safety for use by the biometric identification and records unit for
14 operating expenses.

15 **SECTION 20. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect January 5, 2026; except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within the ninety-day period after final adjournment of the general
20 assembly, then the act, item, section, or part will not take effect unless
21 approved by the people at the general election to be held in November
22 2026 and, in such case, will take effect on the date of the official
23 declaration of the vote thereon by the governor.

24 (2) Section 19 of this act takes effect only if the annual general
25 appropriation act for the 2025-26 state fiscal year becomes law, in which
26 case section 19 takes effect upon the effective date of this act or of the
27 annual general appropriation act for state fiscal year 2025-26, whichever

- 1 is later.
- 2 (3) This act applies to conduct occurring on or after the applicable
- 3 effective date of this act.