

HOUSE COMMITTEE OF REFERENCE REPORT

February 23, 2023

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Business Affairs & Labor.

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

HB23-1020 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3           **"SECTION 1.** In Colorado Revised Statutes, 44-10-103, **amend**  
4 (2), (58), and (65); and **add** (1.3), (1.7), (4.7), and (18.5) as follows:

5           **44-10-103. Rules - definitions.** As used in this article 10, unless  
6 the context otherwise requires:

7           (1.3) "ACCELERATOR HOSPITALITY BUSINESS" MEANS A SOCIAL  
8 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR  
9 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED  
10 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF A MARIJUANA  
11 HOSPITALITY BUSINESS ON THE PREMISES OF AN ACCELERATOR-ENDORSED  
12 MARIJUANA HOSPITALITY BUSINESS LICENSEE.

13           (1.7) "ACCELERATOR INDEPENDENT DELIVERER" MEANS A SOCIAL  
14 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR  
15 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED  
16 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF AN INDEPENDENT  
17 DELIVERER.

18           (2) "Accelerator-endorsed licensee" means a retail marijuana  
19 cultivation facility licensee, retail marijuana products manufacturer  
20 licensee, ~~or~~ retail marijuana store, ~~who~~, MARIJUANA HOSPITALITY  
21 BUSINESS LICENSEE, RETAIL MARIJUANA TRANSPORTER LICENSEE, OR  
22 INDEPENDENT DELIVERER LICENSEE THAT has, pursuant to rule, been  
23 endorsed to host and offer technical and capital support to a social equity  
24 licensee pursuant to the requirements of the accelerator program  
25 established pursuant to this article 10.

26           (4.7) "ACCELERATOR TRANSPORTER" MEANS A SOCIAL EQUITY  
27 LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR PROGRAM

1 ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT  
2 TO RULE TO EXERCISE THE PRIVILEGES OF THE ACCELERATOR-ENDORSED  
3 RETAIL MARIJUANA TRANSPORTER LICENSEE.

4 (18.5) "INDEPENDENT DELIVERER" MEANS A PERSON LICENSED  
5 PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT TO RULES  
6 PROMULGATED PURSUANT TO THIS ARTICLE 10 TO OPERATE A BUSINESS AS  
7 DESCRIBED IN SECTION 44-10-613.

8 (58) "Retail marijuana business" means a retail marijuana store,  
9 a retail marijuana cultivation facility, a retail marijuana products  
10 manufacturer, a marijuana hospitality business, a retail marijuana  
11 hospitality and sales business, a retail marijuana testing facility, a retail  
12 marijuana business operator, ~~or~~ a retail marijuana transporter, OR AN  
13 INDEPENDENT DELIVERER licensed pursuant to this article 10.

14 (65) "Retail marijuana transporter" means an entity or person  
15 licensed to transport retail marijuana and retail marijuana products from  
16 one retail marijuana business to another retail marijuana business and to  
17 temporarily store the transported retail marijuana and retail marijuana  
18 products at its licensed premises, but not authorized to sell retail  
19 marijuana or retail marijuana products under any circumstances UNLESS  
20 THE PERSON IS A SOCIAL EQUITY LICENSEE WITH A RETAIL MARIJUANA  
21 TRANSPORTER LICENSE AND RETAIL MARIJUANA DELIVERY PERMIT AND  
22 THE PERSON OBTAINED AN INDEPENDENT DELIVERY LICENSE AS DESCRIBED  
23 IN SECTION 44-10-613.

24 **SECTION 2.** In Colorado Revised Statutes, 44-10-104, **amend**  
25 (2)(a) as follows:

26 **44-10-104. Applicability - medical marijuana - retail**  
27 **marijuana.** (2) (a) A person applying for licensure pursuant to this  
28 article 10 must complete forms as provided by the state licensing  
29 authority and must pay the application fee and the licensing fee, which  
30 must be credited to the marijuana cash fund established pursuant to  
31 section 44-10-801. The state licensing authority shall forward, within  
32 seven days, one-half of the retail marijuana business license application  
33 fee to the local jurisdiction unless the application is for an accelerator  
34 cultivator, accelerator manufacturer, ~~or~~ accelerator store, ACCELERATOR  
35 HOSPITALITY BUSINESS, ACCELERATOR TRANSPORTER, OR ACCELERATOR  
36 INDEPENDENT DELIVERER license, or unless the local jurisdiction has  
37 prohibited the operation of retail marijuana businesses pursuant to section  
38 16 (5)(f) of article XVIII of the state constitution. If the license is denied,  
39 the state licensing authority shall refund the licensing fee to the applicant.

40 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **add**  
41 (2)(kk) as follows:

42 **44-10-203. State licensing authority - rules.** (2) **Mandatory**  
43 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)

1 must include, but need not be limited to, the following subjects:  
2 (kk) INDEPENDENT DELIVERY LICENSES, INCLUDING PROCEDURES  
3 FOR A SOCIAL EQUITY LICENSEE WHO HOLDS A RETAIL TRANSPORTER  
4 LICENSE AND A RETAIL MARIJUANA DELIVERY PERMIT TO APPLY FOR AN  
5 INDEPENDENT DELIVERY LICENSE; PROCEDURES FOR AN APPLICANT TO  
6 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A  
7 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING  
8 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT  
9 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A  
10 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL  
11 MARIJUANA AND RETAIL MARIJUANA PRODUCTS; AND THE CIRCUMSTANCES  
12 WHEN AN INDEPENDENT DELIVERY LICENSEE MAY PURCHASE, STORE, AND  
13 CONDUCT SALES FOR RETAIL MARIJUANA AND RETAIL MARIJUANA  
14 PRODUCTS.

15 **SECTION 4.** In Colorado Revised Statutes, **add** 44-10-207 as  
16 follows:

17 **44-10-207. Social equity report.** (1) BY JANUARY 31, 2025, AND  
18 BY JANUARY 31 EACH YEAR THEREAFTER, THE STATE LICENSING  
19 AUTHORITY SHALL SUBMIT A REPORT CONCERNING SOCIAL EQUITY  
20 LICENSES TO THE FINANCE COMMITTEES OF THE HOUSE OF  
21 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT  
22 A MINIMUM, THE REPORT MUST INCLUDE:

23 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO  
24 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY  
25 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES  
26 THAT ARE OPERATIONAL;

27 (b) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES;

28 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES THAT  
29 ARE OPERATIONAL;

30 (d) THE TOTAL NUMBER OF SOCIAL EQUITY LICENSES THAT ARE  
31 ENDORSED BY EACH ACCELERATOR-ENDORSED LICENSE TYPE;

32 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED  
33 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308  
34 (8);

35 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY LICENSE TYPES;  
36 AND

37 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING  
38 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

39 (2) THE STATE LICENSING AUTHORITY SHALL CONVENE A NEW, OR  
40 UTILIZE AN EXISTING, WORKING GROUP OF PERSONS INTERESTED IN SOCIAL  
41 EQUITY OPPORTUNITIES AND THE ACCELERATOR PROGRAM ESTABLISHED  
42 PURSUANT TO THIS ARTICLE 10 FOR THE PURPOSE OF DEVELOPING  
43 RECOMMENDATIONS PURSUANT TO SUBSECTIONS (1)(f) AND (1)(g) OF THIS

1 SECTION.

2 (3) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
3 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS  
4 SECTION CONTINUES INDEFINITELY.

5 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**  
6 (4) introductory portion and (5); and **add** (4)(e), (6), (7), and (8) as  
7 follows:

8 **44-10-308. Business and owner requirements - rules -**  
9 **legislative declaration - definition.** (4) Effective January 1, 2021,  
10 THROUGH JANUARY 1, 2024, a person who qualifies as a social equity  
11 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated  
12 marijuana business license or permit, including but not limited to  
13 accelerator store, accelerator cultivator, and accelerator manufacturer  
14 licenses, issued pursuant to this article 10. A person qualifies as a social  
15 equity licensee if such person meets the following criteria, in addition to  
16 any criteria established by rule of the state licensing authority:

17 (e) THIS SUBSECTION (4) APPLIES TO SOCIAL EQUITY LICENSEE  
18 APPLICATIONS RECEIVED BEFORE JANUARY 2, 2024, AND TO THE RENEWAL  
19 OF A SOCIAL EQUITY LICENSE APPLIED FOR OR ISSUED BEFORE JANUARY 2,  
20 2024. THIS SUBSECTION (4) DOES NOT APPLY TO REINSTATEMENT OR  
21 REACTIVATION OF SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR  
22 ISSUED BEFORE JANUARY 2, 2024, OR FOR SOCIAL EQUITY LICENSES  
23 APPLIED FOR ON OR AFTER JANUARY 2, 2024.

24 ~~(5) A person who meets the criteria in this section for a social~~  
25 ~~equity licensee, pursuant to rule and agency discretion, may be eligible for~~  
26 ~~incentives available through the department of revenue or office of~~  
27 ~~economic development and international trade, including but not limited~~  
28 ~~to a reduction in application or license fees. EFFECTIVE JANUARY 2, 2024,~~  
29 A PERSON WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR  
30 ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING,  
31 BUT NOT LIMITED TO, ACCELERATOR STORE, ACCELERATOR CULTIVATOR,  
32 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS, OR  
33 ACCELERATOR TRANSPORTER LICENSES, ISSUED PURSUANT TO THIS  
34 ARTICLE 10. A PERSON QUALIFIES AS A SOCIAL EQUITY LICENSEE IF THE  
35 PERSON MEETS THE FOLLOWING CRITERIA, IN ADDITION TO ANY CRITERIA  
36 ESTABLISHED BY RULE OF THE STATE LICENSING AUTHORITY:

37 (a) HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE SUBJECT  
38 TO DISCIPLINARY OR LEGAL ACTION FROM THE STATE LICENSING  
39 AUTHORITY RESULTING IN THE REVOCATION OF A LICENSE ISSUED  
40 PURSUANT TO THIS ARTICLE 10; AND

41 (b) HAS DEMONSTRATED AT LEAST ONE OF THE FOLLOWING:

42 (I) THE APPLICANT HAS RESIDED:

43 (A) FOR AT LEAST ANY FIVE OF THE THIRTY YEARS PRIOR TO THE

1 APPLICATION IN A CENSUS TRACT DESIGNATED BY THE OFFICE OF  
2 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE AS AN  
3 OPPORTUNITY ZONE OR DESIGNATED AS A DISPROPORTIONATE IMPACTED  
4 AREA AS DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j);  
5 (B) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE  
6 APPLICATION IN HOUSING WITH FUNDING PROVIDED PURSUANT TO SECTION  
7 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS  
8 AMENDED, 42 U.S.C. SECS. 1437f AND 1437g; OR  
9 (C) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE  
10 APPLICATION IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME  
11 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,  
12 OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM  
13 THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE  
14 INCOME THAT IS CURRENTLY SUBJECT TO A USE RESTRICTION THAT IS  
15 MONITORED TO ENSURE COMPLIANCE BY THE FEDERAL GOVERNMENT, THE  
16 STATE GOVERNMENT, A COUNTY GOVERNMENT, OR A MUNICIPAL  
17 GOVERNMENT, OR BY ANY POLITICAL SUBDIVISION OR DESIGNATED  
18 AGENCY THEREOF; OR  
19 (II) (A) THE APPLICANT OR THE APPLICANT'S SPOUSE WAS  
20 CONVICTED OF A MARIJUANA OFFENSE; OR  
21 (B) THE APPLICANT OR THE APPLICANT'S PARENT, LEGAL  
22 GUARDIAN, SIBLING, CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP  
23 WAS ARRESTED OR CONVICTED OF A MARIJUANA OFFENSE, AND THE  
24 APPLICANT OR THE APPLICANT'S PARENT, LEGAL GUARDIAN, SIBLING,  
25 CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP HAS RESIDED IN A  
26 DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO  
27 SECTION 44-10-203 (1)(j) FOR THE FIVE YEARS PRIOR TO APPLICATION OR  
28 WHOSE HOUSEHOLD INCOME DID NOT EXCEED SIXTY PERCENT OF THE  
29 STATE'S MEDIAN INCOME FOR THE FIVE YEARS PRIOR TO APPLICATION; OR  
30 (III) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST  
31 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN  
32 YEARS PRIOR TO APPLICATION:  
33 (A) THE LOW-INCOME ENERGY ASSISTANCE PROGRAM DESCRIBED  
34 IN SECTION 26-2-122.5;  
35 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM  
36 DESCRIBED IN PART 3 OF ARTICLE 2 OF TITLE 26;  
37 (C) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS DEFINED IN  
38 SECTION 26-2-703 (19);  
39 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR  
40 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.  
41 1786; OR  
42 (E) THE "COLORADO MEDICAL ASSISTANCE ACT", PURSUANT TO  
43 PART 1 OF ARTICLE 4 OF TITLE 25.5; AND

1 (c) THE SOCIAL EQUITY LICENSEE, OR COLLECTIVELY ONE OR MORE  
2 SOCIAL EQUITY LICENSEES, HOLDS AT LEAST FIFTY-ONE PERCENT OF THE  
3 BENEFICIAL OWNERSHIP OF THE REGULATED MARIJUANA BUSINESS  
4 LICENSE.

5 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF  
6 THE APPLICANT, OR COLLECTIVELY ONE OR MORE APPLICANTS, IS A  
7 CONTROLLING BENEFICIAL OWNER OR PASSIVE BENEFICIAL OWNER OF  
8 THREE OR MORE RETAIL MARIJUANA STORE LICENSES, MEDICAL  
9 MARIJUANA STORE LICENSES, RETAIL MARIJUANA CULTIVATION FACILITY  
10 LICENSES, OR MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR  
11 ANY COMBINATION THEREOF, THE APPLICANT IS NOT ELIGIBLE FOR A  
12 SOCIAL EQUITY LICENSE;

13 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,  
14 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE  
15 LICENSES, CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY AND  
16 MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR CO-LOCATED  
17 RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSES THAT ARE MOBILE  
18 CONSTITUTE ONE LICENSE.

19 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL  
20 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER JANUARY 2, 2024,  
21 THE RENEWAL OF A SOCIAL EQUITY LICENSE FIRST APPLIED FOR ON OR  
22 AFTER JANUARY 2, 2024, OR TO REINSTATEMENT OR REACTIVATION OF  
23 SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR ISSUED BEFORE  
24 JANUARY 2, 2024.

25 (b) SUBSECTION (5) OF THIS SECTION DOES NOT APPLY TO THE  
26 RENEWAL OF SOCIAL EQUITY LICENSES APPLIED FOR OR ISSUED BEFORE  
27 JANUARY 2, 2024.

28 (8) A PERSON WHO MEETS THE CRITERIA IN THIS SECTION FOR A  
29 SOCIAL EQUITY LICENSE IS ELIGIBLE FOR INCENTIVES AVAILABLE THROUGH  
30 THE DEPARTMENT OF REVENUE OR OFFICE OF ECONOMIC DEVELOPMENT  
31 AND INTERNATIONAL TRADE, INCLUDING, BUT NOT LIMITED TO, A  
32 REDUCTION IN APPLICATION OR LICENSE FEES. THE STATE LICENSING  
33 AUTHORITY SHALL PROMULGATE RULES TO CREATE INCENTIVES REQUIRED  
34 BY THIS SUBSECTION (8).

35 **SECTION 6.** In Colorado Revised Statutes, 44-10-401, **amend**  
36 **(2)(b)(X); and add (2)(b)(XII), (2)(b)(XIII), (2)(b)(XIV), and (2)(b)(XV)**  
37 **as follows:**

38 **44-10-401. Classes of licenses.** (2) (b) The following are retail  
39 marijuana licenses:

- 40 (X) Retail marijuana hospitality and sales business license; **and**
- 41 (XII) ACCELERATOR TRANSPORTER LICENSE;
- 42 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE;
- 43 (XIV) INDEPENDENT DELIVERY LICENSE; AND

1 (XV) ACCELERATOR INDEPENDENT DELIVERY LICENSE.

2 **SECTION 7.** In Colorado Revised Statutes, 44-10-601, **amend**  
3 (16) as follows:

4 **44-10-601. Retail marijuana store license - rules - definitions.**

5 (16) A retail marijuana store ~~pursuant to rule and the state licensing~~  
6 ~~authority discretion, may be~~ THAT HOSTS AN ACCELERATOR STORE  
7 LICENSE IS eligible for incentives available through the department of  
8 revenue or the office of economic development and international trade,  
9 including, but not limited to, a reduction in application or license fees.

10 **SECTION 8.** In Colorado Revised Statutes, 44-10-602, **amend**  
11 (11) as follows:

12 **44-10-602. Retail marijuana cultivation facility license - rules**  
13 **- definitions.** (11) A retail marijuana cultivation facility licensee that

14 hosts an accelerator cultivator licensee ~~pursuant to rule and the state~~  
15 ~~licensing authority discretion, may be~~ IS eligible for incentives available  
16 through the department of revenue or the office of economic development  
17 and international trade, including, but not limited to, a reduction in  
18 application or license fees.

19 **SECTION 9.** In Colorado Revised Statutes, 44-10-603, **amend**  
20 (14) as follows:

21 **44-10-603. Retail marijuana products manufacturer license -**  
22 **rules - definition.** (14) A retail marijuana products manufacturer

23 licensee ~~pursuant to rule and the state licensing authority discretion, may~~  
24 ~~be~~ THAT HOSTS AN ACCELERATOR MANUFACTURER LICENSE IS eligible for  
25 incentives through the department of revenue or the office of economic  
26 development and international trade, including, but not limited to, a  
27 reduction in application or license fees.

28 **SECTION 10.** In Colorado Revised Statutes, 44-10-605, **add**  
29 (5)(k), (6), (7), and (8) as follows:

30 **44-10-605. Retail marijuana transporter license - definition.**

31 (5) (k) IN ADDITION TO THE REQUIREMENTS OF THIS SUBSECTION (5), A  
32 PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION  
33 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA  
34 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED NOT LATER THAN  
35 OCTOBER 31, 2023, MAY APPLY FOR AN INDEPENDENT DELIVERY LICENSE  
36 ON OR AFTER OCTOBER 31, 2023, AND BEFORE AUGUST 1, 2025.

37 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON  
38 THE PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF, BEFORE  
39 EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE RETAIL  
40 MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED  
41 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS  
42 APPROVED TO OPERATE ON THAT PREMISES.

43 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN

1 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,  
2 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
3 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON  
4 ITS PREMISES.

5 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN  
6 ACCELERATOR TRANSPORTER LICENSEE IS ELIGIBLE FOR INCENTIVES  
7 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF  
8 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT  
9 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

10 **SECTION 11.** In Colorado Revised Statutes, 44-10-609, **add** (5),  
11 (6), and (7) as follows:

12 **44-10-609. Marijuana hospitality business license.** (5) AN  
13 ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON THE  
14 PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF, BEFORE  
15 EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES, THE  
16 MARIJUANA HOSPITALITY BUSINESS LICENSEE HAS ITS PREMISES ENDORSED  
17 PURSUANT TO RULE AND EACH ACCELERATOR HOSPITALITY BUSINESS  
18 LICENSEE IS APPROVED TO OPERATE ON THAT PREMISES.

19 (6) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS  
20 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY, PURSUANT TO  
21 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
22 ASSISTANCE TO AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE  
23 OPERATING ON ITS PREMISES.

24 (7) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS  
25 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE IS ELIGIBLE FOR  
26 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE  
27 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,  
28 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR  
29 LICENSE FEES.

30 **SECTION 12.** In Colorado Revised Statutes, **add** 44-10-612 as  
31 follows:

32 **44-10-612. Retail marijuana accelerator hospitality business**  
33 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS  
34 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE  
35 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON  
36 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA  
37 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR  
38 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE  
39 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY  
40 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

41 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING  
42 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY  
43 BUSINESS LICENSES ON JANUARY 2, 2024.

1           **SECTION 13.** In Colorado Revised Statutes, **add** 44-10-613 as  
2 follows:

3           **44-10-613. Independent delivery license - rules - definitions -**  
4 **repeal.** (1) (a) (I) ON AND AFTER OCTOBER 31, 2023, AND BEFORE  
5 AUGUST 1, 2025, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO  
6 A PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION  
7 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA  
8 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED ON OR BEFORE  
9 OCTOBER 31, 2023.

10           (II) ON AND AFTER AUGUST 1, 2025, AND BEFORE JANUARY 1,  
11 2028, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO A PERSON  
12 QUALIFIED AS A SOCIAL EQUITY LICENSEE PURSUANT TO SECTION  
13 44-10-308 (5).

14           (b) AN INDEPENDENT DELIVERER MAY PURCHASE RETAIL  
15 MARIJUANA FROM A LICENSED RETAIL MARIJUANA CULTIVATION FACILITY.

16           (c) AN INDEPENDENT DELIVERER SHALL NOT ACCEPT ANY RETAIL  
17 MARIJUANA PURCHASED FROM A RETAIL MARIJUANA CULTIVATION  
18 FACILITY UNLESS THE INDEPENDENT DELIVERER IS PROVIDED WITH  
19 EVIDENCE THAT ANY APPLICABLE EXCISE TAX DUE, PURSUANT TO ARTICLE  
20 28.8 OF TITLE 39, WAS PAID.

21           (d) AN INDEPENDENT DELIVERER SHALL TRACK ALL OF ITS RETAIL  
22 MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM THE POINT THAT  
23 THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION  
24 FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURER TO THE POINT  
25 OF SALE.

26           (e) THE INDEPENDENT DELIVERY LICENSE APPLICANT SHALL  
27 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A  
28 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING  
29 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT  
30 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A  
31 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL  
32 MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

33           (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, AN  
34 INDEPENDENT DELIVERY LICENSEE MAY ALSO SELL RETAIL MARIJUANA  
35 PRODUCTS THAT ARE PREPACKAGED AND LABELED AS REQUIRED BY RULES  
36 OF THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203  
37 (2)(f) AND (3)(b).

38           (b) AN INDEPENDENT DELIVERY LICENSEE MAY TRANSACT WITH A  
39 RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE FOR THE  
40 PURCHASE OF RETAIL MARIJUANA PRODUCTS AT A RETAIL MARIJUANA  
41 PRODUCTS MANUFACTURER LICENSEE'S LICENSED PREMISES OR AT A STATE  
42 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY.

43           (3) (a) (I) AN INDEPENDENT DELIVERER MAY NOT SELL MORE THAN

1 ONE OUNCE OF RETAIL MARIJUANA OR ITS EQUIVALENT IN RETAIL  
2 MARIJUANA PRODUCTS, INCLUDING RETAIL MARIJUANA CONCENTRATE,  
3 EXCEPT FOR NONEDIBLE, NONPSYCHOACTIVE RETAIL MARIJUANA  
4 PRODUCTS, INCLUDING OINTMENTS, LOTIONS, BALMS, AND OTHER  
5 NONTRANSDERMAL TOPICAL PRODUCTS, DURING A SINGLE TRANSACTION  
6 TO A PERSON.

7 (II) AS USED IN THIS SUBSECTION (3)(a), "EQUIVALENT IN RETAIL  
8 MARIJUANA PRODUCTS" HAS THE SAME MEANING AS ESTABLISHED BY THE  
9 STATE LICENSING AUTHORITY BY RULE PURSUANT TO SECTION 44-10-203  
10 (4).

11 (b) (I) PRIOR TO INITIATING A SALE, THE EMPLOYEE OF THE  
12 INDEPENDENT DELIVERER MAKING THE SALE SHALL VERIFY THAT THE  
13 PURCHASER HAS A VALID IDENTIFICATION CARD SHOWING THE PURCHASER  
14 IS TWENTY-ONE YEARS OF AGE OR OLDER. IF A PERSON UNDER  
15 TWENTY-ONE YEARS OF AGE PRESENTS A FRAUDULENT PROOF OF AGE, ANY  
16 ACTION RELYING ON THE FRAUDULENT PROOF OF AGE IS NOT GROUNDS FOR  
17 THE REVOCATION OR SUSPENSION OF ANY LICENSE ISSUED UNDER THIS  
18 ARTICLE 10.

19 (II) (A) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE  
20 HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS UNDER  
21 TWENTY-ONE YEARS OF AGE AND IS EXHIBITING FRAUDULENT PROOF OF  
22 AGE IN AN ATTEMPT TO OBTAIN ANY RETAIL MARIJUANA OR RETAIL  
23 MARIJUANA PRODUCT, THE LICENSEE OR EMPLOYEE IS AUTHORIZED TO  
24 CONFISCATE THE FRAUDULENT PROOF OF AGE, IF POSSIBLE, AND SHALL,  
25 WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION, REMIT IT TO A  
26 STATE OR LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO  
27 CONFISCATE THE FRAUDULENT PROOF OF AGE OR TO REMIT IT TO A STATE  
28 OR LOCAL LAW ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS  
29 AFTER THE CONFISCATION DOES NOT CONSTITUTE A CRIMINAL OFFENSE.

30 (B) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE  
31 BELIEVES THAT A PERSON IS UNDER TWENTY-ONE YEARS OF AGE AND IS  
32 EXHIBITING FRAUDULENT PROOF OF AGE IN AN ATTEMPT TO OBTAIN ANY  
33 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT, THE LICENSEE OR  
34 EMPLOYEE OR A PEACE OFFICER, ACTING IN GOOD FAITH AND UPON  
35 PROBABLE CAUSE BASED UPON REASONABLE GROUNDS THEREFOR, MAY  
36 DETAIN AND QUESTION THE PERSON IN A REASONABLE MANNER FOR THE  
37 PURPOSE OF ASCERTAINING WHETHER THE PERSON IS GUILTY OF ANY  
38 UNLAWFUL ACT REGARDING THE PURCHASE OF RETAIL MARIJUANA OR  
39 RETAIL MARIJUANA PRODUCT. THE QUESTIONING OF A PERSON BY AN  
40 EMPLOYEE OR A PEACE OFFICER DOES NOT RENDER THE LICENSEE, THE  
41 EMPLOYEE, OR THE PEACE OFFICER CIVILLY OR CRIMINALLY LIABLE FOR  
42 SLANDER, FALSE ARREST, FALSE IMPRISONMENT, MALICIOUS PROSECUTION,  
43 OR UNLAWFUL DETENTION.

1 (c) (I) AN INDEPENDENT DELIVERER THAT SELLS AN INDUSTRIAL  
2 HEMP PRODUCT SHALL ENSURE THAT THE INDUSTRIAL HEMP PRODUCT HAS  
3 PASSED ALL TESTING REQUIRED BY RULES PROMULGATED BY THE STATE  
4 LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(d). PRIOR TO  
5 TAKING POSSESSION OF THE INDUSTRIAL HEMP PRODUCT, AN INDEPENDENT  
6 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL  
7 TESTING REQUIRED FOR RETAIL MARIJUANA PRODUCTS AT A LICENSED  
8 RETAIL MARIJUANA TESTING FACILITY AND THAT THE PERSON  
9 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT HAS RECEIVED A  
10 REGISTRATION FROM THE DEPARTMENT OF PUBLIC HEALTH AND  
11 ENVIRONMENT PURSUANT TO SECTION 25-5-426.

12 (II) ABSENT SAMPLING AND TESTING STANDARDS ESTABLISHED BY  
13 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE  
14 SAMPLING AND TESTING OF AN INDUSTRIAL HEMP PRODUCT, A PERSON  
15 TRANSFERRING AN INDUSTRIAL HEMP PRODUCT TO AN INDEPENDENT  
16 DELIVERER PURSUANT TO THIS SECTION SHALL COMPLY WITH SAMPLING  
17 AND TESTING STANDARDS CONSISTENT WITH THOSE ESTABLISHED BY THE  
18 STATE LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 10. THE STATE  
19 LICENSING AUTHORITY SHALL REPORT TO THE DEPARTMENT OF PUBLIC  
20 HEALTH AND ENVIRONMENT ANY INVESTIGATIONS OR FINDINGS OF  
21 VIOLATIONS OF THIS SECTION BY A PERSON REGISTERED PURSUANT TO  
22 SECTION 25-5-426.

23 (d) WHEN COMPLETING A SALE OF RETAIL MARIJUANA  
24 CONCENTRATE, THE INDEPENDENT DELIVERER SHALL PROVIDE THE  
25 CUSTOMER WITH THE TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE  
26 STATE LICENSING AUTHORITY THROUGH RULE-MAKING REGARDING THE  
27 USE OF RETAIL MARIJUANA CONCENTRATE.

28 (4) ALL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS  
29 SOLD BY AN INDEPENDENT DELIVERER MUST BE PACKAGED AND LABELED  
30 AS REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT  
31 TO SECTION 44-10-203 (2)(f) AND (3)(b).

32 (5) (a) AN INDEPENDENT DELIVERER SHALL ONLY SELL RETAIL  
33 MARIJUANA, RETAIL MARIJUANA PRODUCTS, MARIJUANA ACCESSORIES,  
34 NONCONSUMABLE PRODUCTS SUCH AS APPAREL, MARIJUANA-RELATED  
35 PRODUCTS SUCH AS CHILDPROOF PACKAGING CONTAINERS, AND  
36 INDUSTRIAL HEMP PRODUCTS. AN INDEPENDENT DELIVERER SHALL NOT  
37 SELL OR GIVE AWAY ANY CONSUMABLE PRODUCT, INCLUDING, BUT NOT  
38 LIMITED TO, CIGARETTES OR ALCOHOL, OR EDIBLE PRODUCTS THAT DO NOT  
39 CONTAIN MARIJUANA, INCLUDING, BUT NOT LIMITED TO, SODAS, CANDIES,  
40 OR BAKED GOODS.

41 (b) AN INDEPENDENT DELIVERER SHALL NOT SELL ANY RETAIL  
42 MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT CONTAIN NICOTINE OR  
43 ALCOHOL IF THE SALE OF THE ALCOHOL WOULD REQUIRE A LICENSE

1 PURSUANT TO ARTICLE 3 OR 4 OF THIS TITLE 44.  
2 (c) AN INDEPENDENT DELIVERER MUST TAKE ORDERS FOR RETAIL  
3 MARIJUANA OR RETAIL MARIJUANA PRODUCTS OVER THE INTERNET.  
4 (6) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MUST  
5 NOT BE CONSUMED IN AN INDEPENDENT DELIVERER'S VEHICLE.  
6 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,  
7 SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS ARE NOT  
8 EXEMPT FROM STATE OR LOCAL SALES TAX.  
9 (8) A LISTING FOR SALE BY AN INDEPENDENT DELIVERER FOR  
10 RETAIL MARIJUANA CONCENTRATE MUST INCLUDE THE POTENCY OF THE  
11 RETAIL MARIJUANA CONCENTRATE NEXT TO THE NAME OF THE PRODUCT  
12 AND SAFETY WARNINGS AND HEALTH RISKS FOR RETAIL MARIJUANA  
13 CONCENTRATES PROMULGATED BY RULE.  
14 (9) (a) AN INDEPENDENT DELIVERER LICENSEE SHALL NOT MAKE  
15 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO  
16 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL  
17 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME  
18 VEHICLE.  
19 (b) THE INDEPENDENT DELIVERER SHALL CHARGE A ONE-DOLLAR  
20 SURCHARGE ON EACH DELIVERY. THE INDEPENDENT DELIVERER SHALL  
21 REMIT THE SURCHARGES COLLECTED ON A MONTHLY BASIS TO THE  
22 MUNICIPALITY WHERE THE INDEPENDENT DELIVERY BUSINESS IS LOCATED,  
23 OR TO THE COUNTY IF THE INDEPENDENT DELIVERY BUSINESS IS IN AN  
24 UNINCORPORATED AREA, FOR LOCAL LAW ENFORCEMENT COSTS RELATED  
25 TO MARIJUANA ENFORCEMENT. FAILURE TO COMPLY WITH THIS  
26 SUBSECTION (9)(b) MAY RESULT IN NONRENEWAL OF THE INDEPENDENT  
27 DELIVERY LICENSE.  
28 (c) AN INDEPENDENT DELIVERER MAY DELIVER RETAIL MARIJUANA  
29 AND RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED  
30 THE ORDER AND WHO:  
31 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;  
32 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL  
33 MARIJUANA PRODUCTS PURSUANT TO RULES; AND  
34 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.  
35 (d) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL  
36 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE  
37 AND BE A CURRENT EMPLOYEE OF THE INDEPENDENT DELIVERER; MUST  
38 HAVE UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION  
39 AND VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE  
40 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST  
41 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING  
42 AUTHORITY.  
43 (e) IN ACCORDANCE WITH THIS SUBSECTION (9) AND RULES

1 ADOPTED TO IMPLEMENT THIS SUBSECTION (9), AN INDEPENDENT  
2 DELIVERER:

3 (I) SHALL NOT DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA  
4 PRODUCTS IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE  
5 LICENSING AUTHORITY;

6 (II) SHALL DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS  
7 PROVIDED IN THE ORDER;

8 (III) SHALL NOT DELIVER MORE THAN ONCE PER DAY TO THE SAME  
9 INDIVIDUAL OR RESIDENCE;

10 (IV) (A) SHALL DELIVER ONLY TO PRIVATE RESIDENCES;

11 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"  
12 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE  
13 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES  
14 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN  
15 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY;

16 (V) SHALL DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA  
17 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION  
18 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION  
19 44-10-203 (2)(dd);

20 (VI) SHALL USE AN EMPLOYEE TO CONDUCT DELIVERIES; AND

21 (VII) SHALL USE AN ASSOCIATED STATE LICENSING  
22 AUTHORITY-AUTHORIZED STORAGE FACILITY TO STORE, PACKAGE, AND  
23 LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS.

24 (f) (I) AT THE TIME OF THE ORDER, THE INDEPENDENT DELIVERER  
25 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO  
26 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE  
27 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:

28 (A) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;

29 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER IS  
30 DELIVERED; AND

31 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING  
32 AUTHORITY RULE.

33 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN  
34 INDIVIDUAL, THE INDEPENDENT DELIVERER DELIVERING THE ORDER SHALL  
35 INSPECT THE INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE  
36 INFORMATION PROVIDED AT THE TIME THE ORDER IS PLACED MATCHES THE  
37 NAME AND AGE ON THE INDIVIDUAL'S IDENTIFICATION.

38 (g) THE INDEPENDENT DELIVERER SHALL NOT SELL RETAIL  
39 MARIJUANA OR RETAIL MARIJUANA PRODUCTS DIRECTLY FROM THE  
40 DELIVERY VEHICLE.

41 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING  
42 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL  
43 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO

1 THIS ARTICLE 10 MAY APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND  
2 RETAIL MARIJUANA PRODUCTS, INCLUDING, BUT NOT LIMITED TO,  
3 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING  
4 REQUIREMENTS.

5 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED  
6 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO INDEPENDENT  
7 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (9).

8 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE CIVIL OR  
9 CRIMINAL LAW FOR AN INDEPENDENT DELIVERER, OR SUCH PERSON WHO  
10 HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE RENEWAL OF A  
11 RETAIL MARIJUANA DELIVERY PERMIT, OR ITS LICENSEES, TO POSSESS,  
12 TRANSPORT, AND DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA  
13 PRODUCTS IN AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY  
14 THE STATE LICENSING AUTHORITY.

15 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE  
16 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE  
17 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL  
18 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE  
19 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING  
20 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION  
21 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

22 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,  
23 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT  
24 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS  
25 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A  
26 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,  
27 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL  
28 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL  
29 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM  
30 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,  
31 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE  
32 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTE TO ALLOW THE  
33 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS  
34 PURSUANT TO THIS SECTION.

35 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(k)(I)  
36 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND  
37 RETAIL MARIJUANA PRODUCTS FROM AN INDEPENDENT DELIVERER THAT  
38 IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S  
39 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL  
40 BOUNDARIES.

41 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,  
42 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT  
43 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF

1 HIGHER EDUCATION.

2 (m) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING  
3 RETAIL MARIJUANA DELIVERY PERMITS TO QUALIFIED INDEPENDENT  
4 DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER THAN, OCTOBER  
5 31, 2023.

6 (10) AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY  
7 OPERATE WITH AN INDEPENDENT DELIVERY LICENSEE IF BEFORE AN  
8 ACCELERATOR INDEPENDENT DELIVERY LICENSEE OPERATES, THE  
9 INDEPENDENT DELIVERY LICENSEE HAS ITS PREMISES ENDORSED  
10 PURSUANT TO RULE AND EACH ACCELERATOR INDEPENDENT DELIVERY  
11 LICENSEE IS APPROVED TO OPERATE WITH THE ENDORSED LICENSEE.

12 (11) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN  
13 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY, PURSUANT TO  
14 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
15 ASSISTANCE TO AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE  
16 OPERATING ON ITS PREMISES WITH SHARED OPERATIONS PRIVILEGES.

17 (12) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN  
18 ACCELERATOR INDEPENDENT DELIVERER IS ELIGIBLE FOR INCENTIVES  
19 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF  
20 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT  
21 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

22 (13) AN INDEPENDENT DELIVERER SHALL NOT SELL MORE THAN  
23 EIGHT GRAMS OF RETAIL MARIJUANA CONCENTRATE TO A PERSON IN A  
24 SINGLE DAY.

25 **SECTION 14.** In Colorado Revised Statutes, **add** 44-10-614 as  
26 follows:

27 **44-10-614. Retail marijuana accelerator independent delivery**  
28 **license - repeal.** (1) A RETAIL MARIJUANA ACCELERATOR INDEPENDENT  
29 DELIVERY LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO  
30 EXERCISE THE PRIVILEGES OF A RETAIL MARIJUANA INDEPENDENT  
31 DELIVERY LICENSEE ON THE PREMISES OF AN ACCELERATOR-ENDORSED  
32 INDEPENDENT DELIVERY LICENSEE. THE RETAIL MARIJUANA  
33 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY RECEIVE  
34 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL  
35 MARIJUANA INDEPENDENT DELIVERY LICENSEE WITH AN ACCELERATOR  
36 ENDORSEMENT.

37 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING  
38 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY  
39 BUSINESS LICENSES ON JANUARY 2, 2024.

40 **SECTION 15.** In Colorado Revised Statutes, 44-10-1401, **amend**  
41 (2) as follows:

42 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the  
43 repeal of this article 10, the department of regulatory agencies shall

1 conduct a sunset review as described in section 24-34-104 (5). AS A PART  
2 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES  
3 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS  
4 CONCERNING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY  
5 LICENSE.

6 **SECTION 16.** In Colorado Revised Statutes, 24-34-104, **amend**  
7 (29)(a)(XII) as follows:

8 **24-34-104. General assembly review of regulatory agencies**  
9 **and functions for repeal, continuation, or reestablishment -**  
10 **legislative declaration - repeal.** (29) (a) The following agencies,  
11 functions, or both, are scheduled for repeal on September 1, 2028:

12 (XII) The "Colorado Marijuana Code", article 10 of title 44,  
13 INCLUDING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY  
14 LICENSE;

15 **SECTION 17.** In Colorado Revised Statutes, 24-48.5-128, **add**  
16 (3)(e) as follows:

17 **24-48.5-128. Program - marijuana entrepreneurs - social**  
18 **equity licensees - committee - report - marijuana entrepreneur fund**  
19 **- creation - legislative declaration - definitions.** (3) **Loans, grants,**  
20 **and technical assistance.** (e) (I) THERE IS CREATED IN THE OFFICE THE  
21 PROGRAM GRANT COMMITTEE THAT IS RESPONSIBLE FOR REVIEWING  
22 GRANT APPLICATIONS, SELECTING GRANT RECIPIENTS, AND DETERMINING  
23 GRANT AWARDS ISSUED PURSUANT TO THIS SECTION. ON OR BEFORE  
24 SEPTEMBER 1, 2023, THE OFFICE DIRECTOR SHALL APPOINT THE  
25 FOLLOWING MEMBERS TO SERVE ON THE COMMITTEE:

26 (A) FIVE PERSONS WHO OWN A BUSINESS THAT IS CURRENTLY  
27 LOCATED AND OPERATING IN COLORADO;

28 (B) FIVE PERSONS WITH EXPERIENCE REPRESENTING MARIJUANA  
29 LICENSEES; AND

30 (C) FIVE PERSONS WHO ARE INTERESTED COMMUNITY MEMBERS.

31 (II) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE  
32 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND  
33 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

34 (III) THE MEMBERSHIP OF THE COMMITTEE MUST NOT INCLUDE A  
35 LICENSEE, AS DEFINED BY SECTION 44-10-103 (25).

36 (IV) MEMBERS OF THE COMMITTEE SERVE TWO-YEAR TERMS AND  
37 MAY BE REAPPOINTED FOR AN ADDITIONAL TWO-YEAR TERM. MEMBERS  
38 OF THE COMMITTEE SERVE AT THE PLEASURE OF THE OFFICE DIRECTOR. IF  
39 A MEMBER OF THE COMMITTEE LEAVES THE COMMITTEE PRIOR TO THE  
40 EXPIRATION OF THE MEMBER'S TERM, THE OFFICE DIRECTOR SHALL  
41 APPOINT A NEW MEMBER TO SERVE FOR THE REMAINDER OF THE TERM.

42 (V) MEMBERS OF THE COMMITTEE SERVE WITHOUT  
43 COMPENSATION OR REIMBURSEMENT OF EXPENSES.

1           **SECTION 18. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly; except  
4 that, if a referendum petition is filed pursuant to section 1 (3) of article  
5 V of the state constitution against this act or an item, section, or part of  
6 this act within such period, then the act, item, section, or part will not  
7 take effect unless approved by the people at the general election to be  
8 held in November 2024 and, in such case, will take effect on the date of  
9 the official declaration of the vote thereon by the governor.

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