

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
Date

March 9, 2021

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB21-1090 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, after line 14 insert:

2 "SECTION 2. In Colorado Revised Statutes, 18-13-122, amend  
3 (3)(b) as follows:

4 **18-13-122. Illegal possession or consumption of ethyl alcohol**  
5 **or marijuana by an underage person - illegal possession of marijuana**  
6 **paraphernalia by an underage person - definitions - adolescent**  
7 **substance abuse prevention and treatment fund - legislative**  
8 **declaration.** (3) (b) Except as described by section 14 of article XVIII  
9 of the Colorado constitution and section 18-18-406.3, a person under  
10 twenty-one years of age who possesses ~~one ounce~~ TWO OUNCES or less of  
11 marijuana or consumes marijuana anywhere in the state of Colorado  
12 commits illegal possession or consumption of marijuana by an underage  
13 person. Illegal possession or consumption of marijuana by an underage  
14 person is a strict liability offense."

15 Renumber succeeding sections accordingly.

16 Page 5, strike lines 15 through 19 and substitute "CLASS 3 FELONY IN  
17 VIOLATION OF SECTION 18-18-106 (8)(a)(II)(B) AS IT EXISTED PRIOR TO  
18 JULY 1, 1992; A CLASS 3 FELONY IN VIOLATION OF SECTION 18-18-406  
19 (8)(a)(II)(B) AS IT EXISTED PRIOR TO AUGUST 11, 2010; OR A CLASS 3  
20 FELONY IN VIOLATION OF SECTION 18-18-406 (6)(a)(II)(B) AS IT EXISTED  
21 PRIOR TO OCTOBER 1, 2013."

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