

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 25, 2021

Committee on Appropriations.

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

HB21-1317 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Public & Behavioral Health & Human Services Report, dated
- 2 May 18, 2021, page 1, strike line 1 and substitute:
- 3 "Amend printed bill, page 4, line 3, after "THE" insert "POSSIBLE".
- 4 Page 4, line 21, strike "ARE AND WHEN" and substitute "ARE, WHAT
- 5 STUDIES ARE NEEDED TO FILL THOSE GAPS, THE FUNDING NEEDED TO
- 6 COMPLETE THOSE STUDIES, AND THE TIMELINE FOR COMPLETION OF THE
- 7 NECESSARY STUDIES."
- 8 Page 4, strike line 22.
- 9 Page 6, line 14, strike "PRESCRIPTION, DOSAGE, AND".
- 10 Page 6, strike line 24 and substitute:
- 11 "(IX) A LICENSED SUBSTANCE USE DISORDER SPECIALIST."
- 12 Page 6, after line 24 insert:
- 13 "(c) THE SCIENTIFIC REVIEW COUNCIL SHALL POST PUBLIC NOTICE
- 14 OF EACH COMMITTEE MEETING AT LEAST TWO WEEKS BEFORE THE
- 15 MEETING. THE COMMITTEE SHALL ALLOW THE PUBLIC TO SUBMIT WRITTEN
- 16 COMMENTS AT EACH MEETING."
- 17 Page 7, line 1, after "AND" insert "ON PHYSICAL AND".

- 1 Page 7, strike lines 4 through 8.
- 2 Page 7, line 11, after "(5)(f)," insert "(5)(g),".
- 3 Page 8, line 3, before "RECORDS" insert "EXISTING".
- 4 Page 1 of the committee report, after line 1 insert:
- 5 "Page 8, line 4, strike "PROVIDER" and substitute "PROVIDER. THIS
6 SUBSECTION (2)(a.5)(I) DOES NOT REQUIRE A MENTAL HEALTH
7 EXAMINATION PRIOR TO MAKING A RECOMMENDATION."."
- 8 Page 1 of the committee report, strike lines 2 through 4 and substitute:
- 9 "Page 8, strike line 5.
- 10 Page 8, strike lines 23 and 24 and substitute "ONLY AUTHORIZE MEDICAL
11 MARIJUANA IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION, ANY
12 RULES PROMULGATED PURSUANT TO THIS SECTION, ARTICLE 220 OF TITLE
13 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE FOR A
14 DENTIST, ARTICLE 240 OF TITLE 12 AND ANY RULES PROMULGATED
15 PURSUANT TO THAT ARTICLE, AND ARTICLE 255 OF TITLE 12 AND ANY
16 RULES PROMULGATED PURSUANT TO THAT ARTICLE FOR AN ADVANCED
17 PRACTICE REGISTERED NURSE."
- 18 Page 9, line 4, after "THE" insert "MAXIMUM".
- 19 Page 9, strike line 6 and substitute:
20 "(E) THE RECOMMENDED PRODUCT, IF ANY;".
- 21 Page 10, line 7, strike "REGULARLY".
- 22 Page 10, after line 10 insert:
23 "(g) THE DEPARTMENT SHALL REPORT ON OR BEFORE JANUARY 31
24 OF EACH YEAR THE NUMBER OF PHYSICIANS WHO MADE MEDICAL
25 MARIJUANA RECOMMENDATIONS IN THE PREVIOUS YEAR AND WITHOUT
26 IDENTIFYING THE PHYSICIAN THE NUMBER OF RECOMMENDATIONS EACH
27 PHYSICIAN MADE AND THE AGGREGATE NUMBER OF HOMEBOUND PATIENTS
28 AGES EIGHTEEN TO TWENTY IN THE REGISTRY."

- 1 Page 10, line 12, strike "(a)".
- 2 Page 10, line 16, strike "(I)" and substitute "(a)".
- 3 Page 10, line 27, strike "(II)" and substitute "(b)".
- 4 Page 11, line 1, strike "(5.5)(a)(I)" and substitute "(5.5)(a)".
- 5 Page 11, line 3, strike "(III)" and substitute "(c)" and strike "(5.5)(a)(II)"
6 and substitute "(5.5)(b)".
- 7 Page 11, line 9, strike "(IV)" and substitute "(d)".
- 8 Page 11, line 11, strike "(5.5)(a)(I) OF THIS SECTION." and substitute
9 "(5.5)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION (5.5)(d) DOES
10 NOT APPLY TO A HOMEBOUND PATIENT.".
- 11 Page 1 of the committee report, after line 8, insert:
- 12 "Page 14, line 8, after the period add "MEDICAL MARIJUANA
13 CONCENTRATE MAY ALSO INCLUDE RESIDUAL AMOUNTS OF THE TYPES OF
14 SOLVENTS, AS PERMITTED BY THE MARIJUANA RULES. THE STATE
15 LICENSING AUTHORITY MAY FURTHER DEFINE BY RULE SUBCATEGORIES OF
16 MEDICAL MARIJUANA CONCENTRATE AND AUTHORIZE LIMITED
17 INGREDIENTS BASED ON THE METHOD OF PRODUCTION OF MEDICAL
18 MARIJUANA CONCENTRATE. UNLESS THE CONTEXT OTHERWISE REQUIRES,
19 MEDICAL MARIJUANA CONCENTRATE IS INCLUDED WHEN THIS ARTICLE 10
20 REFERS TO MEDICAL MARIJUANA PRODUCT.".
- 21 Page 14, line 16, after the period add "RETAIL MARIJUANA CONCENTRATE
22 MAY ALSO INCLUDE RESIDUAL AMOUNTS OF THE TYPES OF SOLVENTS, AS
23 PERMITTED BY THE MARIJUANA RULES. THE STATE LICENSING AUTHORITY
24 MAY FURTHER DEFINE BY RULE SUBCATEGORIES OF RETAIL MARIJUANA
25 CONCENTRATE AND AUTHORIZE LIMITED INGREDIENTS BASED ON THE
26 METHOD OF PRODUCTION OF RETAIL MARIJUANA CONCENTRATE. UNLESS
27 THE CONTEXT OTHERWISE REQUIRES, RETAIL MARIJUANA CONCENTRATE
28 IS INCLUDED WHEN THIS ARTICLE 10 REFERS TO RETAIL MARIJUANA
29 PRODUCT.".
- 30 Page 14, line 18, strike "(2)(ff)(VII)" and substitute "(2)(dd)(IX),
31 (2)(ff)(VII)," and after "(2)(jj)," insert "(2)(kk),".



1 Page 14, after line 22 insert:
2 "(dd) Requirements for medical marijuana and medical marijuana
3 products delivery as described in section 44-10-501 (11) and section
4 44-10-505 (5) and retail marijuana and retail marijuana products delivery
5 as described in section 44-10-601 (13) and section 44-10-605 (5),
6 including:
7 (IX) Inventory tracking system requirements, WHICH INCLUDE THE
8 ABILITY TO DETERMINE THE AMOUNT OF MEDICAL MARIJUANA A PATIENT
9 HAS PURCHASED THAT DAY IN REAL TIME BY SEARCHING A PATIENT
10 REGISTRATION NUMBER;"

11 Page 14, strike lines 25 and 26.

12 Reletter succeeding paragraphs accordingly.

13 Page 15, strike line 2.

14 Page 15, line 3, strike "A" and substitute "EFFECTIVE JANUARY 1, 2023,
15 A".

16 Page 15, line 4, after "PHYSICIANS" insert "WHEN AUTHORIZING THE
17 PATIENT TO PURCHASE MORE THAN THE STATUTORILY ALLOWED
18 QUANTITIES," and strike "(5)" and substitute "(5)".

19 Page 15, line 5, after "STORES." insert "THE FORM MUST CONTAIN A
20 UNIFORM WEIGHT AND UNIFORM POTENCY DESCRIPTION TO ENABLE A
21 MEDICAL MARIJUANA STORE TO FULFILL ITS OBLIGATIONS WITHOUT THE
22 NEED TO MAKE A FURTHER CALCULATION OR EXAMINE OTHER
23 DOCUMENTS. THE FORM SHALL NOT CONTAIN ANY INFORMATION
24 CONCERNING THE PATIENT'S MEDICAL CONDITION OR DIAGNOSIS.

25 (jj) A TANGIBLE EDUCATIONAL RESOURCE REGARDING THE USE OF
26 REGULATED MARIJUANA CONCENTRATE. THE EDUCATIONAL RESOURCE
27 MUST PROVIDE INFORMATION AS DETERMINED BY RULE AND EDUCATION
28 INCLUDING BUT NOT LIMITED TO:

29 (I) EXAMPLES OF VISUAL REPRESENTATION OF A SERVING SIZE
30 RECOMMENDED FOR EACH TYPE OF CONCENTRATE;

31 (II) RISKS AND PRECAUTIONS;

32 (III) OTHER STATUTORY AND REGULATORY LABELING
33 REQUIREMENTS MANDATED ON MARIJUANA PRODUCTS; AND

34 (IV) A NOTICE THAT DESCRIBES THE PENALTIES ASSOCIATED WITH



- 1 MARIJUANA DIVERSION.
2 (kk) EFFECTIVE JANUARY 1, 2023, REQUIREMENTS FOR MEDICAL
3 AND RETAIL MARIJUANA CONCENTRATE TO PROMOTE CONSUMER HEALTH
4 AND AWARENESS, WHICH SHALL INCLUDE A RECOMMENDED SERVING SIZE,
5 INDIVIDUAL IDENTIFIED SERVINGS, LABELING REQUIREMENTS, AND MAY
6 INCLUDE A MEASURING DEVICE THAT IS A COMPONENT OF THE PACKAGE
7 AND OTHER REQUIREMENTS."
- 8 Page 15, line 26, strike "(3)(g), (3)(h)," and substitute "(3)(g)".
- 9 Page 16, strike lines 26 and 27.
- 10 Page 17, strike lines 1 and 2.
- 11 Page 17, line 3, strike "(h)" and substitute "(3) (g)".
- 12 Page 17, line 5, strike "PAMPHLET DEVELOPED PURSUANT TO SECTION"
13 and substitute "TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE
14 STATE LICENSING AUTHORITY THROUGH RULE-MAKING PURSUANT TO
15 SECTION 44-10-203 (2)(jj) REGARDING THE USE OF MEDICAL MARIJUANA
16 CONCENTRATE."
- 17 Page 17, strike lines 6 and 7.
- 18 Page 18, line 13, after "EXCEED" insert "STATUTORILY ALLOWED
19 QUANTITIES OR THE".
- 20 Page 1 of the committee report, after line 17, insert:
- 21 "Page 19, strike lines 24 through 27.
- 22 Page 20, strike lines 1 and 2.
- 23 Page 20, line 4, strike "(3)(f),".
- 24 Page 20, strike lines 6 through 9.
- 25 Page 20, line 10, strike "(e)" and substitute "(3) (d)".
- 26 Page 20, line 12, strike "PAMPHLET DEVELOPED PURSUANT TO SECTION"
27 and substitute "TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE



1 STATE LICENSING AUTHORITY THROUGH RULE-MAKING PURSUANT TO
2 SECTION 44-10-203 (2)(jj) REGARDING THE USE OF MEDICAL MARIJUANA
3 CONCENTRATE."

4 Page 20, strike line 13.

5 Page 20, line 14, strike "(f)" and substitute "(e)".

6 Page 20, strike lines 14 through 19.

7 Page 20, after line 22 insert:

8 **"SECTION 10. Appropriation.** (1) For the 2021-22 state fiscal
9 year, \$4,000,000 is appropriated to the department of higher education.
10 This appropriation is from the marijuana tax cash fund created in section
11 39-28.8-501 (1), C.R.S. To implement this act, the department may use
12 this appropriation for regents of the university of Colorado for use by the
13 school of public health. Any money appropriated in this section but not
14 expended prior to July 1, 2022 is further appropriated to the department
15 for the 2022-23 fiscal year for the same purpose.

16 (2) For the 2021-22 state fiscal year, \$460,227 is appropriated to
17 the department of public health and environment for use by the center for
18 health and environmental information This appropriation consists of
19 \$173,250 from the general fund and \$286,977 from the medical marijuana
20 program cash fund created in section 25-1.5-106 (16)(a), C.R.S. To
21 implement this act, the center may use this appropriation as follows:

22 (a) \$102,417 from the medical marijuana program cash fund for
23 personal services related to the medical marijuana registry, which amount
24 is based on an assumption that the registry will require an additional 1.6
25 FTE;

26 (b) \$184,560 from the medical marijuana program cash fund for
27 operating expenses related to the medical marijuana registry;

28 (c) \$118,150 from the general fund for personal services related
29 to health statistics and vital records, which amount is based on an
30 assumption that the registry will require an additional 1.8 FTE; and

31 (d) \$55,100 from the general fund for operating expenses related
32 to health statistics and vital records.

33 (3) For the 2021-22 state fiscal year, \$255,167 is appropriated to
34 the department of revenue. This appropriation is from the marijuana cash
35 fund created in section 44-10-801 (1)(a), C.R.S. To implement this act,
36 the department may use this appropriation as follows:

37 (a) \$159,461 for use by the specialized business group for



1 marijuana enforcement, which amount is based on an assumption that the
2 subdivision will require an additional 1.5 FTE; and
3 (b) \$95,706 for the purchase of legal services.
4 (4) For the 2021-22 state fiscal year, \$95,706 is appropriated to
5 the department of law. This appropriation is from reappropriated funds
6 received from the department of revenue under subsection (3)(b) of this
7 section and is based on an assumption that the department of law will
8 require an additional 0.5 FTE. To implement this act, the department of
9 law may use this appropriation to provide legal services for the
10 department of revenue."

11 Renumber succeeding section accordingly.

12 Page 1, line 102, strike "CONSUMPTION." and substitute "CONSUMPTION,
13 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

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