

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

**ENGROSSED**

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

LLS NO. 23-0948.01 Yelana Love x2295

**HOUSE BILL 23-1279**

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**HOUSE SPONSORSHIP**

**Lindstedt and Sharbini,**

**SENATE SPONSORSHIP**

**Rodriguez,**

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**House Committees**  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ABILITY OF A LICENSED RETAIL MARIJUANA STORE**  
102              **TO SELL RETAIL MARIJUANA TO A PERSON WHO IS NOT**  
103              **PHYSICALLY PRESENT ON THE STORE'S LICENSED PREMISES.**

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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>.)*

Current law prohibits a licensed retail marijuana store from selling retail marijuana or retail marijuana products over the internet or through delivery. The bill repeals the prohibition.

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

HOUSE  
Amended 2nd Reading  
April 14, 2023

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-601, **amend**  
3 (7)(c) as follows:

4 **44-10-601. Retail marijuana store license - rules - definitions.**

5 ~~(7) (c) (I) A licensed retail marijuana store shall not sell retail marijuana~~  
6 ~~or retail marijuana products over the internet nor deliver retail marijuana~~  
7 ~~or retail marijuana products to a person not physically present in the retail~~  
8 ~~marijuana store's licensed premises~~ A LICENSED RETAIL MARIJUANA STORE  
9 MAY ACCEPT PAYMENT ONLINE FOR THE SALE OF RETAIL MARIJUANA AND  
10 RETAIL MARIJUANA PRODUCTS.

11 (II) UNLESS OTHERWISE AUTHORIZED BY THIS ARTICLE 10, AN  
12 INDIVIDUAL MUST BE PHYSICALLY PRESENT ON THE RETAIL MARIJUANA  
13 STORE'S LICENSED PREMISES TO TAKE POSSESSION OF THE PURCHASED  
14 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT.

15 (III) AT THE TIME OF AN ONLINE ORDER, THE RETAIL MARIJUANA  
16 STORE SHALL REQUIRE THE PURCHASING INDIVIDUAL TO PROVIDE  
17 INFORMATION NECESSARY TO VERIFY THAT THE INDIVIDUAL IS AT LEAST  
18 TWENTY-ONE YEARS OF AGE. AT A MINIMUM, THE STORE SHALL REQUIRE  
19 THE INDIVIDUAL'S NAME, THE INDIVIDUAL'S DATE OF BIRTH, AND ANY  
20 OTHER INFORMATION REQUIRED BY THE STATE LICENSING AUTHORITY BY  
21 RULE. WHEN THE INDIVIDUAL ARRIVES TO PICKUP THE ONLINE ORDER, THE  
22 STORE SHALL INSPECT THE INDIVIDUAL'S IDENTIFICATION. THE STORE  
23 SHALL NOT TRANSFER POSSESSION OF THE ORDER UNLESS THE NAME AND  
24 DATE OF BIRTH PROVIDED AT THE TIME OF THE ORDER MATCHES THE NAME  
25 AND DATE OF BIRTH ON THE INDIVIDUAL'S IDENTIFICATION.

26 (IV) A RETAIL MARIJUANA STORE SHALL ENSURE THAT AN  
27 INDIVIDUAL PURCHASING RETAIL MARIJUANA OR RETAIL MARIJUANA

1 PRODUCTS ONLINE IS PROVIDED WITH DIGITAL VERSIONS OF ALL WARNINGS  
2 OR EDUCATIONAL MATERIALS THAT THE RETAIL MARIJUANA STORE IS  
3 REQUIRED TO POST AND PROVIDE ON ITS LICENSED PREMISES, INCLUDING  
4 THE WARNING REQUIRED PURSUANT TO SECTION 44-10-203 (3)(h), THE  
5 EDUCATIONAL MATERIAL REQUIRED IN SUBSECTION (3)(d) OF THIS  
6 SECTION, AND ANY ADDITIONAL RELEVANT WARNINGS OR EDUCATIONAL  
7 MATERIALS, AS APPLICABLE. THE INDIVIDUAL MUST ACKNOWLEDGE  
8 RECEIPT OF THE WARNINGS AND EDUCATIONAL MATERIALS BEFORE  
9 COMPLETING THE PURCHASE.

10           **SECTION 2. 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; except  
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
14 of the state constitution against this act or an item, section, or part of this  
15 act within such period, then the act, item, section, or part will not take  
16 effect unless approved by the people at the general election to be held in  
17 November 2024 and, in such case, will take effect on the date of the  
18 official declaration of the vote thereon by the governor.