



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0948	Date:	April 5, 2023
Prime Sponsors:	Rep. Lindstedt; Sharbini Sen. Rodriguez	Bill Status:	House Finance
		Fiscal Analyst:	Clayton Mayfield 303-866-5851 clayton.mayfield@coleg.gov

Bill Topic: ALLOW RETAIL MARIJUANA ONLINE SALES

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill repeals a statutory prohibition on the ability of retail marijuana stores to make internet sales and deliveries. Starting in FY 2023-24, the bill minimally increases state workload and may impact local revenue.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill repeals a statutory prohibition on the ability of retail marijuana stores to make sales over the internet or to deliver retail marijuana products to a person not physically present in the retail marijuana store.

Background

Under current law, licensed retail marijuana stores and retail marijuana transporters may apply for delivery permits to conduct deliveries. Additionally, retail stores may utilize an online platform to process these orders. Payment for delivery orders must be through any authorized method, including pre-payment or payment on delivery. The bill allows for payment at the point of sale through an online platform in addition to these methods.

State Revenue and Expenditures

The bill impacts workload in the Department of Revenue (DOR) due to rulemaking necessary to implement the provisions of the bill, with legal support from the Department of Law (DOL). Overall, any workload increase is minimal and no change in appropriations is required. Allowing for online sale and delivery of retail marijuana products is not expected to have a net impact on state revenue from tax collections.

Local Government

To the extent the bill shifts sales between retail locations and online, the bill may change the distribution of local sales tax revenue between local jurisdictions. This impact has not been estimated.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Law	Revenue
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