

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0082.01 Michael Dohr x4347

HOUSE BILL 22-1222

HOUSE SPONSORSHIP

Tipper,

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MARIJUANA RESPONSIBLE VENDOR TRAINING.**

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>.)

Under current law, a licensed medical or retail marijuana business may receive a responsible vendor designation (designation) if all of its employees successfully complete an approved course. If the business is subject to a licensing action, the designation can be considered a mitigating factor in the licensing action. The bill allows an individual to receive a designation and provides the same licensing mitigation protection to that individual in a licensing action. The bill clarifies how a business receives and maintains a designation and allows a person with

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

a designation to take that designation with them to a new employer.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 44-10-1202
3 as follows:

4 **44-10-1202. Responsible vendor - designation.** (1) (a) ~~A medical marijuana business or a retail marijuana business licensed pursuant to this article 10 may receive a responsible vendor designation from the program vendor after successfully completing a responsible medical or retail marijuana vendor server and seller training program approved by the state licensing authority.~~ A PERSON OR AN EMPLOYEE, MANAGER, OR CONTROLLING BENEFICIAL OWNER LICENSED PURSUANT TO THIS ARTICLE 10 MAY RECEIVE A RESPONSIBLE VENDOR DESIGNATION. A PROGRAM VENDOR SHALL PROVIDE A PERSON OR AN EMPLOYEE, MANAGER, OR CONTROLLING BENEFICIAL OWNER LICENSED PURSUANT TO THIS ARTICLE 10 A RESPONSIBLE VENDOR DESIGNATION AFTER THE PERSON, EMPLOYEE, MANAGER, OR CONTROLLING BENEFICIAL OWNER SUCCESSFULLY COMPLETES THE APPROVED TRAINING PROGRAM. A responsible vendor designation is valid for two years from the date of issuance. IN ORDER TO MAINTAIN A RESPONSIBLE VENDOR DESIGNATION, A PERSON OR AN EMPLOYEE, MANAGER, OR CONTROLLING BENEFICIAL OWNER LICENSED PURSUANT TO THIS ARTICLE 10 SHALL SUCCESSFULLY COMPLETE AN APPROVED TRAINING PROGRAM EVERY TWO YEARS.

22 (b) Successful completion of an approved training program is achieved when the ~~program has been attended by and, as determined by the program provider, satisfactorily completed by all employees selling and handling medical or retail marijuana, all managers, and all resident~~

1 ~~on-site owners, if any PERSON OR THE EMPLOYEE, MANAGER, OR~~
2 ~~CONTROLLING BENEFICIAL OWNER LICENSED PURSUANT TO THIS ARTICLE~~
3 ~~10 SATISFACTORILY COMPLETES THE APPROVED TRAINING PROGRAM.~~

4 (c) ~~In order to maintain the responsible vendor designation, the~~
5 ~~licensed medical marijuana business or retail marijuana business must~~
6 ~~have each new employee who sells or handles medical or retail marijuana,~~
7 ~~manager, or resident on-site owner attend and satisfactorily complete a~~
8 ~~responsible medical or retail marijuana vendor server and seller training~~
9 ~~program within ninety days after being employed or becoming an owner.~~
10 ~~The licensed medical marijuana business or retail marijuana business~~
11 ~~shall maintain documentation of completion of the program by new~~
12 ~~employees, managers, or owners. If all of the employees, managers,~~
13 ~~and controlling beneficial owners of a medical marijuana~~
14 ~~business or a retail marijuana business licensed pursuant to this~~
15 ~~article 10 have a valid responsible vendor designation, the~~
16 ~~business is considered to have responsible vendor designation.~~
17 ~~When a licensed medical marijuana business or retail marijuana~~
18 ~~business is considered to have a responsible vendor designation~~
19 ~~and it hires a new employee or manager or has a new controlling~~
20 ~~beneficial owner, the new employee, manager, or controlling~~
21 ~~beneficial owner must have a valid responsible vendor~~
22 ~~designation or must successfully complete an approved training~~
23 ~~program within ninety days after being employed or becoming an~~
24 ~~owner in order for the licensed business to maintain its~~
25 ~~responsible vendor designation. If a new employee, manager, or~~
26 ~~controlling beneficial owner has a valid responsible vendor~~
27 ~~designation upon hire or becoming an owner, the licensed~~

1 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS SHALL
2 VERIFY THE DESIGNATION WITH THE PROGRAM VENDOR THAT ISSUED THE
3 RESPONSIBLE VENDOR DESIGNATION.

4 (2) (a) A licensed medical marijuana business or retail marijuana
5 business that ~~receives~~ IS CONSIDERED TO HAVE a responsible vendor
6 designation from the program vendor shall maintain information on all
7 persons licensed pursuant to this article 10 who are in its employment and
8 who have been trained in an approved training program. The information
9 includes the date, place, time, and duration of training and a list of all
10 licensed persons attending each specific training class, which class
11 includes a training examination or assessment that demonstrates
12 proficiency.

13 (b) AN EMPLOYEE, MANAGER, OR CONTROLLING BENEFICIAL
14 OWNER WITH A VALID RESPONSIBLE VENDOR DESIGNATION SHALL
15 MAINTAIN INFORMATION RELATED TO THE DESIGNATION, INCLUDING THE
16 DATE, PLACE, TIME, AND DURATION OF TRAINING.

17 (3) If a local or state licensing authority initiates an administrative
18 action against ~~a licensee~~ AN EMPLOYEE, MANAGER, OR CONTROLLING
19 BENEFICIAL OWNER who has complied with the requirements of this
20 section and has been designated a responsible vendor OR A LICENSED
21 MEDICAL MARIJUANA BUSINESS OR RETAIL MARIJUANA BUSINESS THAT IS
22 CONSIDERED TO HAVE A RESPONSIBLE VENDOR DESIGNATION, the licensing
23 authority shall consider the designation as a mitigating factor when
24 imposing sanctions or penalties on the ~~licensee~~ EMPLOYEE, MANAGER, OR
25 CONTROLLING BENEFICIAL OWNER OR LICENSED MEDICAL MARIJUANA
26 BUSINESS OR RETAIL MARIJUANA BUSINESS.

27 **SECTION 2.** In Colorado Revised Statutes, 44-10-203, **amend**

1 (2)(dd)(II) as follows:

2 **44-10-203. State licensing authority - rules - definition.**

3 (2) **Mandatory rule-making.** Rules promulgated pursuant to section
4 44-10-202 (1)(c) must include but need not be limited to the following
5 subjects:

6 (dd) Requirements for medical marijuana and medical marijuana
7 products delivery as described in section 44-10-501 (11) and section
8 44-10-505 (5) and retail marijuana and retail marijuana products delivery
9 as described in section 44-10-601 (13) and section 44-10-605 (5),
10 including:

11 (II) Training requirements for personnel of medical marijuana
12 stores, retail marijuana stores, medical marijuana transporters, and retail
13 marijuana transporters that hold a medical marijuana or retail marijuana
14 delivery permit who will deliver medical marijuana or medical marijuana
15 products or retail marijuana or retail marijuana products pursuant to this
16 article 10 and requirements that medical marijuana stores, retail marijuana
17 stores, medical marijuana transporters, and retail marijuana transporters
18 ~~obtain~~ BE CONSIDERED TO HAVE a responsible vendor designation
19 pursuant to section 44-10-1201 prior to conducting a delivery;

20 **SECTION 3.** In Colorado Revised Statutes, 44-10-609, **amend**
21 (3)(b) as follows:

22 **44-10-609. Marijuana hospitality business license.** (3) A
23 marijuana hospitality business shall:

24 (b) Require all employees of the business to ~~successfully complete~~
25 ~~an annual responsible vendor training program authorized pursuant to~~
26 ~~section 44-10-1201 HAVE A VALID RESPONSIBLE VENDOR DESIGNATION,~~
27 AS DESCRIBED IN SECTION 44-10-1201;

1 **SECTION 4.** In Colorado Revised Statutes, 44-10-610, amend
2 (3)(e) as follows:

3 **44-10-610. Retail marijuana hospitality and sales business**
4 **license.** (3) A retail marijuana hospitality and sales business licensee
5 shall:

6 (e) Require all employees of the business to ~~successfully complete~~
7 ~~an annual responsible vendor training program authorized pursuant to~~
8 ~~section 44-10-1201 HAVE A VALID RESPONSIBLE VENDOR DESIGNATION,~~
9 AS DESCRIBED IN SECTION 44-10-1201;

10 **SECTION 5. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2022 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.