

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 2, 2022

Committee on Business, Labor, & Technology.

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

SB22-205 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 25-5-426, add (4)(e)
4 as follows:

5 **25-5-426. Wholesale food manufacturing and storage -**
6 **definitions - legislative declaration - fees - cash fund - rules - repeal.**
7 (4) (e) IN ADDITION TO ANY POWERS LISTED IN THIS SECTION, THE
8 DEPARTMENT MAY PROMULGATE RULES TO PROHIBIT, WITHIN FINAL
9 PRODUCT MADE AVAILABLE FOR SALE, THE CHEMICAL MODIFICATION,
10 CONVERSION, OR SYNTHETIC DERIVATION OF INTOXICATING
11 TETRAHYDROCANNABINOL ISOMERS, INCLUDING DELTA-8, DELTA-9, AND
12 DELTA-10, OR OTHER INTOXICATING TETRAHYDROCANNABINOL ISOMERS
13 THAT ORIGINATE FROM INDUSTRIAL HEMP OR MAY BE SYNTHETICALLY
14 DERIVED.

15 **SECTION 2.** In Colorado Revised Statutes, add 44-10-206 as
16 follows:

17 **44-10-206. Task force - creation - report - repeal.** (1) THE
18 STATE LICENSING AUTHORITY SHALL CREATE A TASK FORCE TO STUDY
19 INTOXICATING HEMP PRODUCTS AND MAKE LEGISLATIVE AND RULE
20 RECOMMENDATIONS. THE EXECUTIVE DIRECTOR SHALL CONVENE THE
21 TASK FORCE BY SEPTEMBER 1, 2022. THE TASK FORCE CONSISTS OF THE
22 FOLLOWING REPRESENTATIVES:

23 (a) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
24 DIRECTOR TO REPRESENT THE STATE LICENSING AUTHORITY;

25 (b) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
26 DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

27 (c) ONE REPRESENTATIVE APPOINTED BY THE ATTORNEY GENERAL;

28 (d) ONE REPRESENTATIVE APPOINTED BY THE COMMISSIONER OF

1 AGRICULTURE;

2 (e) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
3 DIRECTOR WHO IS AN ATTORNEY WITH EXPERTISE IN THE REGULATION OF
4 MARIJUANA;

5 (f) FOUR REPRESENTATIVES APPOINTED BY THE EXECUTIVE
6 DIRECTOR TO REPRESENT PERSONS LICENSED UNDER THIS ARTICLE 10 AS
7 A MEDICAL MARIJUANA CULTIVATION FACILITY, MEDICAL MARIJUANA
8 PRODUCTS MANUFACTURER, RETAIL MARIJUANA CULTIVATION FACILITY,
9 OR RETAIL MARIJUANA PRODUCTS MANUFACTURER;

10 (g) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
11 DIRECTOR WHO IS AN ATTORNEY WITH EXPERTISE IN THE REGULATION OF
12 INDUSTRIAL HEMP;

13 (h) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
14 DIRECTOR TO REPRESENT HEMP REFINERS;

15 (i) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE DIRECTOR
16 TO REPRESENT A CONSUMER NONPROFIT ORGANIZATION;

17 (j) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE DIRECTOR
18 TO REPRESENT FULL SPECTRUM INDUSTRIAL HEMP PRODUCERS;

19 (k) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
20 DIRECTOR TO REPRESENT MEDICAL PATIENTS;

21 (l) TWO REPRESENTATIVES APPOINTED BY THE EXECUTIVE
22 DIRECTOR TO REPRESENT PERSONS WHO SELL HEMP AT RETAIL;

23 (m) TWO REPRESENTATIVES APPOINTED BY THE EXECUTIVE
24 DIRECTOR TO REPRESENT PERSONS LICENSED UNDER THIS ARTICLE 10 AS
25 A MEDICAL MARIJUANA STORE OR AS A RETAIL MARIJUANA STORE;

26 (n) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
27 DIRECTOR TO REPRESENT TESTING LABS; AND

28 (o) ONE REPRESENTATIVE APPOINTED BY THE EXECUTIVE
29 DIRECTOR TO REPRESENT A COUNTY OR DISTRICT PUBLIC HEALTH AGENCY
30 ESTABLISHED UNDER SECTION 25-1-506.

31 (2) (a) THE TASK FORCE SHALL SUBMIT A REPORT TO THE GENERAL
32 ASSEMBLY BY JANUARY 1, 2023. THE REPORT MUST CONTAIN ANY OF THE
33 TASK FORCE'S LEGISLATIVE RECOMMENDATIONS CONCERNING THE
34 REGULATION OF INDUSTRIAL HEMP AND AN ANALYSIS OF THE
35 EFFECTIVENESS OF EACH RECOMMENDATION.

36 (b) AS A PART OF THE REPORT, THE TASK FORCE SHALL MAKE RULE
37 RECOMMENDATIONS CONCERNING THE REGULATION OF INTOXICATING
38 HEMP PRODUCTS.

39 (c) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

40 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add**
41 (1)(ooo) as follows:
42 **6-1-105. Unfair or deceptive trade practices.** (1) A person
43 engages in a deceptive trade practice when, in the course of the person's

1 business, vocation, or occupation, the person:
2 (ooo) VIOLATES ANY PROVISION OF PART 4 OF ARTICLE 5 OF TITLE
3 25 OR OF ARTICLE 10 OF TITLE 44, AS EITHER APPLIES TO HEMP,
4 INDUSTRIAL HEMP, INDUSTRIAL HEMP PRODUCTS, INTOXICATING HEMP,
5 ADULT USE CANNABIS PRODUCTS, THE PLANT CANNABIS SP., OR ANYTHING
6 DERIVED FROM OR PRODUCED FROM THE PLANT CANNABIS SP.

7 **SECTION 4. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2022 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor."

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