



Legislative Council Staff

Research Note

Version: Final

Date: 10/6/2016

Bill Number

House Bill 16-1436

Sponsors

*Representatives Pabon & Ginal
Senators Newell &
Baumgardner*

Short Title

*No Edible Marijuana Products
Shaped To Entice Kids*

Research Analyst

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Status

This research note reflects the final version of the bill, which became effective on June 10, 2016.

Summary

This bill requires the Marijuana Enforcement Division in the Department of Revenue to promulgate rules that prohibit the production and sale of edible medical and retail marijuana-infused products shaped like a human, animal, or fruit. The rules will take effect on October 1, 2017.

Background

Colorado law currently requires the Marijuana Enforcement Division to promulgate rules related to the packaging of edible marijuana products, including the type of acceptable packaging, labeling requirements, and showing a standard symbol indicating the presence of THC.

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House Action

House Business Affairs and Labor Committee (April 19, 2016). At the hearing, representatives from the Colorado Department of Public Health and Environment, University of Colorado Kempe Center, Smart Colorado, and the Colorado Department of Revenue testified in support of the bill. Representatives from TGS Management, Cheeba Chews, the Libertarian Party, Gaias Garden, Colorado Cannabis Chamber of Commerce, Americanna, and BallPark Holistic Dispensary testified in opposition to the bill. The committee adopted amendment L.008 and referred the bill to the House Committee of the Whole.

Amendment L.008 added language that clarified that marijuana-infused products in the distinct shape of a human, animal, or fruit are prohibited, but that marijuana-infused products that are simply in the form of geometric shapes or fruit flavored are not prohibited. It also clarified that marijuana-infused products in the shape of a marijuana leaf are allowed and none of the prohibitions apply to a company logo. The amendment also added an effective date of October 1, 2017, to these rules.

House second reading (April 22, 2016). The House adopted the House Business Affairs and Labor Committee report and passed the bill on second reading.

House third reading (April 27, 2016). The House passed the bill, unamended, on third reading.

Senate Action

Senate Business, Labor, & Technology Committee (May 4, 2016). At the hearing, representatives from the Marijuana Enforcement Division, Colorado Department of Public Health and Environment, and the University of Colorado Kempe Center testified in support of the bill. A representative from the Colorado Cannabis Chamber of Commerce also testified on the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole.

Senate second reading (May 4, 2016). The Senate passed the bill, unamended, on second reading.

Senate third reading (May 5, 2016). The Senate passed the bill, unamended, on third reading.