

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0742.01 Michael Dohr x4347

HOUSE BILL 16-1373

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIRING SCHOOL DISTRICTS TO ADOPT A POLICY
102 PERMITTING THE USE OF MEDICAL MARIJUANA BY STUDENTS
103 AUTHORIZED TO USE MEDICAL MARIJUANA.

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://www.leg.state.co.us/billsummaries>.)

Under current law, a student with a medical marijuana recommendation is not permitted to use medical marijuana on school grounds, on a school bus, or at a school activity unless the district has adopted a policy permitting the use. The bill allows a student to use medical marijuana on school grounds, on a school bus, or at a school

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

activity and requires each school district to adopt a policy allowing the medical marijuana use. If the department of education or a public school loses any federal funding as a result of adopting the policy, the general assembly shall appropriate state money sufficient to offset the loss of federal money.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 22-1-119.3, **amend**
3 (3) (c) as follows:

4 **22-1-119.3. Policy for student possession and administration**
5 **of prescription medication - rules.** (3) (c) (I) A student ~~shall not~~ WHO
6 HOLDS A VALID RECOMMENDATION FOR MEDICAL MARIJUANA MAY possess
7 ~~or self-administer~~ medical marijuana on school grounds, upon a school
8 bus, or at any school-sponsored event. ~~except that~~ A school district ~~may~~
9 SHALL adopt a policy ~~in accordance with the requirements of this section,~~
10 that authorizes a student's parent or a medical professional who
11 accompanies a student to school, on the school bus, or to any
12 school-sponsored event and assists the student with the administration of
13 medical marijuana to possess and administer medical marijuana to the
14 student in an appropriate location on school grounds, upon a school bus,
15 or at any school-sponsored event. ~~A~~ THE policy permitting a parent or
16 medical professional to administer medical marijuana to a student must
17 require that the student hold a valid recommendation for medical
18 marijuana, that the administering parent be the student's primary caregiver
19 or that the administering medical professional be employed specifically
20 to assist the student in administering medical marijuana, and that the
21 location and method of administration of medical marijuana does not
22 create significant risk to other students.

23 (II) IF THE DEPARTMENT OF EDUCATION OR A PUBLIC SCHOOL

1 LOSES FEDERAL MONEY AS A DIRECT AND EXPLICIT RESULT OF COMPLYING
2 WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE GENERAL
3 ASSEMBLY SHALL INCREASE THE APPROPRIATION OF STATE MONEY TO THE
4 DEPARTMENT IN AN AMOUNT TO OFFSET THE LOSS OF FEDERAL MONEY
5 EACH FISCAL YEAR IN WHICH THERE IS A LOSS OF FEDERAL MONEY. THE
6 DEPARTMENT SHALL ALLOCATE TO EACH SCHOOL DISTRICT, BOARD OF
7 COOPERATIVE SERVICES, AND THE CHARTER SCHOOL INSTITUTE THAT
8 PORTION OF THE INCREASED APPROPRIATION THAT IS ATTRIBUTABLE TO
9 THE PUBLIC SCHOOLS IN THE DISTRICT OR UNDER THE BOARD OR
10 INSTITUTE.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.