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

HB21-1301 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, line 1, after "(7.6)," insert "(7.8),".

Page 3, line 11, strike "FARM;" and substitute "CULTIVATION;".

Page 3, strike line 17 and substitute "CULTIVATION.".

Page 3, line 18, strike "FARM" and substitute "CULTIVATION".

Page 3, after line 22 insert:

"(7.8) (a) "OUTDOOR CULTIVATION", WITH RESPECT TO MARIJUANA, MEANS A LICENSED MARIJUANA GROW THAT OPERATES SEASONALLY WITHIN A TEMPORARY GREENHOUSE OR ON AN OPEN PLOT OF LAND.

(b) "OUTDOOR CULTIVATION", WITH RESPECT TO MARIJUANA, DOES NOT INCLUDE A LICENSED MARIJUANA GROW THAT OPERATES YEAR-ROUND WITHIN A CONSTRUCTED FACILITY OR PERMANENT GREENHOUSE.".

Page 4, line 17, strike "FARMS," and substitute "CULTIVATIONS,".

Page 4, line 21, strike "FARMS," and substitute "CULTIVATIONS,"

Page 4, line 23, strike "FARMS," and substitute "CULTIVATIONS,".
"(III) IF AVAILABLE, A REVIEW OF PRACTICES DEVELOPED BY THE HEMP CENTER OF EXCELLENCE; AND".

Page 5, strike line 17 and substitute "CROSS-POLLINATION;
(c) SOFTWARE COMPANIES THAT SERVICE THE AGRICULTURAL INDUSTRY;
(d) COMPANIES WITH EXPERTISE IN AGRICULTURAL SURVEYING; AND".

Reletter succeeding paragraph accordingly.

Page 5, after line 19 insert:

"(3) THE WORKING GROUP'S RECOMMENDATIONS MUST NOT INCLUDE MANDATES ON THE TYPE, LOCATION, OR TIMING OF ANY CROP PLANTING; HOWEVER, THIS WILL NOT LIMIT THE ABILITY OF PROPERTY OWNERS TO ENTER INTO VOLUNTARY AGREEMENTS.".

Renumber succeeding subsections accordingly.

Page 5, line 20, strike "JUNE 1," and substitute "NOVEMBER 1,"

Page 5, line 27, strike "SEPTEMBER 1, 2022." and substitute "JANUARY 1, 2023.".

Page 7, line 3, strike "IN INTERSTATE COMMERCE".

Page 7, strike lines 10 and 11 and substitute:

"SECTION 5. In Colorado Revised Statutes, 44-10-203, amend (1)(j); and add (1)(j.5) and (9) as follows":

Page 7, strike lines 13 through 26 and substitute:

"(1) Permissive rule-making. Rules promulgated pursuant to section 44-10-202 (1)(c) may include but need not be limited to the following subjects:
(j) A definition for "disproportionate impacted area" to the extent relevant state of Colorado data exists, is available, and is used for the
purpose of determining eligibility for a social equity licensee; and

(j.5) THE IMPLEMENTATION OF CONTINGENCY PLANS PURSUANT TO
SECTIONS 44-10-502 (9) AND 44-10-602 (13), INCLUDING THE PROCESS,
PROCEDURES, REQUIREMENTS, AND RESTRICTIONS FOR CONTINGENCY
PLANS; AND".

Page 8, strike lines 23 through 27.

Strike page 9.

Page 10, strike lines 1 through 5 and substitute:

"44-10-502. Medical marijuana cultivation facility license -
rules - definitions. (9) BEGINNING JANUARY 1, 2022, A MEDICAL
MARIJUANA".

Page 10, line 11 after "LOCAL" insert "LICENSING AUTHORITY IN THE LOCAL".

Page 10, after line 14 insert:

"(c) AFTER THE STATE LICENSING AUTHORITY APPROVES A
CONTINGENCY PLAN, IT SHALL NOTIFY THE LOCAL LICENSING AUTHORITY
OF THE APPROVAL. THE LOCAL LICENSING AUTHORITY MAY ENFORCE
LOCAL LAND USE AND ZONING LAWS AND REGULATIONS REGARDING THE
CONTINGENCY PLAN AND MAY DEVELOP INTERNAL REGULATORY
PROCESSES TO EVALUATE CONTINGENCY PLANS.
(d) ON AND AFTER JANUARY 1, 2023, A LOCAL LICENSING
AUTHORITY MAY REQUIRE THAT AN APPLICANT FOR A MEDICAL
MARIJUANA CULTIVATION FACILITY LICENSE INCLUDE A CONTINGENCY
PLAN WITH THE APPLICATION FOR THE LOCAL LICENSING AUTHORITY’S
REVIEW AND APPROVAL.".

Page 10, strike lines 15 through 24.

Strike page 11.

Page 12, strike lines 1 through 6 and substitute "- definitions.
(13) (a) BEGINNING JANUARY 1, 2022, A RETAIL MARIJUANA".

Page 12, line 12, after "LOCAL" insert "LICENSING AUTHORITY IN THE
"(c) After the state licensing authority approves a contingency plan, it shall notify the local licensing authority of the approval. The local licensing authority may enforce local land use and zoning laws and regulations regarding the contingency plan and may develop internal regulatory processes to evaluate contingency plans.

(d) On and after January 1, 2023, a local licensing authority may require that an applicant for a retail marijuana cultivation facility license include a contingency plan with the application for the local licensing authority's review and approval.".