

SENATE COMMITTEE OF REFERENCE REPORT

	April 15, 2025
Chair of Committee	Date

Committee on Finance.

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

HB25-1209 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 5, line 1, after "(1)(m)," insert "(2)(kk),".
- 2 Page 5, lines 7 and 8, strike "BUT MUST NOT EXCEED".
- 3 Page 6, line 14, strike "MANUFACTURE OF INFUSED".
- 4 Page 7, line 9, strike "BUT CANNOT EXCEED".
- 5 Page 7, lines 19 and 20, strike "SURVEILLANCE IF REQUIRED BY RULE
- 6 UNDER SUBSECTION (2)(dd)(V) OF THIS SECTION;" and substitute
- 7 "SURVEILLANCE;".
- 8 Page 8, after line 24 insert:

9 "(kk) R-AND-D UNIT LIMITS AND REQUIREMENT, INCLUDING LIMITS
- 10 ON THE NUMBER OF OCCUPATIONAL LICENSEES THAT MAY RECEIVE
- 11 R-AND-D UNITS FROM AN EMPLOYER, A REQUIREMENT THAT AN
- 12 OCCUPATIONAL LICENSEE BE DESIGNATED TO RECEIVE R-AND-D UNITS IN
- 13 THE SEED-TO-SALE INVENTORY TRACKING SYSTEM, AND LIMITS ON HOW
- 14 MANY R-AND-D UNITS MAY BE EVALUATED BY AN OCCUPATIONAL
- 15 LICENSEE."
- 16 Page 9, line 17, strike "THE RULES MUST INCLUDE:".
- 17 Page 9, strike lines 18 through 21.
- 18 Page 10, line 3, after "**amend**" insert "(1)(j) and".

1 Page 10, after line 10 insert:

2 " (j) A person applying for a license for a location that is currently
3 licensed as a retail food establishment, EXCEPT FOR AN APPLICATION FOR
4 A MARIJUANA HOSPITALITY BUSINESS LICENSE ISSUED PURSUANT TO
5 SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES
6 BUSINESS LICENSE ISSUED PURSUANT TO SECTION 44-10-610."

7 Page 11, after line 14 insert:

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

10 **44-10-308. Business and owner requirements - legislative**
11 **declaration - definition - rules.** (3) (a) ~~All natural persons with~~
12 ~~day-to-day operational control over the business must be Colorado~~
13 ~~residents."~~

14 Renumber succeeding sections accordingly.

15 Page 11, line 16, strike "(4)" and substitute "(3), (4), (12),".

16 Page 11, line 17, strike "**repeal.** (4) A medical" and substitute "**repeal.**
17 (3) A medical marijuana business OR RETAIL MARIJUANA BUSINESS that
18 is not a publicly traded corporation shall notify the state licensing
19 authority in writing within ten days after a controlling beneficial owner,
20 passive beneficial owner, or manager ceases to work at, manage, own, or
21 otherwise be associated with the operation. The controlling beneficial
22 owner, passive beneficial owner, or manager shall surrender to the state
23 licensing authority any identification card that may have been issued by
24 the state licensing authority on or before the date of the notification.

25 (4) A medical".

26 Page 12, strike lines 1 through 4 and substitute:

27 "(12) Each licensee shall manage the licensed premises ~~himself or~~
28 ~~herself~~ PERSONALLY or employ a separate and distinct manager on the
29 premises and shall report the name of the manager to the state and local
30 licensing authorities. ~~The licensee shall report any change in manager to~~
31 ~~the state and local licensing authorities prior to the change pursuant to~~
32 ~~subsection (4) of this section."~~

33 Page 13, strike lines 14 through 17 and substitute:

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

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

7 **44-10-401. Classes of licenses.** (3) (a) Prior to accepting a court
8 appointment as a receiver, personal representative, executor,
9 administrator, guardian, conservator, trustee, or any other similarly
10 situated person to take possession of, operate, manage, or control a
11 licensed medical marijuana business OR RETAIL MARIJUANA BUSINESS, the
12 proposed appointee shall certify to the court that the proposed appointee
13 is not prohibited from being issued, PURSUANT TO SECTION 44-10-307 (1),
14 a medical marijuana license OR RETAIL MARIJUANA LICENSE. ~~pursuant to~~
15 ~~section 44-10-307 (1).~~ Within the time frame established by rules
16 ~~promulgated~~ ADOPTED by the state licensing authority pursuant to section
17 44-10-203 (2)(q), an appointee shall notify the state and local licensing
18 authorities of the appointment and shall apply to the state licensing
19 authority for a finding of suitability.

20 (b) Upon notification of an appointment required by subsection
21 (3)(a) of this section, the state licensing authority shall issue a temporary
22 appointee registration to the appointee effective as of the date of the
23 appointment. Pursuant to sections 24-4-104, 44-10-202 (1)(b), and
24 44-10-901, the appointee's temporary appointee registration may be
25 suspended, revoked, or subject to other sanction if the state licensing
26 authority finds the appointee to be unsuitable or if the appointee fails to
27 comply with this article 10, the rules ~~promulgated pursuant thereto~~
28 ADOPTED UNDER THIS ARTICLE 10, or any order of the state licensing
29 authority. If an appointee's temporary appointee registration is suspended
30 or revoked, the appointee shall immediately cease performing all
31 activities for which a license is required by this article 10. For purposes
32 of section 44-10-901 (1), the appointee is deemed an agent of the licensed
33 medical marijuana business OR RETAIL MARIJUANA BUSINESS.

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

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

42 **44-10-501. Medical marijuana store license.** (3) (e) (I) A
43 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 Renumber succeeding sections accordingly.

19 Page 16, line 12, strike "OR".

20 Page 16, line 15, strike "(9)." and substitute "(9); OR

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

23 Page 17, line 3, strike "(2)" and substitute "(2), (5)(b),".

24 Page 17, after line 16 insert:

25 "(5) (b) (I) A medical marijuana products manufacturer that uses
26 a hemp product as an ingredient in a medical marijuana product shall
27 ensure that the hemp product has passed all testing required by rules
28 ~~promulgated~~ ADOPTED by the state licensing authority pursuant to section
29 44-10-203 (2)(d). Prior to taking possession of the hemp product, a
30 medical marijuana products manufacturer shall verify the hemp product
31 passed all testing required for medical marijuana products at a licensed
32 medical marijuana testing facility and that the person transferring the
33 hemp product has received a registration from the department of public
34 health and environment pursuant to section ~~25-5-426~~ 25-5-427.

35 (II) Absent sampling and testing standards established by the
36 department of public health and environment for the sampling and testing
37 of a hemp product, a person transferring a hemp product to a medical

1 marijuana products manufacturer pursuant to this section shall comply
2 with sampling and testing standards consistent with those established by
3 the state licensing authority pursuant to this article 10. The state licensing
4 authority shall report to the department of public health and environment
5 any investigations or findings of violations of this section by a person
6 registered pursuant to section ~~25-5-426~~ 25-5-427."

7 Page 20, line 6, strike "OR".

8 Page 20, line 9, strike "(9)." and substitute "(9); OR
9 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
10 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH."

11 Page 20, after line 21 insert:

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

14 **44-10-601. Retail marijuana store license - rules - definitions.**

15 (3) (c) (I) A retail marijuana store that sells a hemp product shall ensure
16 that the hemp product has passed all testing required by rules ~~promulgated~~
17 ADOPTED by the state licensing authority pursuant to section 44-10-203
18 (2)(d). Prior to taking possession of the hemp product, a retail marijuana
19 store shall verify the hemp product passed all testing required for retail
20 marijuana products at a licensed retail marijuana testing facility and that
21 the person transferring the hemp product has received a registration from
22 the department of public health and environment pursuant to section
23 ~~25-5-426~~ 25-5-427.

24 (II) Absent sampling and testing standards established by the
25 department of public health and environment for the sampling and testing
26 of a hemp product, a person transferring a hemp product to a retail
27 marijuana store pursuant to this section shall comply with sampling and
28 testing standards consistent with those established by the state licensing
29 authority pursuant to this article 10. The state licensing authority shall
30 report to the department of public health and environment any
31 investigations or findings of violations of this section by a person
32 registered pursuant to section ~~25-5-426~~ 25-5-427."

33 Renumber succeeding sections accordingly.

34 Page 23, line 12, strike "OR".

35 Page 23, line 13, strike "UNIT." and substitute "UNIT; OR
36 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE

1 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH."

2 Page 24, line 1, strike "portion and (10)" and substitute "portion, (10), and
3 (11)".

4 Page 26, line 25, strike "OR".

5 Page 26, line 26, strike "UNIT." and substitute "UNIT; OR
6 (VII) PROVIDE R-AND-D UNITS TO AN OCCUPATIONAL LICENSEE
7 FOR MORE THAN TWENTY DAYS IN ANY CALENDAR MONTH."

8 Page 27, after line 10 insert:

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

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

28 **SECTION 14.** In Colorado Revised Statutes, 44-10-604, **amend**
29 (1)(a) as follows:

30 **44-10-604. Retail marijuana testing facility license - rules.**
31 (1) (a) A retail marijuana testing facility license may be issued to a
32 person who performs testing and research on retail marijuana and
33 industrial hemp as regulated by article 61 of title 35 and hemp products
34 as regulated by part 4 of article 5 of title 25. The facility may develop and
35 test retail marijuana products, industrial hemp as regulated by article 61
36 of title 35, and hemp products as regulated by part 4 of article 5 of title
37 25. Prior to performing testing on industrial hemp, a facility shall verify
38 that the person requesting the testing has received a registration from the

- 1 commissioner as required by section 35-61-104. Prior to performing
2 testing on hemp products, a facility shall verify that the person requesting
3 the testing has received a registration as required by section ~~25-5-426~~
4 25-5-427."
- 5 Renumber succeeding sections accordingly.
- 6 Page 29, after line 6 insert:
- 7 "SECTION 18. In Colorado Revised Statutes, 44-10-1201,
8 amend (2) introductory portion as follows:
9 44-10-1201. Responsible vendor program - standards -
10 designation. (2) An approved training program must contain, at a
11 minimum, the following standards and be taught in a classroom setting in
12 a minimum of a two-hour FOR A MINIMUM TIME period AS DETERMINED BY
13 RULE:".
- 14 Renumber succeeding sections accordingly.
- 15 Page 29, line 7, strike "Section". and substitute "SECTION".
- 16 Page 31, line 16, strike "16" and substitute "19".
- 17 Page 31, line 18, strike "16" and substitute "19".

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