

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1326 be amended as follows:

1 Amend reengrossed bill, page 60, after line 5 insert:

2 "SECTION 39. In Colorado Revised Statutes, **add** 24-31-115 as
3 follows:

4 **24-31-115. Online fentanyl trafficking - study - report -**
5 **appropriation - repeal.** (1) THE ATTORNEY GENERAL SHALL STUDY THE
6 USE OF THE INTERNET, INCLUDING RETAIL, PAYMENT, AND SOCIAL MEDIA
7 PLATFORMS, FOR THE PURPOSE OF TRAFFICKING FENTANYL, FENTANYL
8 ANALOGS OR COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND
9 COUNTERFEIT PRESCRIPTION DRUGS.

10 (2) THE STUDY MUST, AT A MINIMUM:

11 (a) EXAMINE THE PREVALENCE OF THE AVAILABILITY AND
12 ACCESSIBILITY FOR FENTANYL, FENTANYL ANALOGS OR COMPOUNDS
13 THEREOF, SYNTHETIC OPIOIDS, AND COUNTERFEIT PRESCRIPTION DRUGS
14 THROUGH THE INTERNET;

15 (b) IDENTIFY WEBSITE POLICIES AND PRACTICES INTENDED TO
16 PREVENT THE USE OF THE WEBSITE FOR TRAFFICKING FENTANYL,
17 FENTANYL ANALOGS OR COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND
18 COUNTERFEIT PRESCRIPTION DRUGS;

19 (c) IDENTIFY LAWS IMPLEMENTED BY OTHER STATES OR THE
20 FEDERAL GOVERNMENT INTENDED TO PREVENT THE USE OF THE INTERNET
21 FOR TRAFFICKING FENTANYL, FENTANYL ANALOGS OR COMPOUNDS
22 THEREOF, SYNTHETIC OPIOIDS, AND COUNTERFEIT PRESCRIPTION DRUGS;
23 AND

24 (d) EXAMINE ANY OTHER RELEVANT DATA, INFORMATION, OR
25 RESOURCES, AS DEEMED NECESSARY BY THE DEPARTMENT OF LAW,
26 CONCERNING THE USE OF THE INTERNET FOR TRAFFICKING FENTANYL,
27 FENTANYL ANALOGS OR COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND
28 COUNTERFEIT PRESCRIPTION DRUGS.

29 (3) BY MARCH 1, 2023, THE ATTORNEY GENERAL SHALL COMPLETE
30 AND PUBLISH A REPORT OF ITS FINDINGS PURSUANT TO SUBSECTION (2) OF
31 THIS SECTION. THE REPORT MUST ALSO INCLUDE RECOMMENDATIONS FOR
32 POTENTIAL STATE LEGISLATION:

33 (a) TO PREVENT THE USE OF THE INTERNET FOR TRAFFICKING,
34 DISTRIBUTING, OR SUPPLYING FENTANYL, FENTANYL ANALOGS OR
35 COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND COUNTERFEIT
36 PRESCRIPTION DRUGS;

37 (b) CONCERNING CRIMINAL AND CIVIL LIABILITY FOR THE USE OF
38 THE INTERNET FOR TRAFFICKING, DISTRIBUTING, OR SUPPLYING FENTANYL,
39 FENTANYL ANALOGS OR COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND
40 COUNTERFEIT PRESCRIPTION DRUGS;

41 (c) REGARDING CONSUMER REPORTING MECHANISMS FOR

1 REPORTING TO LAW ENFORCEMENT OR THE ONLINE PLATFORM THE USE OF
2 A WEBSITE OR ONLINE ACCOUNT FOR TRAFFICKING FENTANYL, FENTANYL
3 ANALOGS OR COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND
4 COUNTERFEIT PRESCRIPTION DRUGS; AND
5 (d) REGARDING-ANY OTHER PUBLIC POLICY CHANGES NECESSARY
6 TO REDUCE OR ELIMINATE THE USE THE INTERNET FOR TRAFFICKING,
7 DISTRIBUTING, OR SUPPLYING FENTANYL, FENTANYL ANALOGS OR
8 COMPOUNDS THEREOF, SYNTHETIC OPIOIDS, AND COUNTERFEIT
9 PRESCRIPTION DRUGS.
10 (4) THE ATTORNEY GENERAL SHALL INVITE THE UNITED STATES
11 ATTORNEY FOR THE DISTRICT OF COLORADO TO COLLABORATE, CONSULT,
12 OR PROVIDE ANY AVAILABLE ASSISTANCE IN THE PERFORMANCE OF THE
13 ATTORNEY GENERAL'S DUTIES PURSUANT TO THIS SECTION.
14 (5) BY MARCH 1, 2023, THE ATTORNEY GENERAL SHALL SUBMIT
15 THE COMPLETED REPORT PURSUANT TO SUBSECTION (3) OF THIS
16 SECTION TO THE HOUSE OF REPRESENTATIVES AND SENATE JUDICIARY
17 COMMITTEES, OR ANY SUCCESSOR COMMITTEES.
18 (6) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
19 ASSEMBLY SHALL APPROPRIATE AT LEAST ONE HUNDRED FIFTY THOUSAND
20 DOLLARS TO THE DEPARTMENT OF LAW FOR THE PURPOSES OF THIS
21 SECTION.
22 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023."
23 Renumber succeeding sections accordingly.

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