

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

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  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING REQUIREMENTS FOR MARIJUANA TESTING FACILITIES,**  
102 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

**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

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.

HOUSE  
Amended 2nd Reading  
May 2, 2018

concern.



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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    
18 (b) THE TESTING OF MEDICAL MARIJUANA, MEDICAL  
19 MARIJUANA-INFUSED PRODUCTS, AND MEDICAL MARIJUANA  
20 CONCENTRATE, AND THE ASSOCIATED STANDARDS, IS A MATTER OF  
21 STATEWIDE CONCERN.

22 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-202, **add**  
23 (2.5)(a)(I)(H) as follows:

24 **12-43.3-202. Powers and duties of state licensing authority -**  
25 **rules.** (2.5) (a) Rules promulgated pursuant to subsection (1)(b) of this

1 section must include, but need not be limited to, the following subjects:

2 (I) (H) ON OR BEFORE JANUARY 1, 2019, REQUIRING A MEDICAL  
3 MARIJUANA TESTING FACILITY TO BE ACCREDITED BY A BODY THAT IS  
4 ITSELF RECOGNIZED BY THE INTERNATIONAL LABORATORY  
5 ACCREDITATION COOPERATION IN A CATEGORY OF TESTING PURSUANT TO  
6 THE INTERNATIONAL ORGANIZATION FOR  
7 STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION  
8 17025:2005 STANDARD, OR A SUBSEQUENT SUPERSEDING STANDARD, IN  
9 ORDER TO RECEIVE CERTIFICATION OR MAINTAIN CERTIFICATION; EXCEPT  
10 THAT THE STATE LICENSING AUTHORITY MAY BY RULE ESTABLISH  
11 CONDITIONS FOR PROVIDING EXTENSIONS TO A NEWLY LICENSED MEDICAL  
12 MARIJUANA TESTING FACILITY FOR A PERIOD NOT TO EXCEED TWELVE  
13 MONTHS OR A MEDICAL MARIJUANA TESTING FACILITY FOR GOOD CAUSE  
14 AS DEFINED BY RULES PROMULGATED BY THE STATE LICENSING  
15 AUTHORITY, WHICH SHALL INCLUDE BUT MAY NOT BE LIMITED TO WHEN  
16 AN APPLICATION FOR ACCREDITATION HAS BEEN SUBMITTED AND IS  
17 PENDING WITH A RECOGNIZED ACCREDITING BODY.

18 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-405, **amend**  
19 (1) as follows:

20 **12-43.4-405. Retail marijuana testing facility license - rules.**

21 (1) (a) A retail marijuana testing facility license may be issued to a  
22 person who performs testing and research on retail marijuana and  
23 industrial hemp as regulated by article 61 of title 35. ~~C.R.S.~~ The facility  
24 may develop and test retail marijuana products and industrial hemp as  
25 regulated by article 61 of title 35. ~~C.R.S.~~ Prior to performing testing on  
26 industrial hemp, a facility shall verify that the person requesting the  
27 testing has received a registration from the commissioner as required by

1 section 35-61-104. ~~C.R.S.~~

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3 (b) THE TESTING OF RETAIL MARIJUANA, RETAIL MARIJUANA  
4 PRODUCTS, AND RETAIL MARIJUANA CONCENTRATE, AND THE ASSOCIATED  
5 STANDARDS, IS A MATTER OF STATEWIDE CONCERN.

6 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-202, add  
7 (3)(a)(IV)(I) as follows:

8 **12-43.4-202. Powers and duties of state licensing authority -**  
9 **rules.** (3) (a) Rules promulgated pursuant to subsection (2)(b) of this  
10 section must include, but need not be limited to, the following subjects:

11 (IV) (I) ON OR BEFORE JANUARY 1, 2019, REQUIRING A RETAIL  
12 MARIJUANA TESTING FACILITY TO BE ACCREDITED BY A BODY THAT IS  
13 ITSELF RECOGNIZED BY THE INTERNATIONAL LABORATORY  
14 ACCREDITATION COOPERATION IN A CATEGORY OF TESTING PURSUANT TO  
15 THE INTERNATIONAL ORGANIZATION FOR  
16 STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION  
17 17025:2005 STANDARD, OR A SUBSEQUENT SUPERSEDING STANDARD, IN  
18 ORDER TO RECEIVE CERTIFICATION OR MAINTAIN CERTIFICATION; EXCEPT  
19 THAT THE STATE LICENSING AUTHORITY MAY BY RULE ESTABLISH  
20 CONDITIONS FOR PROVIDING EXTENSIONS TO A NEWLY LICENSED RETAIL  
21 MARIJUANA TESTING FACILITY FOR A PERIOD NOT TO EXCEED TWELVE  
22 MONTHS OR A RETAIL MARIJUANA TESTING FACILITY FOR GOOD CAUSE AS  
23 DEFINED BY RULES PROMULGATED BY THE STATE LICENSING AUTHORITY,  
24 WHICH SHALL INCLUDE BUT MAY NOT BE LIMITED TO WHEN AN  
25 APPLICATION FOR ACCREDITATION HAS BEEN SUBMITTED AND IS PENDING  
26 WITH A RECOGNIZED ACCREDITING BODY.

27 **SECTION 5. Appropriation.** (1) For the 2018-19 state fiscal

1 year, \$10,656 is appropriated to the department of revenue. This  
2 appropriation is from the marijuana cash fund created in section  
3 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use  
4 this appropriation for the purchase of legal services.

5 (2) For the 2018-19 state fiscal year, \$10,656 is appropriated to  
6 the department of law. This appropriation is from reappropriated funds  
7 received from the department of revenue under subsection (1) of this  
8 section. To implement this act, the department of law may use this  
9 appropriation to provide legal services for the department of revenue.

10 **SECTION 6. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly (August  
13 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
14 referendum petition is filed pursuant to section 1 (3) of article V of the  
15 state constitution against this act or an item, section, or part of this act  
16 within such period, then the act, item, section, or part will not take effect  
17 unless approved by the people at the general election to be held in  
18 November 2018 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.