

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 19, 2018
Date

Committee on Finance.

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

HB18-1258 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 2 through 25.
- 2 Strike pages 3 through 11.
- 3 Page 12, strike lines 1 through 3.
- 4 Renumber succeeding sections accordingly.
- 5 Page 12, line 14, strike "AT" and substitute "ON THE PREMISES OF".
- 6 Page 14, line 5, strike "AT" and substitute "ON THE PREMISES OF".
- 7 Page 14, strike lines 9 through 13 and substitute "ESTABLISHMENT".
- 8 Page 15, strike lines 24 through 27.
- 9 Page 16, strike lines 1 through 13.
- 10 Page 16, line 14, strike "(b)" and substitute "(3) (a)".
- 11 Reletter succeeding paragraphs accordingly.
- 12 Page 17, line 12, strike "(3)(b)" and substitute "(3)(a)".

1 Page 17, line 16, strike "(3)(c)," and substitute "(3)(b),".

2 Page 18, line 22, after "INCLUDING" insert "FERMENTED MALT BEVERAGES
3 OR".

4 Page 18, strike line 26 and substitute:
5 "(c) OPERATE AS A RETAIL FOOD ESTABLISHMENT AS DEFINED IN
6 SECTION 25-4-1602 (14);".

7 Page 20, line 24, strike "AND CONTENT OF".

8 Page 20, strike lines 26 and 27, and substitute "AUTHORITY BY RULE
9 AFTER APPROVAL BY THE MARIJUANA EDUCATION OVERSIGHT COMMITTEE,
10 ESTABLISHED PURSUANT TO SECTION 24-12-112 (4). THE CONTENT OF THE
11 INFORMATION ON HEALTH AND SAFETY MUST BE BASED ON THE RELEVANT
12 RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS APPOINTED
13 PURSUANT TO SECTION 25-1.5-110."

14 Page 21, strike line 1.

15 Page 21, after line 21 insert:
16 "**SECTION 5.** In Colorado Revised Statutes, **amend** 12-43.4-301
17 as follows:
18 **12-43.4-301. Local approval - licensing.** (1) When the state
19 licensing authority receives an application for original licensing, ~~or~~
20 renewal of an existing license for any marijuana establishment, OR
21 ENDORSEMENT FOR AN ESTABLISHMENT PURSUANT TO SECTION
22 12-43.4-402.5, the state licensing authority shall provide, within seven
23 days, a copy of the application to the local jurisdiction in which the
24 establishment is to be located unless the local jurisdiction has prohibited
25 the operation of retail marijuana establishments pursuant to section 16
26 (5)(f) of article XVIII of the state constitution. The local jurisdiction shall
27 determine whether the application complies with local restrictions on
28 time, place, manner, and the number of marijuana businesses. The local
29 jurisdiction shall inform the state licensing authority whether the
30 application complies with local restrictions on time, place, manner, and
31 the number of marijuana businesses.
32 (2) A local jurisdiction may impose a separate local licensing OR
33 ENDORSEMENT requirement as a part of its restrictions on time, place,
34 manner, and the number of marijuana businesses. A local jurisdiction may
35 decline to impose any local licensing OR ENDORSEMENT requirements, but

1 a local jurisdiction shall notify the state licensing authority that it either
2 approves or denies each application forwarded to it.

3 (3) NOTHING IN THIS SECTION PRECLUDES A LOCAL JURISDICTION
4 FROM AUTHORIZING CONSUMPTION OF MARIJUANA AT A LOCATION THAT
5 DOES NOT SELL RETAIL MARIJUANA.

6 **SECTION 6.** In Colorado Revised Statutes, **amend** 12-43.4-302
7 as follows:

8 **12-43.4-302. Public hearing notice - posting and publication.**

9 (1) If a local jurisdiction issues local licenses for a retail marijuana
10 establishment OR ENDORSEMENTS FOR A RETAIL MARIJUANA ACCESSORY
11 CONSUMPTION ESTABLISHMENT, a local jurisdiction may schedule a public
12 hearing on the application. If the local jurisdiction schedules a hearing,
13 it shall post and publish public notice thereof not less than ten days prior
14 to the hearing. The local jurisdiction shall give public notice by posting
15 a sign in a conspicuous place on the license OR ENDORSEMENT applicant's
16 premises for which a local license OR ENDORSEMENT application has been
17 made and by publication in a newspaper of general circulation in the
18 county in which the applicant's premises are located.

19 (2) If a local jurisdiction does not issue local licenses OR
20 ENDORSEMENTS, the local jurisdiction may give public notice of the state
21 license OR ENDORSEMENT application by posting a sign in a conspicuous
22 place on the state license OR ENDORSEMENT applicant's premises for
23 which a state license OR ENDORSEMENT application has been made and by
24 publication in a newspaper of general circulation in the county in which
25 the applicant's premises are located."

26 Renumber succeeding sections accordingly.

27 Page 22, line 10, strike SECTIONS 12-43.3-402.5 (12) AND" and substitute
28 "SECTION".

29 Page 22, lines 11 and 12, strike "MEDICAL OR".

30 Page 22, line 13, strike "12-43.3-402.5 OR".

31 Page 22, strike lines 15 through 22.

32 Renumber succeeding section accordingly.

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