Committee on Appropriations.

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

HB21-1317 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Public & Behavioral Health & Human Services Report, dated May 18, 2021, page 1, strike line 1 and substitute:

3 "Amend printed bill, page 4, line 3, after "THE" insert "POSSIBLE".

4 Page 4, line 21, strike "ARE AND WHEN" and substitute "ARE, WHAT STUDIES ARE NEEDED TO FILL THOSE GAPS, THE FUNDING NEEDED TO COMPLETE THOSE STUDIES, AND THE TIMELINE FOR COMPLETION OF THE NECESSARY STUDIES.".

8 Page 4, strike line 22.

9 Page 6, line 14, strike "PRESCRIPTION, DOSAGE, AND".

10 Page 6, strike line 24 and substitute:

11 "(IX) A LICENSED SUBSTANCE USE DISORDER SPECIALIST.".

12 Page 6, after line 24 insert:

13 "(c) THE SCIENTIFIC REVIEW COUNCIL SHALL POST PUBLIC NOTICE OF EACH COMMITTEE MEETING AT LEAST TWO WEEKS BEFORE THE MEETING. THE COMMITTEE SHALL ALLOW THE PUBLIC TO SUBMIT WRITTEN COMMENTS AT EACH MEETING.".

17 Page 7, line 1, after "AND" insert "ON PHYSICAL AND".
Page 7, strike lines 4 through 8.

Page 7, line 11, after "(5)(f)," insert "(5)(g),".

Page 8, line 3, before "RECORDS" insert "EXISTING".

Page 1 of the committee report, after line 1 insert:

"Page 8, line 4, strike "PROVIDER" and substitute "PROVIDER. THIS SUBSECTION (2)(a.5)(I) DOES NOT REQUIRE A MENTAL HEALTH EXAMINATION PRIOR TO MAKING A RECOMMENDATION."."

Page 1 of the committee report, strike lines 2 through 4 and substitute:

"Page 8, strike line 5.

Page 8, strike lines 23 and 24 and substitute "ONLY AUTHORIZE MEDICAL MARIJUANA IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION, ANY RULES PROMULGATED PURSUANT TO THIS SECTION, ARTICLE 220 OF TITLE 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE FOR A DENTIST, ARTICLE 240 OF TITLE 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE, AND ARTICLE 255 OF TITLE 12 AND ANY RULES PROMULGATED PURSUANT TO THAT ARTICLE FOR AN ADVANCED PRACTICE REGISTERED NURSE.".

Page 9, line 4, after "THE" insert "MAXIMUM".

Page 9, strike line 6 and substitute:

"(E) THE RECOMMENDED PRODUCT, IF ANY;".

Page 10, line 7, strike "REGULARLY".

Page 10, after line 10 insert:

"(g) THE DEPARTMENT SHALL REPORT ON OR BEFORE JANUARY 31 OF EACH YEAR THE NUMBER OF PHYSICIANS WHO MADE MEDICAL MARIJUANA RECOMMENDATIONS IN THE PREVIOUS YEAR AND WITHOUT IDENTIFYING THE PHYSICIAN THE NUMBER OF RECOMMENDATIONS EACH PHYSICIAN MADE AND THE AGGREGATE NUMBER OF HOMEBOUND PATIENTS AGES EIGHTEEN TO TWENTY IN THE REGISTRY.".
Page 10, line 12, strike "(a)".

Page 10, line 16, strike "(I)" and substitute "(a)".

Page 10, line 27, strike "(II)" and substitute "(b)".

Page 11, line 1, strike "(5.5)(a)(I)" and substitute "(5.5)(a)".

Page 11, line 3, strike "(III)" and substitute "(c)" and strike "(5.5)(a)(II)" and substitute "(5.5)(b)".

Page 11, line 9, strike "(IV)" and substitute "(d)".

Page 11, line 11, strike "(5.5)(a)(I) OF THIS SECTION." and substitute "(5.5)(a) OF THIS SECTION; EXCEPT THAT THIS SUBSECTION (5.5)(d) DOES NOT APPLY TO A HOMEBOUND PATIENT.".

Page 1 of the committee report, after line 8, insert:

"Page 14, line 8, after the period add "MEDICAL MARIJUANA CONCENTRATE MAY ALSO INCLUDE RESIDUAL AMOUNTS OF THE TYPES OF SOLVENTS, AS PERMITTED BY THE MARIJUANA RULES. THE STATE LICENSING AUTHORITY MAY FURTHER DEFINE BY RULE SUBCATEGORIES OF MEDICAL MARIJUANA CONCENTRATE AND AUTHORIZE LIMITED INGREDIENTS BASED ON THE METHOD OF PRODUCTION OF MEDICAL MARIJUANA CONCENTRATE. UNLESS THE CONTEXT OTHERWISE REQUIRES, MEDICAL MARIJUANA CONCENTRATE IS INCLUDED WHEN THIS ARTICLE 10 REFERS TO MEDICAL MARIJUANA PRODUCT.".

Page 14, line 16, after the period add "RETAIL MARIJUANA CONCENTRATE MAY ALSO INCLUDE RESIDUAL AMOUNTS OF THE TYPES OF SOLVENTS, AS PERMITTED BY THE MARIJUANA RULES. THE STATE LICENSING AUTHORITY MAY FURTHER DEFINE BY RULE SUBCATEGORIES OF RETAIL MARIJUANA CONCENTRATE AND AUTHORIZE LIMITED INGREDIENTS BASED ON THE METHOD OF PRODUCTION OF RETAIL MARIJUANA CONCENTRATE. UNLESS THE CONTEXT OTHERWISE REQUIRES, RETAIL MARIJUANA CONCENTRATE IS INCLUDED WHEN THIS ARTICLE 10 REFERS TO RETAIL MARIJUANA PRODUCT.".

Page 14, line 18, strike "(2)(ff)(VII)" and substitute "(2)(dd)(IX), (2)(ff)(VII)," and after "(2)(jj)," insert "(2)(kk),".
Page 14, after line 22 insert:

"(dd) Requirements for medical marijuana and medical marijuana products delivery as described in section 44-10-501 (11) and section 44-10-505 (5) and retail marijuana and retail marijuana products delivery as described in section 44-10-601 (13) and section 44-10-605 (5), including:

(IX) Inventory tracking system requirements, WHICH INCLUDE THE ABILITY TO DETERMINE THE AMOUNT OF MEDICAL MARIJUANA A PATIENT HAS PURCHASED THAT DAY IN REAL TIME BY SEARCHING A PATIENT REGISTRATION NUMBER;".

Page 14, strike lines 25 and 26.

Reletter succeeding paragraphs accordingly.

Page 15, strike line 2.

Page 15, line 3, strike "A" and substitute "EFFECTIVE JANUARY 1, 2023, A".

Page 15, line 4, after "PHYSICIANS" insert "WHEN AUTHORIZING THE PATIENT TO PURCHASE MORE THAN THE STATUTORILY ALLOWED QUANTITIES," and strike "(5)" and substitute "(5),".

Page 15, line 5, after "STORES." insert "THE FORM MUST CONTAIN A UNIFORM WEIGHT AND UNIFORM POTENCY DESCRIPTION TO ENABLE A MEDICAL MARIJUANA STORE TO FULFILL ITS OBLIGATIONS WITHOUT THE NEED TO MAKE A FURTHER CALCULATION OR EXAMINE OTHER DOCUMENTS. THE FORM SHALL NOT CONTAIN ANY INFORMATION CONCERNING THE PATIENT'S MEDICAL CONDITION OR DIAGNOSIS.

(jj) A TANGIBLE EDUCATIONAL RESOURCE REGARDING THE USE OF REGULATED MARIJUANA CONCENTRATE. THE EDUCATIONAL RESOURCE MUST PROVIDE INFORMATION AS DETERMINED BY RULE AND EDUCATION INCLUDING BUT NOT LIMITED TO:

(I) EXAMPLES OF VISUAL REPRESENTATION OF A SERVING SIZE RECOMMENDED FOR EACH TYPE OF CONCENTRATE;

(II) RISKS AND PRECAUTIONS;

(III) OTHER STATUTORY AND REGULATORY LABELING REQUIREMENTS MANDATED ON MARIJUANA PRODUCTS; AND

(IV) A NOTICE THAT DESCRIBES THE PENALTIES ASSOCIATED WITH
MARIJUANA DIVERSION.

(kk) EFFECTIVE JANUARY 1, 2023, REQUIREMENTS FOR MEDICAL AND RETAIL MARIJUANA CONCENTRATE TO PROMOTE CONSUMER HEALTH AND AWARENESS, WHICH SHALL INCLUDE A RECOMMENDED SERVING SIZE, INDIVIDUAL IDENTIFIED SERVINGS, LABELING REQUIREMENTS, AND MAY INCLUDE A MEASURING DEVICE THAT IS A COMPONENT OF THE PACKAGE AND OTHER REQUIREMENTS.

Page 15, line 26, strike "(3)(g), (3)(h)," and substitute "(3)(g)."

Page 16, strike lines 26 and 27.

Page 17, strike lines 1 and 2.

Page 17, line 3, strike "(h)" and substitute "(3) (g)."

Page 17, line 5, strike "PAMPHLET DEVELOPED PURSUANT TO SECTION" and substitute "TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE STATE LICENSING AUTHORITY THROUGH RULE-MAKING PURSUANT TO SECTION 44-10-203 (2)(jj) REGARDING THE USE OF MEDICAL MARIJUANA CONCENTRATE."

Page 17, strike lines 6 and 7.

Page 18, line 13, after "EXCEED" insert "STATUTORILY ALLOWED QUANTITIES OR THE".".

Page 1 of the committee report, after line 17, insert:

"Page 19, strike lines 24 through 27.

Page 20, strike lines 1 and 2.

Page 20, line 4, strike "(3)(f),".

Page 20, strike lines 6 through 9.

Page 20, line 10, strike "(e)" and substitute "(3) (d)."

Page 20, line 12, strike "PAMPHLET DEVELOPED PURSUANT TO SECTION" and substitute "TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE
STATE LICENSING AUTHORITY THROUGH RULE-MAKING PURSUANT TO
SECTION 44-10-203 (2)(jj) REGARDING THE USE OF MEDICAL MARIJUANA
CONCENTRATE."

Page 20, strike line 13.

Page 20, line 14, strike "(f)" and substitute "(e)".

Page 20, strike lines 14 through 19.

Page 20, after line 22 insert:

"SECTION 10. Appropriation. (1) For the 2021-22 state fiscal
year, $4,000,000 is appropriated to the department of higher education.
This appropriation is from the marijuana tax cash fund created in section
39-28.8-501 (1), C.R.S. To implement this act, the department may use
this appropriation for regents of the university of Colorado for use by the
school of public health. Any money appropriated in this section but not
expended prior to July 1, 2022 is further appropriated to the department
for the 2022-23 fiscal year for the same purpose.

(2) For the 2021-22 state fiscal year, $460,227 is appropriated to
the department of public health and environment for use by the center for
health and environmental information This appropriation consists of
$173,250 from the general fund and $286,977 from the medical marijuana
program cash fund created in section 25-1.5-106 (16)(a), C.R.S. To
implement this act, the center may use this appropriation as follows:

(a) $102,417 from the medical marijuana program cash fund for
personal services related to the medical marijuana registry, which amount
is based on an assumption that the registry will require an additional 1.6
FTE;

(b) $184,560 from the medical marijuana program cash fund for
operating expenses related to the medical marijuana registry;

(c) $118,150 from the general fund for personal services related
to health statistics and vital records, which amount is based on an
assumption that the registry will require an additional 1.8 FTE; and

(d) $55,100 from the general fund for operating expenses related
to health statistics and vital records.

(3) For the 2021-22 state fiscal year, $255,167 is appropriated to
the department of revenue. This appropriation is from the marijuana cash
fund created in section 44-10-801 (1)(a), C.R.S. To implement this act,
the department may use this appropriation as follows:

(a) $159,461 for use by the specialized business group for
marijuana enforcement, which amount is based on an assumption that the subdivision will require an additional 1.5 FTE; and
(b) $95,706 for the purchase of legal services.
(4) For the 2021-22 state fiscal year, $95,706 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (3)(b) of this section and is based on an assumption that the department of law will require an additional 0.5 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "CONSUMPTION." and substitute "CONSUMPTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".".

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