



**Colorado
Legislative
Council
Staff**

HB16-1373

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0742

Date: August 17, 2016

Prime Sponsor(s): Rep. Singer
Sen. Holbert; Marble

Bill Status: Signed into Law

Fiscal Analyst: Josh Abram (303-866-3561)

BILL TOPIC: STUDENT MEDICAL MARIJUANA USE AT SCHOOL

Summary of Legislation

Under current law, students in K-12 public schools may not possess or self-administer medical marijuana on school grounds, while riding in a school bus, or at any school-sponsored event (collectively: school property). School districts are authorized to adopt a policy permitting the student's parent or a medical professional who accompanies a student on school property to assist the student with the administration of medical marijuana.

This bill repeals the current authorization for school districts to adopt a medical marijuana policy, and instead allows a primary caregiver to possess and administer medical marijuana to a student on school property. The student must hold a valid recommendation for medical marijuana, and the medicine must be administered in a nonsmokeable form. The administration of medical marijuana may not disrupt the educational environment or cause exposure to other students, and the primary caregiver must remove any remaining medicine from school property. School district staff need not administer the medical marijuana.

A school district board of education or charter school board may adopt policies regarding who may act as a primary caregiver, and the reasonable parameters for the administration and use of medical marijuana on school property. A school district or charter school board need not implement the bill if the district or school:

- loses federal funding as a result of complying with the bill;
- can reasonably demonstrate that it lost federal funding as a result of complying with the bill; or
- posts on its website in a conspicuous place a statement regarding its decision not to comply with the bill.

School districts and charter schools may not deny the eligibility to attend school, nor discipline any student who holds a valid recommendation or medical marijuana solely because the student requires the medicine as a reasonable accommodation necessary for the child to attend school.

School District Impact

Local education providers that choose to adopt policies regarding primary caregivers and the reasonable parameters for the administration and use of medical marijuana on school property will have an increase in workload.

Under current law, school districts and Boards of Cooperative Educational Services (BOCES) may submit a separate estimate of fiscal impacts within seven days of a bill's introduction. Estimates submitted by districts or BOCES for this bill can be found on the Legislative Council website at this address: <http://1.usa.gov/23AxLIT>

Effective Date

The bill was signed into law by the Governor and it took effect on June 6, 2016.

State and Local Government Contacts

Education

Governor's Marijuana Office

Revenue