

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 17-0907.01 Michael Dohr x4347

SENATE BILL 17-187

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

Ginal,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY FOR AN EXEMPTION TO THE RESIDENCY**
102 **REQUIREMENT FOR EDUCATION-RELATED MARIJUANA**
103 **OCCUPATIONAL LICENSES.**

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, when an employee or manager of a retail business applies for an occupational license, the person must be a Colorado resident on the date of his or her application. The bill gives the state licensing authority the ability to create an exemption to the residency requirement for a person applying for an occupational license for

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

SENATE
Amended 2nd Reading
March 3, 2017

participation in a marijuana-based workforce development or education program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **amend**
3 **the introductory portion; and add (6.5) as follows:**

4 **12-43.3-104. Definitions.** As used in this ~~article~~ ARTICLE 43.3,
5 **unless the context otherwise requires:**

6 **(6.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**
7 **EDUCATION PROGRAM" MEANS AN EDUCATIONAL PROGRAM DESIGNED TO**
8 **TRAIN INDIVIDUALS TO WORK IN THE LEGAL MEDICAL MARIJUANA**
9 **INDUSTRY.**

10 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-401, **amend**
11 (1) introductory portion and (1)(d) as follows:

12 **12-43.3-401. Classes of licenses.** (1) For the purpose of
13 regulating the cultivation, manufacture, distribution, and sale of medical
14 marijuana, the state licensing authority in its discretion, upon application
15 in the prescribed form made to it, may issue and grant to the applicant a
16 license from any of the following classes, subject to the provisions and
17 restrictions provided by this ~~article~~ ARTICLE 43.3:

18 (d) Occupational licenses and registrations for owners, managers,
19 operators, employees, contractors, and other support staff employed by,
20 working in, or having access to restricted areas of the licensed premises,
21 as determined by the state licensing authority. **UPON RECEIPT OF AN**
22 **AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS**
23 **ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**
24 **EDUCATION PROGRAM IN COLORADO THAT WILL REQUIRE ACCESS OR**
25 **EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE**

1 43.3 OR ARTICLE 43.4 OF THIS TITLE 12, THE STATE LICENSING AUTHORITY
2 MAY EXEMPT FOR UP TO ONE YEAR BASED ON THE LENGTH OF THE
3 PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.3-310(6) FOR
4 A PERSON APPLYING FOR AN OCCUPATIONAL LICENSE FOR PARTICIPATION
5 IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION
6 PROGRAM. The state licensing authority may take any action with respect
7 to a registration pursuant to this ~~article~~ ARTICLE 43.3 as it may with
8 respect to a license pursuant to this ~~article~~ ARTICLE 43.3, in accordance
9 with the procedures established pursuant to this ~~article~~ ARTICLE 43.3.

10 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend**
11 **the introductory portion; and add (9.5) as follows:**

12 **12-43.4-103. Definitions.** As used in this ~~article~~ ARTICLE 43.4,
13 **unless the context otherwise requires:**

14 **(9.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**
15 **EDUCATION PROGRAM" MEANS AN EDUCATIONAL PROGRAM DESIGNED TO**
16 **TRAIN INDIVIDUALS TO WORK IN THE LICENSED RETAIL MARIJUANA**
17 **INDUSTRY.**

18 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-401, **amend**
19 (1) introductory portion and (1)(e) as follows:

20 **12-43.4-401. Classes of licenses.** (1) For the purpose of
21 regulating the cultivation, manufacture, distribution, sale, and testing of
22 retail marijuana and retail marijuana products, the state licensing
23 authority in its discretion, upon receipt of an application in the prescribed
24 form, may issue and grant to the applicant a license from any of the
25 following classes, subject to the provisions and restrictions provided by
26 this ~~article~~ ARTICLE 43.4:

27 (e) Occupational licenses and registrations for owners, managers,

1 operators, employees, contractors, and other support staff employed by,
2 working in, or having access to restricted areas of the licensed premises,
3 as determined by the state licensing authority. UPON RECEIPT OF AN
4 AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS
5 ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR
6 EDUCATION PROGRAM IN COLORADO THAT WILL REQUIRE ACCESS OR
7 EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE
8 43.4 OR ARTICLE 43.3 OF THIS TITLE 12, THE STATE LICENSING AUTHORITY
9 MAY EXEMPT FOR UP TO ONE YEAR BASED ON THE LENGTH OF THE
10 PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.4-309 (5) FOR
11 A PERSON APPLYING FOR AN OCCUPATIONAL LICENSE FOR PARTICIPATION
12 IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION
13 PROGRAM. The state licensing authority may take any action with respect
14 to a registration pursuant to this ~~article~~ ARTICLE 43.4 as it may with
15 respect to a license pursuant to this ~~article~~ ARTICLE 43.4, in accordance
16 with the procedures established pursuant to this ~~article~~ ARTICLE 43.4.

17 **SECTION 5. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2018 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.