

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1202.01 Michael Dohr x4347

HOUSE BILL 18-1422

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HOUSE SPONSORSHIP

Gray, Pabon, Singer

SENATE SPONSORSHIP

Jahn, Neville T.

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House Committees  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS FOR MARIJUANA TESTING FACILITIES.

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>.)*

The bill requires medical and retail marijuana testing facilities to be accredited pursuant to the International Organization for Standardization/International Electrotechnical Commission 17025:2005 standard by January 1, 2019. The state licensing authority can adopt rules providing for an extension of time to comply with the standard. The bill states that medical and retail marijuana testing is a matter of statewide concern.

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

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

2           **SECTION 1.** In Colorado Revised Statutes, 12-43.3-405, **amend**  
3 (1) as follows:

4           **12-43.3-405. Medical marijuana testing facility license - rules.**

5 (1) (a) A medical marijuana testing facility license may be issued to a  
6 person who performs testing and research on medical marijuana for  
7 medical marijuana licensees, medical marijuana and medical  
8 marijuana-infused products for marijuana and research development  
9 licensees and marijuana research and development cultivation licensees,  
10 and marijuana or marijuana-infused products grown or produced by a  
11 registered patient or registered primary caregiver on behalf of a registered  
12 patient, upon verification of registration pursuant to section 25-1.5-106  
13 (7)(e) and verification that the patient is a participant in a clinical or  
14 observational study conducted by a marijuana research and development  
15 licensee or marijuana research and development cultivation licensee. The  
16 facility may develop and test medical marijuana products.

17           (b) ON OR BEFORE JANUARY 1, 2019, A MEDICAL MARIJUANA  
18 TESTING FACILITY SHALL BE ACCREDITED IN A CATEGORY OF TESTING  
19 PURSUANT TO THE INTERNATIONAL ORGANIZATION FOR  
20 STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION  
21 17025:2005 STANDARD, OR A SUBSEQUENT SUPERSEDING STANDARD, IN  
22 ORDER TO RECEIVE LICENSURE OR MAINTAIN LICENSURE; EXCEPT THAT  
23 THE STATE LICENSING AUTHORITY MAY BY RULE ESTABLISH CONDITIONS  
24 FOR PROVIDING EXTENSIONS TO:

25           (I) A NEWLY LICENSED MEDICAL MARIJUANA TESTING FACILITY  
26 FOR A PERIOD NOT TO EXCEED TWELVE MONTHS; OR

1 (II) A MEDICAL MARIJUANA TESTING FACILITY FOR GOOD CAUSE AS  
2 DEFINED BY RULES PROMULGATED BY THE STATE LICENSING AUTHORITY,  
3 WHICH SHALL INCLUDE BUT MAY NOT BE LIMITED TO WHEN AN  
4 APPLICATION FOR ACCREDITATION HAS BEEN SUBMITTED AND IS PENDING  
5 WITH A RECOGNIZED ACCREDITING BODY.

6 (c) THE TESTING OF MEDICAL MARIJUANA, MEDICAL  
7 MARIJUANA-INFUSED PRODUCTS, AND MEDICAL MARIJUANA  
8 CONCENTRATE, AND THE ASSOCIATED STANDARDS, IS A MATTER OF  
9 STATEWIDE CONCERN.

10 **SECTION 2.** In Colorado Revised Statutes, 12-43.4-405, **amend**  
11 (1) as follows:

12 **12-43.4-405. Retail marijuana testing facility license - rules.**

13 (1) (a) A retail marijuana testing facility license may be issued to a  
14 person who performs testing and research on retail marijuana and  
15 industrial hemp as regulated by article 61 of title 35. ~~C.R.S.~~ The facility  
16 may develop and test retail marijuana products and industrial hemp as  
17 regulated by article 61 of title 35. ~~C.R.S.~~ Prior to performing testing on  
18 industrial hemp, a facility shall verify that the person requesting the  
19 testing has received a registration from the commissioner as required by  
20 section 35-61-104. ~~C.R.S.~~

21 (b) ON OR BEFORE JANUARY 1, 2019, A RETAIL MARIJUANA  
22 TESTING FACILITY SHALL BE ACCREDITED IN A CATEGORY OF TESTING  
23 PURSUANT TO THE INTERNATIONAL ORGANIZATION FOR  
24 STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION  
25 17025:2005 STANDARD, OR A SUBSEQUENT SUPERSEDING STANDARD, IN  
26 ORDER TO RECEIVE LICENSURE OR MAINTAIN LICENSURE; EXCEPT THAT  
27 THE STATE LICENSING AUTHORITY MAY BY RULE ESTABLISH CONDITIONS

1 FOR PROVIDING EXTENSIONS TO:

2 (I) A NEWLY LICENSED RETAIL MARIJUANA TESTING FACILITY FOR  
3 A PERIOD NOT TO EXCEED TWELVE MONTHS; OR

4 (II) A RETAIL MARIJUANA TESTING FACILITY FOR GOOD CAUSE AS  
5 DEFINED BY RULES PROMULGATED BY THE STATE LICENSING AUTHORITY,  
6 WHICH SHALL INCLUDE BUT MAY NOT BE LIMITED TO WHEN AN  
7 APPLICATION FOR ACCREDITATION HAS BEEN SUBMITTED AND IS PENDING  
8 WITH A RECOGNIZED ACCREDITING BODY.

9 (c) THE TESTING OF RETAIL MARIJUANA, RETAIL MARIJUANA  
10 PRODUCTS, AND RETAIL MARIJUANA CONCENTRATE, AND THE ASSOCIATED  
11 STANDARDS, IS A MATTER OF STATEWIDE CONCERN.

12 **SECTION 3. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2018 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.