

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0907.01 Michael Dohr x4347

**SENATE BILL 17-187**

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**SENATE SPONSORSHIP**

**Crowder,**

**HOUSE SPONSORSHIP**

**Ginal,**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

Business Affairs and Labor  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING THE AUTHORITY FOR AN EXEMPTION TO THE RESIDENCY**  
102             **REQUIREMENT FOR EDUCATION-RELATED MARIJUANA**  
103             **OCCUPATIONAL LICENSES.**

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**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://leg.colorado.gov>.)*

Under current law, when an employee or manager of a retail business applies for an occupational license, the person must be a Colorado resident on the date of his or her application. The bill gives the state licensing authority the ability to create an exemption to the residency requirement for a person applying for an occupational license for

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.*

SENATE  
3rd Reading Unamended  
March 6, 2017

SENATE  
Amended 2nd Reading  
March 3, 2017

participation in a marijuana-based workforce development or education program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **amend**  
3 **the introductory portion; and add (6.5) as follows:**

4 **12-43.3-104. Definitions.** As used in this ~~article~~ ARTICLE 43.3,  
5 **unless the context otherwise requires:**

6 **(6.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**  
7 **TRAINING PROGRAM" MEANS A PROGRAM DESIGNED TO TRAIN**  
8 **INDIVIDUALS TO WORK IN THE LEGAL MEDICAL MARIJUANA INDUSTRY**  
9 **OPERATED BY AN ENTITY LICENSED UNDER THIS ARTICLE 43.3 OR BY A**  
10 **SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL**  
11 **SCHOOLS.**

12 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-401, **amend**  
13 (1) introductory portion and (1)(d) as follows:

14 **12-43.3-401. Classes of licenses.** (1) For the purpose of  
15 regulating the cultivation, manufacture, distribution, and sale of medical  
16 marijuana, the state licensing authority in its discretion, upon application  
17 in the prescribed form made to it, may issue and grant to the applicant a  
18 license from any of the following classes, subject to the provisions and  
19 restrictions provided by this ~~article~~ ARTICLE 43.3:

20 (d) Occupational licenses and registrations for owners, managers,  
21 operators, employees, contractors, and other support staff employed by,  
22 working in, or having access to restricted areas of the licensed premises,  
23 as determined by the state licensing authority. **UPON RECEIPT OF AN**  
24 **AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS**  
25 **ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**

1 TRAINING PROGRAM OPERATED BY AN ENTITY LICENSED UNDER THIS  
2 ARTICLE 43.3 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF  
3 PRIVATE OCCUPATIONAL SCHOOLS IN COLORADO THAT WILL REQUIRE  
4 ACCESS OR EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS  
5 ARTICLE 43.3 OR ARTICLE 43.4 OF THIS TITLE 12, THE STATE LICENSING  
6 AUTHORITY MAY EXEMPT FOR UP TO TWO YEARS BASED ON THE LENGTH  
7 OF THE PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.3-310  
8 (6) FOR A PERSON APPLYING FOR AN OCCUPATIONAL LICENSE FOR  
9 PARTICIPATION IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR  
10 TRAINING PROGRAM. The state licensing authority may take any action  
11 with respect to a registration pursuant to this ~~article~~ ARTICLE 43.3 as it  
12 may with respect to a license pursuant to this ~~article~~ ARTICLE 43.3, in  
13 accordance with the procedures established pursuant to this ~~article~~  
14 ARTICLE 43.3.

15 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend**  
16 **the introductory portion; and add (9.5) as follows:**

17 **12-43.4-103. Definitions.** As used in this ~~article~~ ARTICLE 43.4,  
18 **unless the context otherwise requires:**

19 **(9.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR**  
20 **TRAINING PROGRAM" MEANS A PROGRAM DESIGNED TO TRAIN INDIVIDUALS**  
21 **TO WORK IN THE LICENSED RETAIL MARIJUANA INDUSTRY OPERATED BY AN**  
22 **ENTITY LICENSED UNDER THIS ARTICLE 43.4 OR BY A SCHOOL THAT IS**  
23 **AUTHORIZED BY THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS.**

24 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-401, **amend**  
25 (1) introductory portion and (1)(e) as follows:

26 **12-43.4-401. Classes of licenses.** (1) For the purpose of  
27 regulating the cultivation, manufacture, distribution, sale, and testing of

1 retail marijuana and retail marijuana products, the state licensing  
2 authority in its discretion, upon receipt of an application in the prescribed  
3 form, may issue and grant to the applicant a license from any of the  
4 following classes, subject to the provisions and restrictions provided by  
5 this ~~article~~ ARTICLE 43.4:

6 (e) Occupational licenses and registrations for owners, managers,  
7 operators, employees, contractors, and other support staff employed by,  
8 working in, or having access to restricted areas of the licensed premises,  
9 as determined by the state licensing authority. UPON RECEIPT OF AN  
10 AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS  
11 ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR  
12 TRAINING PROGRAM OPERATED BY AN ENTITY LICENSED UNDER THIS  
13 ARTICLE 43.4 OR BY A SCHOOL THAT IS AUTHORIZED BY THE DIVISION OF  
14 PRIVATE OCCUPATIONAL SCHOOLS IN COLORADO THAT WILL REQUIRE  
15 ACCESS OR EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS  
16 ARTICLE 43.4 OR ARTICLE 43.3 OF THIS TITLE 12, THE STATE LICENSING  
17 AUTHORITY MAY EXEMPT FOR UP TO TWO YEARS BASED ON THE LENGTH  
18 OF THE PROGRAM THE RESIDENCY REQUIREMENT IN SECTION 12-43.4-309  
19 (5) FOR A PERSON APPLYING FOR AN OCCUPATIONAL LICENSE FOR  
20 PARTICIPATION IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR  
21 TRAINING PROGRAM. The state licensing authority may take any action  
22 with respect to a registration pursuant to this ~~article~~ ARTICLE 43.4 as it  
23 may with respect to a license pursuant to this ~~article~~ ARTICLE 43.4, in  
24 accordance with the procedures established pursuant to this ~~article~~  
25 ARTICLE 43.4.

26 **SECTION 5. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August  
2 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2018 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.