

CHAPTER 278

HEALTH AND ENVIRONMENT

HOUSE BILL 19-1031

BY REPRESENTATIVE(S) Gray, Arndt, Bird, Bockenfeld, Buckner, Buentello, Cutter, Exum, Froelich, Galindo, Herod, Hooton, Jaquez Lewis, Kennedy, Kipp, Kraft-Tharp, Melton, Michaelson Jenet, Mullica, Roberts, Saine, Snyder, Titone, Valdez A., Weissman, Duran, Esgar, Humphrey, Lontine, McCluskie, Singer, Sirota, Tipper, Valdez D.;
also SENATOR(S) Gonzales, Moreno, Tate, Winter.

AN ACT

CONCERNING ALLOWING EACH PARENTAL GUARDIAN TO SERVE AS A MINOR MEDICAL MARIJUANA PATIENT'S PRIMARY CAREGIVER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

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

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 23, 2019