

PLEASE SUPPORT HOUSE BILL 23-1279

Allow Online Payment for Cannabis Sales

The bill aligns retail marijuana law with medical marijuana law by repealing the prohibition of online sales.

Why is this needed?

- During the COVID-19 Pandemic (in 2020 and 2021), online payments were allowed through an Executive Order and Public Health Order. The practice took place without incident for over a year, demonstrating it can be successfully implemented.
- Increase public health and safety by allowing cannabis retailers to reduce their reliance on cash transactions.
 - Having less cash on hand reduces the risk of robberies and burglaries.
 - Allowing online payment protects immunocompromised patients and customers.
- Improves compliance, as well as audit and tax collection efforts: Online payment makes it much easier to track sales and tax collections. This will facilitate faster and more accurate recordkeeping for tax auditors, state and local regulators, financial professionals, banks, and business owners.
- Allow cannabis retailers to respond to changing consumer trends demanding e-commerce transaction options and improve efficiencies around store operations and customer service.

FAQs:

- How will the customer's age be verified to ensure no underage sales? There will be no change in the current practice to verify an individual's age prior to the sale and pickup of products.
- Will this authorize the shipping of cannabis products direct to consumers? No.
- Will dispensaries still allow for cash payment or will this lead stores to only accept online/card transactions? Yes, dispensaries will still allow for cash payments, this will only allow for an alternative payment form for those customers who choose to pay online.
- Does this bill change how cannabis deliveries work? No. Cannabis deliveries are governed by C.R.S. 44-10-601(13). A cannabis business must be located in a local jurisdiction that has opted into cannabis deliveries, obtain a delivery permit from the state licensing authority, and follow all laws and regulations imposed by the local jurisdiction prior to making deliveries.

For questions, please contact Carrie Hackenberger at chackenberger@hbstrategies.us or (720) 839-8774 and Liz Zukowski at elisabeth.zukowski@nativerootsdispensary.com



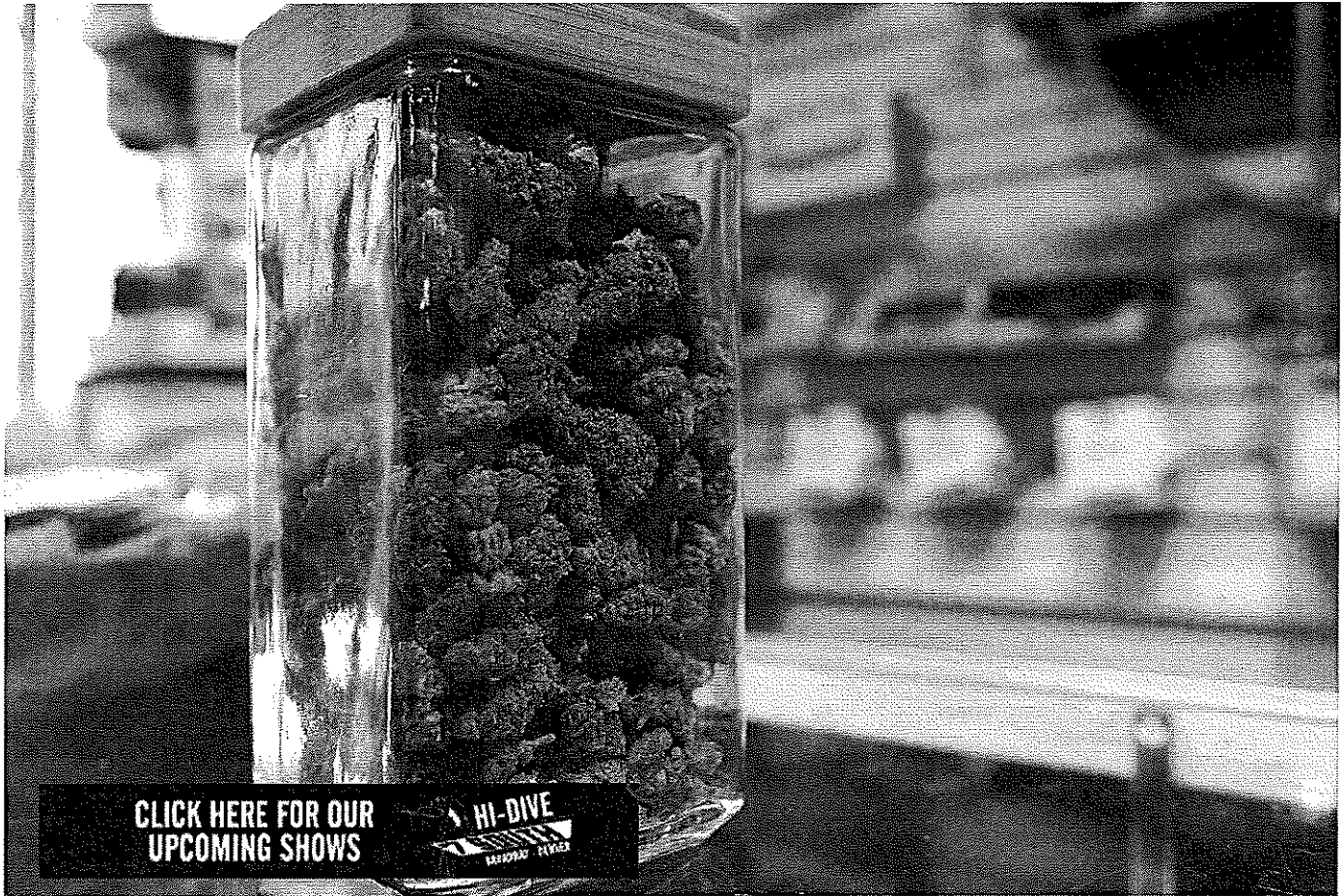
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Colorado Dispensaries Want to Offer Online Marijuana Sales

THOMAS MITCHELL | APRIL 11, 2023 | 10:00AM



Colorado cannabis dispensaries and delivery services can't conduct online sales, but a new bill in the state legislature could allow pre-ordered transactions. **Scott Lentz**



Your time spent dispensary shopping could be cut shorter if a new bill allowing online marijuana sales passes the Colorado Legislature.

Although the state's marijuana dispensaries can now accept pre-orders, customers

are still required to pay for those orders in person – and most of those transactions must be done in cash, because the majority of banks won't provide marijuana businesses with credit and debit sales systems for fear of violating federal prohibitions. That problem could be corrected by federal legalization or the passage of a **long-stalled bill in Congress that would allow banks to serve state-legal marijuana businesses**. But Liz Zukowski, policy and public affairs manager for Native Roots, one of the state's largest dispensary chains, isn't holding her breath.

"We still need to see the SAFE Banking Act pass. Every year I hear from our counterparts working at the federal level in Washington, D.C., that we're getting SAFE Banking done this year," Zukowski says. "I'll believe it when I see it, but we want to be prepared as a state when it happens."

The SAFE Banking Act has been in Congress for ten years and passed the House several times, but has yet to receive a hearing in the Senate, and the measure's longstanding sponsor, U.S. Representative Ed Perlmutter, has retired. Although the Colorado Legislature can't force big banks to work with marijuana businesses, it could allow an alternative option through online orders, Zukowski points out.

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Introduced by state Representative William Lindstedt, **House Bill 23-1279** would allow dispensaries and marijuana delivery services to accept online payments

through pre-orders. Customers would still have to enter the store and show their IDs, or provide identification to a delivery driver, in order to pick up a purchase.

A handful of states such as Illinois, Massachusetts, Michigan and Oregon allow dispensaries to offer online marijuana sales. Zukowski thinks that it's high time that Colorado joined the party. "The most obvious reason is that we are in 2023, and customers want to be able to have access to e-commerce solutions. The cannabis industry has been held back from that," she says. "And whatever we can do to lessen that reliance on cash would limit the risk of burglaries and robberies."

Recreational marijuana delivery, still struggling to get off the ground in Colorado, would become safer if less cash were involved, she adds.

Colorado dispensaries were temporarily allowed to accept online payment thanks to executive orders issued by Governor Jared Polis in response to the COVID-19 pandemic. Those orders expired in 2021, and a **bill introduced that year proposing permanent online marijuana sales** was rejected by lawmakers, who were concerned about increasing youth access to retail pot. That bill would have legalized medical marijuana telemedicine visits, too, which Zukowski believes also hurt the measure's chances.

"The online sales prohibition was put on hold, and we operated as a state with little to no incidents. That bill in 2021 was more than just online sales. It also had telemedicine as part of it, and I believe that was part of what got wrapped in the discussion," she notes. "Telemedicine is not part of this bill."

HB 1279's first hearing before the House Finance Committee was originally scheduled for April 10, but was pushed back to Thursday, April 13, so sponsors could file amendments.

Proposed amendments to the bill would require warning labels or announcements similar to those issued at dispensaries, including statements about the health risks of consuming marijuana while pregnant, as well as the potential dangers that extracted THC products pose to mental health, according to Zukowski. While some opposition to the bill is anticipated, it won't be from the marijuana industry, she adds.

"We have a broad coalition of supporters," she says. "No one in the industry I've spoken with is opposed to this bill."

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