

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

REVISED

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

LLS NO. 19-0399.01 Michael Dohr x4347

HOUSE BILL 19-1031

HOUSE SPONSORSHIP

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SENATE SPONSORSHIP

Gonzales,

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Public Health Care & Human Services
Appropriations

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Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ALLOWING EACH PARENTAL GUARDIAN TO SERVE AS A**
102 **MINOR MEDICAL MARIJUANA PATIENT'S PRIMARY CAREGIVER,**
103 **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>.)

Under current law, a medical marijuana patient is limited to having one primary caregiver at a time. The bill makes an exception for a patient who is under 18 years of age and allows each parent or guardian to serve as a primary caregiver.

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.*

SENATE
Amended 2nd Reading
April 18, 2019

HOUSE
3rd Reading Unamended
February 25, 2019

HOUSE
Amended 2nd Reading
February 22, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-106, **amend**
3 (8)(b) as follows:

4 **25-1.5-106. Medical marijuana program - powers and duties**
5 **of state health agency - rules - medical review board - medical**
6 **marijuana program cash fund - subaccount - created - "Ethan's**
7 **Law" - repeal. (8) Patient - primary caregiver relationship. (b) (I) A**
8 patient ~~shall~~ MAY have only one primary caregiver at any given time;
9 EXCEPT THAT, ON OR AFTER DECEMBER 1, 2020, A PATIENT WHO IS UNDER
10 EIGHTEEN YEARS OF AGE MAY HAVE EACH PARENT OR GUARDIAN TO ACT
11 AS A PRIMARY CAREGIVER OR, IF THE PATIENT IS UNDER THE JURISDICTION
12 OF THE JUVENILE COURT, THE JUDGE PRESIDING OVER THE CASE MAY
13 DETERMINE WHO IS THE PRIMARY CAREGIVER.

14 (II) THE SHORT TITLE OF THIS SUBSECTION (8)(b) IS "ETHAN'S
15 LAW".

16 **SECTION 2. Appropriation.** For the 2019-20 state fiscal year,
17 \$95,831 is appropriated to the department of public health and
18 environment for use by the center for health and environmental
19 information. This appropriation is from the medical marijuana program
20 cash fund created in section 25-1.5-106 (16)(a), C.R.S. To implement this
21 act, the center may use this appropriation for the medical marijuana
22 registry.

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.