

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0366.01 Chelsea Princell x4335

HOUSE BILL 26-1214

HOUSE SPONSORSHIP

English and Jackson, Bacon, Brown, Clifford, Lindsay, Nguyen

SENATE SPONSORSHIP

Amabile,

House Committees

Health & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

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.

HOUSE
3rd Reading Unamended
March 25, 2026

HOUSE
Amended 2nd Reading
March 24, 2026

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;~~

1 (39) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE
2 SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2041:

3 (I) THE RECORD-KEEPING, LICENSING, AND CENTRAL REGISTRY
4 FUNCTIONS OF THE BEHAVIORAL HEALTH ADMINISTRATION IN THE
5 DEPARTMENT OF HUMAN SERVICES RELATING TO SUBSTANCE USE
6 DISORDER TREATMENT PROGRAMS UNDER WHICH CONTROLLED
7 SUBSTANCES ARE COMPOUNDED, ADMINISTERED, OR DISPENSED IN
8 ACCORDANCE WITH PART 2 OF ARTICLE 80 OF TITLE 27;

9 (b) THIS SUBSECTION (42) IS REPEALED, EFFECTIVE SEPTEMBER 1,
10 2043.

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** (16.3) as follows:

14 **27-80-203. Definitions.**

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

16 (9) ~~"Detoxification treatment" means a program for a short term~~
17 ~~of not more than three weeks for the administering or dispensing, in~~
18 ~~decreasing doses, of a controlled substance to a person with a substance~~
19 ~~use disorder while he or she is receiving appropriate supportive medical~~
20 ~~treatment, with the immediate goal being to render the person no longer~~
21 ~~dependent on the intake of any amount of a controlled substance.~~

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 (16.3) "MEDICALLY MANAGED TREATMENT" MEANS A PROGRAM
17 OF CARE DESIGNED TO PROMOTE THE MEDICAL AND PSYCHIATRIC
18 STABILITY OF AN INDIVIDUAL WITH A SUBSTANCE USE DISORDER BY
19 ADDRESSING ACUTE PHYSIOLOGICAL SIGNS AND SYMPTOMS OF SUBSTANCE
20 WITHDRAWAL OR THE ONGOING MANAGEMENT OF ADDICTION-RELATED
21 SYMPTOMS AND MAY INCLUDE THE ADMINISTRATION OR DISPENSING OF
22 ANY FORMULATION OF A CONTROLLED SUBSTANCE MEDICATION APPROVED
23 UNDER FEDERAL LAW OR REGULATION AS PART OF TREATMENT FOR A
24 SUBSTANCE USE DISORDER, WHICH MAY RANGE FROM SHORT-TERM
25 INTOXICATION OR TREATMENT FOCUSING ON STABILIZING AND REDUCING
26 IMMEDIATE PHYSIOLOGICAL SYMPTOMS TO LONG-TERM MEDICATION
27 MANAGEMENT INTENDED TO DECREASE ILLICIT SUBSTANCE USE AND

1 SUPPORT SUSTAINED RECOVERY. SERVICES PROVIDED AS PART OF
2 MEDICALLY MANAGED TREATMENT ARE INTENDED TO BE INTEGRATED
3 WITH BEHAVIORAL HEALTH INTERVENTIONS THAT ADDRESS THE
4 UNDERLYING FACTORS CONTRIBUTING TO THE SUBSTANCE USE DISORDER.

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

7 (23.3) ~~"Substance use disorder" means a physical or psychological~~
8 ~~dependence on a controlled substance that develops following the use of~~
9 ~~the controlled substance on a periodic or continuing basis and is~~
10 ~~demonstrated by appropriate observation and tests by a person licensed~~
11 ~~to practice medicine pursuant to article 240 of title 12 CHRONIC~~
12 ~~RELAPSING BRAIN DISEASE THAT IS DIAGNOSED BY A LICENSED~~
13 ~~PRACTITIONER QUALIFIED TO DIAGNOSE SUBSTANCE USE DISORDERS.~~

14 "SUBSTANCE USE DISORDER" IS CHARACTERIZED BY RECURRENT USE OF
15 ALCOHOL, DRUGS, OR BOTH, CAUSING CLINICALLY SIGNIFICANT
16 IMPAIRMENT, INCLUDING HEALTH PROBLEMS, DISABILITY, AND FAILURE TO
17 MEET MAJOR RESPONSIBILITIES AT WORK, SCHOOL, OR HOME.

18 (23.5) "Substance use disorder treatment program" means a
19 program licensed pursuant to this part 2 for the ~~detoxification,~~
20 ~~withdrawal, or maintenance treatment~~ MEDICALLY MANAGED TREATMENT
21 of a person with a substance use disorder. "Substance use disorder
22 treatment program" includes an opioid treatment program.

23 (24) (a) ~~"Tetrahydrocannabinols" means synthetic equivalents of~~
24 ~~the substances contained in the plant, or in the resinous extractives of,~~
25 ~~cannabis, sp., or synthetic substances, derivatives, and their isomers with~~
26 ~~similar chemical structure and pharmacological activity, such as the~~
27 ~~following:~~

- 1 (I) ~~†~~ cis or trans tetrahydrocannabinol, and their optical isomers;
2 (H) ~~°~~ cis or trans tetrahydrocannabinol, and their optical isomers;
3 (HH) ~~3,4~~ cis or trans tetrahydrocannabinol, and their optical isomers.

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

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



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

19 **27-80-204. License required - controlled substances - repeal.**

20 (1) (b) (I) This subsection (1) is repealed, effective ~~September 1,~~
21 ~~2026~~ SEPTEMBER 1, 2041.

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

24 **27-80-213. Rules - policies.**

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

1 ~~use disorders related to controlled substances~~ MEDICALLY MANAGED
2 TREATMENT.

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

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

7 (1) (a) On or before July 1, 2020, the BHA shall develop or
8 procure a secure online central registry, referred to in this section as the
9 "registry", to register patients treated in a ~~substance use disorder~~ OPIOID
10 treatment program.

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

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

15 **27-80-216. Policy verifying identity.**

16 The BHA shall establish a policy on how a ~~substance use disorder~~
17 AN OPIOID treatment program must verify the identity of individuals
18 initiating into ~~detoxification, withdrawal, or maintenance treatment~~
19 MEDICALLY MANAGED TREATMENT for a substance use disorder. The
20 BHA policy must include verification requirements for individuals
21 without identification and individuals experiencing homelessness.

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

24 **12-280-119. Registration of facilities - rules.**

25 (14) The board shall not issue a registration under this section to
26 a manufacturer or distributor of marijuana or marijuana concentrate, as
27 those terms are defined in ~~section 27-80-203 (15) and (16), respectively~~

1 SECTION 18-18-102.

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

4 **18-8-204. Introducing contraband in the second degree -**
5 **definition.**

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

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

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

17 **35-61-101. Definitions.**

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

19 (5) "Delta-9 tetrahydrocannabinols" or "delta-9 THC" has the
20 same meaning as "tetrahydrocannabinols" as set forth in ~~section~~
21 ~~27-80-203 (24)~~ SECTION 18-18-102. Delta-9 THC is the primary
22 psychoactive component of cannabis. ~~For purposes of~~ AS USED IN this
23 article 61, the terms "delta-9 THC" and "THC" are interchangeable.

24 **SECTION 10. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.