

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0366.01 Chelsea Princell x4335

HOUSE BILL 26-1214

HOUSE SPONSORSHIP

English and Jackson,

SENATE SPONSORSHIP

Amabile,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE COLORADO LICENSING OF**
102 **CONTROLLED SUBSTANCES ACT, AND, IN CONNECTION**
103 **THEREWITH, IMPLEMENTING THE RECOMMENDATIONS**
104 **CONTAINED IN THE 2025 SUNSET REPORT BY THE DEPARTMENT**
105 **OF REGULATORY AGENCIES.**

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/>.)

Sunset Process - House Health and Human Services Committee. The Colorado licensing of controlled substances act (act) is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

set to repeal September 1, 2026.

The bill implements the department of regulatory agencies' recommendations to:

- Continue the act until September 1, 2041;
- Modernize the definition of "substance use disorder" in the act to more accurately reflect the type of conditions being treated by behavioral-health-administration-licensed facilities and the practitioners who may diagnose these conditions;
- Adopt a new definition of "withdrawal management" that considers the full spectrum of treatment concepts, and replace the definitions of and references to "detoxification treatment", "maintenance treatment", and "withdrawal treatment" in the act with the term "withdrawal management";
- Replace the terms "substance use disorder treatment program" and "substance use disorder" with "opioid treatment program" and "opioid use disorder", respectively, as the terms pertain to identity verification for individuals taking part in withdrawal management; and
- Remove defined terms that are no longer referenced in the act.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (27)(a)(XI); and **add** (39) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.**

7 (27) (a) The following agencies, functions, or both, are scheduled
8 for repeal on September 1, 2026:

9 (XI) ~~The record-keeping, licensing, and central registry functions~~
10 ~~of the behavioral health administration in the department of human~~
11 ~~services relating to substance use disorder treatment programs under~~
12 ~~which controlled substances are compounded, administered, or dispensed~~
13 ~~in accordance with part 2 of article 80 of title 27,~~

11 **SECTION 2.** In Colorado Revised Statutes, 27-80-203, **amend**
12 (23.3) and (23.5); **repeal** (9), (14), (15), (16), (22), (24), and (25); and
13 **add** (26) as follows:

14 27-80-203. Definitions.

15 As used in this part 2, unless the context otherwise requires:

22 (14) "Maintenance treatment" means a program of more than six
23 months' duration for the administering or dispensing of a controlled
24 substance, approved for such use by federal law or regulation, to a person
25 with a substance use disorder for the purpose of continuing his or her
26 dependence upon a controlled substance in the course of conducting an
27 authorized rehabilitation program for persons with substance use

1 disorders, with a long-term goal of decreasing the person's controlled
2 substance dependency and leading to his or her possible withdrawal.

3 (15) "Marijuana" means all parts of the plant ~~cannabis sativa L.~~
4 whether growing or not, the seeds thereof, the resin extracted from any
5 part of the plant, and every compound, manufacture, salt, derivative,
6 mixture, or preparation of the plant, its seeds, or its resin. It does not
7 include fiber produced from the stalks, oil or cake made from the seeds
8 of the plant, or sterilized seed of the plant that is incapable of
9 germination, if these items exist apart from any other item defined as
10 "marijuana" in this subsection (15). "Marijuana" does not include
11 marijuana concentrate as defined in subsection (16) of this section.

12 (16) "Marijuana concentrate" means hashish,
13 tetrahydrocannabinols, or any alkaloid, salt, derivative, preparation,
14 compound, or mixture, whether natural or synthesized, of
15 tetrahydrocannabinols.

16 (22) "Production" or "produces" means the manufacturing,
17 planting, cultivating, growing, or harvesting of a controlled substance.

18 (23.3) "Substance use disorder" means a physical or psychological
19 dependence on a controlled substance that develops following the use of
20 the controlled substance on a periodic or continuing basis and is
21 demonstrated by appropriate observation and tests by a person licensed
22 to practice medicine pursuant to article 240 of title 12 CHRONIC
23 RELAPSING BRAIN DISEASE THAT IS DIAGNOSED BY A LICENSED
24 PRACTITIONER QUALIFIED TO DIAGNOSE SUBSTANCE USE DISORDERS.
25 "SUBSTANCE USE DISORDER" IS CHARACTERIZED BY RECURRENT USE OF
26 ALCOHOL, DRUGS, OR BOTH, CAUSING CLINICALLY SIGNIFICANT
27 IMPAIRMENT, INCLUDING HEALTH PROBLEMS, DISABILITY, AND FAILURE TO

1 MEET MAJOR RESPONSIBILITIES AT WORK, SCHOOL, OR HOME.

2 (23.5) "Substance use disorder treatment program" means a
3 program licensed pursuant to this part 2 for the ~~detoxification,~~
4 ~~withdrawal, or maintenance treatment~~ WITHDRAWAL MANAGEMENT of a
5 person with a substance use disorder. "Substance use disorder treatment
6 program" includes an opioid treatment program.

7 (24) (a) "Tetrahydrocannabinols" means synthetic equivalents of
8 the substances contained in the plant, or in the resinous extractives of,
9 cannabis, sp., or synthetic substances, derivatives, and their isomers with
10 similar chemical structure and pharmacological activity, such as the
11 following:

12 (I) ~~¹eis or trans tetrahydrocannabinol, and their optical isomers;~~
13 (II) ~~⁶eis or trans tetrahydrocannabinol, and their optical isomers;~~
14 (III) ~~^{3,4}eis or trans tetrahydrocannabinol, and their optical isomers.~~

15 (b) ~~Since the nomenclature of the substances listed in paragraph~~
16 (a) ~~of this subsection (24) is not internationally standardized, compounds~~
17 ~~of these structures, regardless of the numerical designation of atomic~~
18 ~~positions, are included in this definition.~~

19 (25) "Withdrawal treatment" means a program for an intermediate
20 term, ~~of more than three weeks but less than six months, for the~~
21 ~~administering or dispensing, in decreasing doses, of a controlled~~
22 ~~substance, approved for such use by federal law or regulation, to a person~~
23 ~~with a substance use disorder while receiving rehabilitative measures as~~
24 ~~indicated, with the immediate goal being to render the person with the~~
25 ~~substance use disorder no longer dependent on the intake of any amount~~
26 ~~of a controlled substance.~~

27 (26) "WITHDRAWAL MANAGEMENT" MEANS A PROGRAM OF

1 TREATMENT THAT IS DESIGNED TO SUPPORT THE MEDICAL AND
2 PSYCHIATRIC STABILITY OF A PERSON WITH A SUBSTANCE USE DISORDER
3 BY MITIGATING PHYSIOLOGICAL SIGNS AND SYMPTOMS OF SUBSTANCE
4 WITHDRAWAL. "WITHDRAWAL MANAGEMENT" INCLUDES THE OPTION OF
5 ADMINISTERING OR DISPENSING A CONTROLLED SUBSTANCE APPROVED BY
6 FEDERAL LAW OR REGULATION IN THE COURSE OF TREATMENT. THE
7 COURSE OF TREATMENT MAY RANGE FROM SHORT-TERM INTOXICATION
8 MANAGEMENT WITH THE GOAL OF MORE IMMEDIATELY REDUCING A
9 PERSON'S DEPENDENCE ON ALL SUBSTANCES TO LONG-TERM MEDICATION
10 MANAGEMENT WITH THE GOAL OF DECREASING A PERSON'S SUBSTANCE
11 DEPENDENCY OVER TIME. EACH OPTION WITHIN THE FULL RANGE OF THE
12 WITHDRAWAL MANAGEMENT TREATMENT CONTINUUM IS INTENDED TO BE
13 COMBINED WITH ADDITIONAL BEHAVIORAL HEALTH INTERVENTIONS
14 DESIGNED TO ATTENUATE THE UNDERLYING CONDITIONS LEADING TO A
15 SUBSTANCE USE DISORDER.

16 **SECTION 3.** In Colorado Revised Statutes, 27-80-204, **amend**
17 (1)(b)(I) as follows:

18 **27-80-204. License required - controlled substances - repeal.**
19 (1) (b) (I) This subsection (1) is repealed, effective ~~September 1,~~
20 ~~2026~~ SEPTEMBER 1, 2041.

21 **SECTION 4.** In Colorado Revised Statutes, 27-80-213, **amend**
22 (2) as follows:

23 **27-80-213. Rules - policies.**

24 (2) The BHA shall ~~promulgate~~ ADOPT rules, in accordance with
25 article 4 of title 24, for the conduct of ~~detoxification treatment,~~
26 ~~maintenance treatment, and withdrawal treatment programs for substance~~
27 ~~use disorders related to controlled substances~~ WITHDRAWAL

1 MANAGEMENT.

2 **SECTION 5.** In Colorado Revised Statutes, 27-80-215, **amend**
3 (3)(a) as follows:

4 **27-80-215. Central registry - registration required - notice -**
5 **repeal.**

6 (3) (a) This section is repealed, effective ~~September 1, 2026~~
7 SEPTEMBER 1, 2041.

8 **SECTION 6.** In Colorado Revised Statutes, **amend** 27-80-216 as
9 follows:

10 **27-80-216. Policy verifying identity.**

11 The BHA shall establish a policy on how a substance use disorder
12 AN OPIOID treatment program must verify the identity of individuals
13 initiating into ~~detoxification, withdrawal, or maintenance treatment~~
14 WITHDRAWAL MANAGEMENT for a substance use disorder A PERSON WITH
15 AN OPIOID USE DISORDER. The BHA policy must include verification
16 requirements for individuals without identification and individuals
17 experiencing homelessness.

18 **SECTION 7.** In Colorado Revised Statutes, 12-280-119, **amend**
19 (14) as follows:

20 **12-280-119. Registration of facilities - rules.**

21 (14) The board shall not issue a registration under this section to
22 a manufacturer or distributor of marijuana or marijuana concentrate, as
23 those terms are defined in ~~section 27-80-203 (15) and (16), respectively~~
24 SECTION 18-18-102.

25 **SECTION 8.** In Colorado Revised Statutes, 18-8-204, **amend** (2)
26 introductory portion and (2)(q) as follows:

27 **18-8-204. Introducing contraband in the second degree -**

1 **definition.**

2 (2) As used in this section, "contraband" means any of the
3 following, but does not include ~~any~~ AN article or thing referred to in
4 section 18-8-203:

5 (q) Marijuana or marijuana concentrate, as those terms are defined
6 in ~~section 27-80-203 (15) and (16)~~ SECTION 18-18-102, EXCEPT THAT, FOR
7 THE PURPOSES OF THIS SECTION PRESCRIPTION DRUG PRODUCTS APPROVED
8 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION AND DISPENSED BY A
9 PHARMACY OR PRESCRIPTION DRUG OUTLET REGISTERED BY THE STATE OF
10 COLORADO ARE "MARIJUANA".

11 **SECTION 9.** In Colorado Revised Statutes, 35-61-101, **amend**
12 (5) as follows:

13 **35-61-101. Definitions.**

14 As used in this article 61, unless the context otherwise requires:

15 (5) "Delta-9 tetrahydrocannabinols" or "delta-9 THC" has the
16 same meaning as "tetrahydrocannabinols" as set forth in ~~section~~
17 ~~27-80-203 (24)~~ SECTION 18-18-102. Delta-9 THC is the primary
18 psychoactive component of cannabis. ~~For purposes of~~ AS USED IN this
19 article 61, the terms "delta-9 THC" and "THC" are interchangeable.

20 **SECTION 10. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

1 November 2026 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.