

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0411.01 Renee Leone x2695

SENATE BILL 26-007

SENATE SPONSORSHIP

Mullica,

HOUSE SPONSORSHIP

Lieder and Feret,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE USE OF MEDICAL MARIJUANA BY TERMINALLY ILL**
102 **PATIENTS IN HEALTH FACILITIES.**

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 mandates that a health facility allow patients who are terminally ill and who are registered in the state's medical marijuana program to use medical marijuana within the health facility, subject to certain parameters. The bill requires that a health facility develop guidelines for the use of medical marijuana and impose restrictions on the usage and storage of medical marijuana to ensure the safety of others,

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.

safe facility operations, and compliance with other laws.

The bill prohibits the department of public health and environment from requiring compliance with the bill as a condition for a health facility to obtain or renew a license or certification that it is required to carry to operate as a health facility. Lastly, the bill allows a health facility to suspend compliance with the bill's provisions in the event that, and only as long as, a listed federal entity takes an action that requires the health facility to suspend its compliance with the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 25-1.5-106.1** as
3 follows:

4 **25-1.5-106.1. Medical marijuana use in health facilities - short
5 title - definitions.**

6 **(1) Short title.** THE SHORT TITLE OF THIS SECTION IS "RYAN'S
7 LAW".

8 **(2) Definitions.**

9 **(a) IN ADDITION TO THE DEFINITIONS SET FORTH IN SECTION 14 (1)**
10 OF ARTICLE XVIII OF THE STATE CONSTITUTION AND IN SECTION
11 25-1.5-106 (2), AS USED IN THIS SECTION, UNLESS THE CONTEXT
12 OTHERWISE REQUIRES:

13 **(I) "HEALTH FACILITY"** MEANS A FACILITY LICENSED OR CERTIFIED
14 PURSUANT TO SECTION 25-1.5-103 (1) OR ARTICLE 3 OF THIS TITLE 25.

15 **(II) "TERMINALLY ILL" OR "TERMINAL ILLNESS"** HAS THE MEANING
16 SET FORTH IN SECTION 25-45-103 (3).

17 **(b) DEFINITIONS** IN SECTION 25-1.5-106 (2) APPLY TO TERMS AS
18 THEY ARE USED IN THIS SECTION.

19 **(3) WHEN A PATIENT WHO IS REGISTERED WITH THE MEDICAL**
20 MARIJUANA PROGRAM, PURSUANT TO SECTION 14 OF ARTICLE XVIII OF
21 THE STATE CONSTITUTION, HAS A TERMINAL ILLNESS AND IS CHECKED IN

1 TO OR RESIDING AT A HEALTH FACILITY, THE HEALTH FACILITY SHALL
2 ALLOW THE PATIENT TO USE MEDICAL MARIJUANA IN A MANNER THAT:

3 (a) DOES NOT INVOLVE SMOKING OR VAPING;
4 (b) IS IN ACCORDANCE WITH THE PATIENT'S PRESCRIPTION OR
5 PHYSICIAN RECOMMENDATION MADE PURSUANT TO SECTION 25-1.5-106
6 (5); AND
7 (c) IS IN ACCORDANCE WITH SECTION 14 OF ARTICLE XVIII OF THE
8 STATE CONSTITUTION.

9 (4) A HEALTH FACILITY THAT ALLOWS A PATIENT TO USE MEDICAL
10 MARIJUANA PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL:

11 (a) REQUIRE THE PATIENT OR THE PATIENT'S CAREGIVER TO
12 PROVIDE A COPY OF THE PATIENT'S VALID REGISTRY IDENTIFICATION CARD;
13 (b) DOCUMENT THE PATIENT'S MEDICAL MARIJUANA PROGRAM
14 REGISTRATION AND MEDICAL MARIJUANA USAGE IN THE PATIENT'S
15 MEDICAL RECORDS;
16 (c) DEVELOP AND DISSEMINATE WRITTEN GUIDELINES FOR THE USE
17 OF MEDICAL MARIJUANA WITHIN THE HEALTH FACILITY; AND

18 (d) REASONABLY RESTRICT THE MANNER IN WHICH A PATIENT MAY
19 STORE AND USE MEDICAL MARIJUANA, INCLUDING REQUIRING MEDICAL
20 MARIJUANA TO BE STORED IN A LOCKED CONTAINER, TO ENSURE:

21 (I) THE SAFETY OF THE HEALTH FACILITY'S OTHER PATIENTS,
22 GUESTS, AND EMPLOYEES;
23 (II) THE SAFE OPERATIONS OF THE HEALTH FACILITY; AND
24 (III) COMPLIANCE WITH OTHER STATE LAWS.

25 (5) A HEALTH FACILITY AND ITS EMPLOYEES ARE NOT LIABLE FOR
26 CONDUCT PERFORMED IN COMPLIANCE WITH THIS SECTION, SECTION 14 OF
27 ARTICLE XVIII OF THE STATE CONSTITUTION, AND THE HEALTH FACILITY'S

1 GUIDELINES UNLESS SUCH CONDUCT IS PERFORMED NEGLIGENTLY OR
2 RECKLESSLY.

3 (6) THE DEPARTMENT SHALL NOT REQUIRE COMPLIANCE WITH THIS
4 SECTION AS A CONDITION TO OBTAIN, RETAIN, OR RENEW A LICENSE OR
5 CERTIFICATION THAT IS REQUIRED FOR A HEALTH FACILITY TO OPERATE
6 PURSUANT TO SECTION 25-1.5-103.

7 (7) (a) A HEALTH FACILITY MAY SUSPEND COMPLIANCE WITH THIS
8 SECTION IF A FEDERAL REGULATORY AGENCY, THE FEDERAL CENTERS FOR
9 MEDICARE AND MEDICAID SERVICES, OR THE UNITED STATES DEPARTMENT
10 OF JUSTICE:

11 (I) INITIATES AN ENFORCEMENT ACTION AGAINST THE HEALTH
12 FACILITY RELATED TO THE HEALTH FACILITY'S COMPLIANCE WITH THE
13 MEDICAL MARIJUANA PROGRAM;

14 (II) ISSUES A REGULATION OR OTHERWISE PROVIDES NOTIFICATION
15 TO THE HEALTH FACILITY THAT EXPRESSLY PROHIBITS THE USE OF
16 MEDICAL MARIJUANA IN HEALTH FACILITIES; OR

17 (III) AFFIRMATIVELY PROHIBITS COMPLIANCE WITH THE MEDICAL
18 MARIJUANA PROGRAM.

19 (b) A HEALTH FACILITY THAT HAS SUSPENDED COMPLIANCE WITH
20 THIS SECTION PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION SHALL
21 RESUME COMPLIANCE WITH THIS SECTION UPON NOTIFICATION THAT IT
22 MAY DO SO FROM THE FEDERAL ENTITY THAT CAUSED THE SUSPENSION.

23 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-106, **amend**
24 (2) introductory portion as follows:

25 **25-1.5-106. Medical marijuana program - powers and duties**
26 **of state health agency - rules - enforcement - fees - medical marijuana**
27 **program cash fund - subaccount - "Ethan's Law" - definitions -**

1 **repeal.**

2 **(2) Definitions.** In addition to the definitions set forth in section
3 14 (1) of article XVIII of the state constitution, as used in this section
4 AND IN SECTION 25-1.5-106.1, unless the context otherwise requires:

5 **SECTION 3. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2026 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.