

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

**INTRODUCED**

LLS NO. 25-0332.02 Jery Payne x2157

**HOUSE BILL 25-1209**

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**HOUSE SPONSORSHIP**

**Lindstedt and Willford,**

**SENATE SPONSORSHIP**

**Gonzales J.,**

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**House Committees**  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO ADDRESS EFFICIENCY IN THE REGULATION**  
102 **OF MARIJUANA LICENSEES.**

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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 authorizes the marijuana enforcement division (division) to adopt rules governing records required to be kept by license holders. The bill replaces this with a requirement that the division adopt rules requiring records concerning:

- Child resistance certificates;
- Testing records;

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.

- Records demonstrating the composition of raw ingredients used in vaporizers or pressured metered dose inhalers;
- Recall records;
- Adverse health events;
- Corrective action and preventive action records;
- Documentation required to demonstrate valid responsible vendor designation;
- Standard operating procedures;
- Transfer records of regulated marijuana transactions;
- Expiration date testing and use-by-date testing;
- Patient records; and
- Advertising records.

If a license holder is required to maintain books and records in the seed-to-sale inventory tracking system, the license holder need not maintain duplicate copies of the books and records. If a license holder is substantially noncompliant with regulatory requirements, the division may require the license holder to maintain additional records. The division must bring an administrative action to require a license holder to maintain additional records.

Current law requires occupational license holders to be issued an identification card. The bill authorizes digital identification cards and replaces this requirement with authorization for the division to adopt rules governing identification card requirements, including criminal history record checks.

Current law requires applicants for licensure or renewal to submit fingerprints for a criminal history record check. The bill changes this requirement to require that only controlling beneficial owners and passive beneficial owners must get a fingerprint-based criminal history record check, and the fingerprint-based check is only required for initial licensure; name-based judicial record checks are required for license renewal. Occupational license holders are required to obtain a name-based judicial record check. The division may require an applicant or licensee to obtain a fingerprint-based criminal history record check when there is a demonstrated investigative need. Occupational license applicants are authorized to work while the application is pending.

Current law requires the division to adopt rules for security requirements for license holders. The security requirements include video recording requirements. The video recording requirements are changed to require, and must not exceed, video surveillance of the following:

- Each point of ingress and egress to the exterior of the licensed premises;
- Points of sale with coverage of the customer or patient and license holder completing the sale;
- Areas of the licensed premises where shipping and receiving of regulated marijuana occurs, test batches are

- collected, and regulated marijuana waste is destroyed; and
- Delivery vehicles surveillance.

To obtain video surveillance footage, the division must demand the video surveillance footage in writing within at least 72 hours before the deadline provided to furnish the footage.

Current law requires the division to notify license holders by first-class mail of the license expiration date at least 90 days before the expiration. The bill replaces first-class mail with digital communication.

The bill authorizes medical marijuana stores and retail marijuana stores to host promotions where licensed marijuana producers can offer patient or customer promotional units (promotional unit). To provide a promotional unit, the promotional unit must be:

- Tested in accordance with the rules of the division;
- Tracked with the seed-to-sale inventory tracking system;
- Transferred to the store before the promotion;
- Packaged in accordance with the rules; and
- Labeled in accordance with the rules.

In addition, the store must:

- Provide the promotional unit during a promotion;
- Verify that the patient or customer is qualified to receive the promotional unit;
- Not charge a patient or customer for a promotional unit;
- Ensure the total amount of promotional units and purchased medical marijuana that are transferred to a patient or customer do not exceed the legal transfer limits.

Current law authorizes marijuana cultivation facilities and marijuana products manufacturers to provide research and development units (R-and-D units) to managers and sets standards for the practice. The bill reforms these standards as follows:

- R-and-D units may be provided to all licensed employees, and the R-and-D unit must be:
  - Labeled with the universal symbol indicating that the package contains marijuana, the license number of the facility that produced the R-and-D unit, the batch number, and any required warning statements;
  - Labeled to indicate that the R-and-D unit must not be sold or resold;
  - Tested in accordance with the rules;
  - Packaged in a child-resistant container;
  - Tracked with the seed-to-sale inventory tracking system; and
  - Provided for product development or quality control purposes; and
- The facility or manufacturer may not:
  - Allow an R-and-D unit to be consumed on the

- licensed premises;
- Use an R-and-D unit as a means of compensation;
- Provide R-and-D units in a manner that would violate the law or to an employee who is not qualified;
- Require an employee to accept or consume an R-and-D unit; or
- Receive compensation for an R-and-D unit.

The amount of marijuana that may be sold in a single transaction at a retail marijuana store is raised from one ounce to 2 ounces or its equivalent in retail marijuana products.

Current law makes it a class 2 misdemeanor for a person to:

- Have a controlling beneficial ownership, passive beneficial ownership, or indirect financial interest in a license that was not disclosed; and
- Engage in transfer of ownership without prior approval.

The bill repeals these provisions.

The bill authorizes the division to set and collect a fee to fulfill requests for copies of a license application. The bill repeals a requirement that retail and medical marijuana products be prepared with equipment that is used exclusively for those products.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **add**  
 3 (13.2), (13.3), (46.4), (46.6), and (52.5) as follows:

4 **44-10-103. Definitions - rules.** As used in this article 10, unless  
 5 the context otherwise requires:

6 (13.2) "CUSTOMER PROMOTION" MEANS A PROMOTION AT A RETAIL  
 7 MARIJUANA STORE SPONSORED BY A RETAIL MARIJUANA CULTIVATION  
 8 LICENSEE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER WHERE  
 9 PROMOTIONAL UNITS ARE PROVIDED TO CUSTOMERS.

10 (13.3) "CUSTOMER PROMOTIONAL UNIT" MEANS RETAIL  
 11 MARIJUANA, RETAIL MARIJUANA CONCENTRATE, OR A RETAIL MARIJUANA  
 12 PRODUCT PROVIDED TO A CUSTOMER.

13 (46.4) "PATIENT PROMOTION" MEANS A PROMOTION AT A MEDICAL

1 MARIJUANA STORE SPONSORED BY A MEDICAL MARIJUANA CULTIVATION  
2 LICENSEE OR MEDICAL MARIJUANA PRODUCTS MANUFACTURER WHERE  
3 PROMOTIONAL UNITS ARE PROVIDED TO PATIENTS.

4 (46.6) "PATIENT PROMOTIONAL UNIT" MEANS MEDICAL  
5 MARIJUANA, MEDICAL MARIJUANA CONCENTRATE, OR A MEDICAL  
6 MARIJUANA PRODUCT PROVIDED TO A PATIENT.

7 (52.5) "R-AND-D UNIT" MEANS REGULATED MARIJUANA PROVIDED  
8 TO AN OCCUPATIONAL LICENSEE EMPLOYED BY THE LICENSEE PROVIDING  
9 THE SAMPLE.

10 **SECTION 2.** In Colorado Revised Statutes, 44-10-203, **amend**  
11 (1) introductory portion, (1)(j.5), (1)(k), (2) introductory portion, (2)(c),  
12 (2)(e), (2)(x), (2)(bb) introductory portion, (2)(dd) introductory portion,  
13 (2)(dd)(V), (2)(dd)(VI), (2)(gg) introductory portion, and (9)(b); **repeal**  
14 (1)(c), (2)(t), (2)(bb)(II), and (2)(gg)(II); and **add** (1)(l) as follows:

15 **44-10-203. State licensing authority - rules. (1) Permissive**  
16 **rule-making.** Rules ~~promulgated~~ ADOPTED pursuant to section 44-10-202  
17 (1)(c) may include the following subjects:

18 (c) ~~Records to be kept by licensees and the required availability~~  
19 ~~of the records;~~

20 (j.5) The implementation of contingency plans pursuant to  
21 sections 44-10-502 (10) and 44-10-602 (14), including the definition of  
22 outdoor cultivation, adverse weather event, or adverse natural occurrence  
23 and the process, procedures, requirements, and restrictions for  
24 contingency plans; ~~and~~

25 (k) Such other matters as are necessary for the fair, impartial,  
26 stringent, and comprehensive administration of this article 10; OR

27 (l) DEVELOPMENT OF INDIVIDUAL IDENTIFICATION CARDS, WHICH

1 MAY BE DIGITAL, FOR INDIVIDUALS WHO HANDLE OR TRANSPORT  
2 REGULATED MARIJUANA, AND REQUIREMENTS TO BE ISSUED AN  
3 IDENTIFICATION CARD MAY INCLUDE A NAME-BASED JUDICIAL RECORD  
4 CHECK BEFORE BEING ISSUED A CARD.

5 (2) **Mandatory rule-making.** Rules ~~promulgated~~ ADOPTED  
6 pursuant to section 44-10-202 (1)(c) must include the following subjects:

7 (c) Qualifications for INITIAL licensure pursuant to this article 10,  
8 including ~~but not limited to~~ the requirement for a fingerprint-based  
9 criminal history record check for all controlling beneficial owners AND  
10 passive beneficial owners ~~managers, contractors, employees, and other~~  
11 ~~support staff~~ of entities licensed pursuant to this article 10 AND  
12 NAME-BASED CRIMINAL HISTORY RECORD CHECKS FOR EMPLOYEES OF  
13 REGULATED MARIJUANA BUSINESSES;

14 (e) Security requirements for any premises licensed pursuant to  
15 this article 10. ~~including~~ THE SECURITY REQUIREMENTS MUST INCLUDE,  
16 at a minimum, lighting, physical security, video, and alarm requirements;  
17 ~~and~~ other minimum procedures for internal control as deemed necessary  
18 by the state licensing authority to properly administer and enforce this  
19 article 10; ~~including~~ AND biennial reporting requirements for changes,  
20 alterations, or modifications to the premises. SURVEILLANCE  
21 REQUIREMENTS FOR VIDEO RECORDING MUST INCLUDE BUT CANNOT  
22 EXCEED THE FOLLOWING REQUIREMENTS:

23 (I) EACH POINT OF INGRESS AND EGRESS TO THE EXTERIOR OF THE  
24 LICENSED PREMISES MUST BE SURVEILLED;

25 (II) POINTS OF SALE WITH COVERAGE OF THE CUSTOMER OR  
26 PATIENT AND OCCUPATIONAL LICENSEE COMPLETING THE SALE MUST BE  
27 SURVEILLED;

1 (III) AREAS OF THE LICENSED PREMISES WHERE SHIPPING AND  
2 RECEIVING OF REGULATED MARIJUANA OCCURS, TEST BATCHES ARE  
3 COLLECTED, AND REGULATED MARIJUANA WASTE IS DESTROYED MUST BE  
4 SURVEILLED; AND

5 (IV) DELIVERY VEHICLE SURVEILLANCE IF REQUIRED BY RULE  
6 UNDER SUBSECTION (2)(dd)(V) OF THIS SECTION;

7 ~~(t) Development of individual identification cards for individuals~~  
8 ~~working in or having unescorted access to the limited access areas of the~~  
9 ~~licensed premises of a medical marijuana business or retail marijuana~~  
10 ~~business, including a fingerprint-based criminal history record check as~~  
11 ~~may be required by the state licensing authority prior to issuing a card;~~

12 (x) The conditions under which a licensee is authorized to transfer  
13 fibrous waste to a person for the purpose of producing only industrial  
14 fiber products. The conditions must include contract requirements that  
15 stipulate that the fibrous waste will only be used to produce industrial  
16 fiber products; ~~record-keeping requirements;~~ security measures related to  
17 the transport and transfer of fibrous waste; requirements for handling  
18 contaminated fibrous waste; and processes associated with handling  
19 fibrous waste. The rules must not require licensees to alter fibrous waste  
20 from its natural state ~~prior to~~ BEFORE transfer.

21 (bb) THE conditions under which a licensee is authorized to  
22 collect marijuana consumer waste and transfer it to a person for the  
23 purposes of reuse or recycling in accordance with all requirements  
24 established by the department of public health and environment pertaining  
25 to waste disposal and recycling. The conditions must include:

26 (II) ~~Record-keeping requirements;~~

27 (dd) Requirements for medical marijuana and medical marijuana

1 products delivery as described in ~~section~~ SECTIONS 44-10-501 (11) and  
2 ~~section~~ 44-10-505 (5) and retail marijuana and retail marijuana products  
3 delivery as described in ~~section~~ SECTIONS 44-10-601 (13) and ~~section~~  
4 44-10-605 (5), including:

5 (V) Delivery vehicle requirements; ~~including requirements for~~  
6 ~~surveillance;~~

7 (VI) Record-keeping requirements CONCERNING:

8 (A) CHILD RESISTANCE CERTIFICATES;

9 (B) TESTING RECORDS;

10 (C) CERTIFICATES OF ANALYSIS OR OTHER RECORDS  
11 DEMONSTRATING THE COMPOSITION OF RAW INGREDIENTS USED IN  
12 VAPORIZERS OR PRESSURED METERED DOSE INHALERS;

13 (D) RECALL RECORDS;

14 (E) ADVERSE HEALTH EVENTS;

15 (F) CORRECTIVE ACTION AND PREVENTIVE ACTION RECORDS;

16 (G) DOCUMENTATION REQUIRED TO DEMONSTRATE VALID  
17 RESPONSIBLE VENDOR DESIGNATION;

18 (H) STANDARD OPERATING PROCEDURES;

19 (I) TRANSFER RECORDS TO ACCOUNT FOR REGULATED MARIJUANA  
20 TRANSACTIONS;

21 (J) EXPIRATION DATE TESTING AND USE-BY-DATE TESTING;

22 (K) PATIENT RECORDS; AND

23 (L) ADVERTISING RECORDS.

24 (gg) For marijuana hospitality businesses that are mobile,  
25 regulations including: ~~but not limited to:~~

26 (II) ~~Surveillance cameras inside the vehicles;~~

27 (9) (b) (I) The state licensing authority shall base its issuance of



1 an employee license ~~identification card~~ pursuant to this subsection (9) on  
2 the results of an initial investigation that demonstrate the applicant is  
3 qualified to hold such license. The employee license application for  
4 which an employee license ~~identification card~~ was issued pursuant to this  
5 subsection (9) remains subject to denial pending the complete results of  
6 the applicant's initial ~~fingerprint-based criminal history~~ NAME-BASED  
7 JUDICIAL record check.

8 (II) Results of a ~~fingerprint-based criminal history~~ NAME-BASED  
9 JUDICIAL record check that demonstrate that an applicant possessing an  
10 employee license ~~identification card~~ pursuant to this subsection (9) is not  
11 qualified to hold a license issued under this article 10 are grounds for  
12 denial of the employee license application. If the employee license  
13 application is denied, the applicant shall return the employee license AND  
14 identification card to the state licensing authority within a time period that  
15 the state licensing authority establishes by rule.

16 **SECTION 3.** In Colorado Revised Statutes, **add** 44-10-210 as  
17 follows:

18 **44-10-210. Procedure to obtain video surveillance.** TO OBTAIN  
19 VIDEO SURVEILLANCE, THE STATE LICENSING AUTHORITY MUST ISSUE  
20 ORDERS FOR VIDEO SURVEILLANCE FOOTAGE IN WRITING TO A LICENSEE.  
21 THE REQUEST MAY BE MADE BY DIGITAL COMMUNICATION. THE STATE  
22 LICENSING AUTHORITY SHALL PROVIDE LICENSEES WITH AT LEAST  
23 SEVENTY-TWO HOURS TO RESPOND TO THE REQUEST AND TO FURNISH THE  
24 REQUESTED VIDEO FOOTAGE.

25 **SECTION 4.** In Colorado Revised Statutes, 44-10-307, **amend**  
26 (4)(c); and **repeal** (1)(h) as follows:

27 **44-10-307. Persons prohibited as licensees - definition.** (1) A

1 license provided by this article 10 shall not be issued to or held by:

2 (h) ~~A person who employs another person at a medical marijuana~~  
3 ~~business or retail marijuana business who has not submitted fingerprints~~  
4 ~~for a criminal history record check or whose criminal history record check~~  
5 ~~reveals that the person is ineligible;~~

6 (4) (c) (I) ~~At the time of~~ WHEN filing an application for INITIAL  
7 issuance ~~or renewal~~ of a state medical marijuana business license or retail  
8 marijuana business license, an applicant shall submit a set of ~~his or her~~  
9 THEIR fingerprints and file personal history information concerning the  
10 applicant's qualifications for a state license on forms prepared by the state  
11 licensing authority. The state or local licensing authority or local  
12 jurisdiction shall submit the fingerprints to the Colorado bureau of  
13 investigation for the purpose of conducting fingerprint-based criminal  
14 history record checks. The Colorado bureau of investigation shall forward  
15 the fingerprints to the federal bureau of investigation for the purpose of  
16 conducting fingerprint-based criminal history record checks. When the  
17 results of a fingerprint-based criminal history record check reveal a record  
18 of arrest without a disposition, the state or local licensing authority or  
19 local jurisdiction shall require an applicant or a license holder to submit  
20 to a name-based judicial record check, as defined in section 22-2-119.3  
21 (6)(d). The state or local licensing authority or local jurisdiction shall use  
22 the information resulting from the fingerprint-based criminal history  
23 record check to investigate and determine whether an applicant is  
24 qualified to hold a state or local license pursuant to this article 10. The  
25 state or local licensing authority or local jurisdiction may verify any of the  
26 information an applicant is required to submit.

27 (II) WHEN RENEWING A STATE MEDICAL MARIJUANA BUSINESS

1 LICENSE OR RETAIL MARIJUANA BUSINESS LICENSE, THE LICENSEE SHALL  
2 SUBMIT THEIR NAME FOR A NAME-BASED JUDICIAL RECORD CHECK. THE  
3 STATE OR LOCAL LICENSING AUTHORITY OR LOCAL JURISDICTION SHALL  
4 USE THE INFORMATION RESULTING FROM THE NAME-BASED JUDICIAL  
5 RECORD CHECK TO DETERMINE WHETHER A LICENSEE CONTINUES TO BE  
6 QUALIFIED TO HOLD A STATE OR LOCAL LICENSE PURSUANT TO THIS  
7 ARTICLE 10. THE STATE OR LOCAL LICENSING AUTHORITY OR LOCAL  
8 JURISDICTION MAY VERIFY ANY OF THE INFORMATION A LICENSEE IS  
9 REQUIRED TO SUBMIT TO RENEW THE LICENSE.

10 **SECTION 5.** In Colorado Revised Statutes, 44-10-313, **amend**  
11 (4) and (13)(c)(I)(B) as follows:

12 **44-10-313. Licensing in general - rules - repeal.** (4) A medical  
13 marijuana business or retail marijuana business that is not a publicly  
14 traded corporation shall notify the state licensing authority in writing of  
15 the name, address, and date of birth of a controlling beneficial owner,  
16 passive beneficial owner, or manager before the new controlling  
17 beneficial owner, passive beneficial owner, or manager begins managing  
18 or associating with the operation. ~~Any~~ A controlling beneficial owner OR  
19 passive beneficial owner ~~manager, or employee~~ must pass a  
20 fingerprint-based criminal history record check as required by the state  
21 licensing authority and obtain the required identification ~~prior to~~ BEFORE  
22 being associated with ~~managing, OR owning or working at~~ the operation.  
23 A MANAGER OR EMPLOYEE THAT IS NOT A CONTROLLING BENEFICIAL  
24 OWNER MAY COMMENCE WORKING OR MAY HANDLE OR TRANSPORT  
25 MARIJUANA BEFORE THE FINAL DISPOSITION OF THE INDIVIDUAL'S  
26 APPLICATION.

27 (13) (c) (I) A medical marijuana cultivation facility or retail

1 marijuana cultivation facility that has obtained an approved change of  
2 location from the state licensing authority may operate one license at two  
3 geographical locations for the purpose of transitioning operations from  
4 one location to another if:

5 (B) The licensed premises of both geographical locations comply  
6 with ~~all surveillance~~, THE security and inventory tracking requirements  
7 imposed by this article 10 and any rules ~~promulgated~~ ADOPTED by the  
8 state licensing authority;

9 **SECTION 6.** In Colorado Revised Statutes, 44-10-314, **amend**  
10 (1) and (2) as follows:

11 **44-10-314. License renewal - unified renewal applications -**  
12 **rules.** (1) Ninety days ~~prior to~~ BEFORE the expiration date of an existing  
13 medical marijuana business or retail marijuana business license, the state  
14 licensing authority shall notify the licensee of the expiration date by  
15 ~~first-class mail at the licensee's address of record with the state licensing~~  
16 ~~authority~~ DIGITAL COMMUNICATION. A licensee must apply for the  
17 renewal of an existing license to the local licensing authority within the  
18 time frame required by local ordinance or regulation and to the state  
19 licensing authority ~~prior to~~ BEFORE the expiration of the license. The  
20 licensee shall provide the state licensing authority with information  
21 establishing that the application complies with all local requirements for  
22 the renewal of a license. If a licensee submits a timely and sufficient  
23 renewal application, the licensee may continue to operate until the  
24 application is finally acted upon by the state licensing authority. The local  
25 licensing authority may hold a hearing on the application for renewal of  
26 a medical marijuana business license only if the licensee has had  
27 complaints filed against it, THE LICENSEE has a history of violations, or

1 there are allegations against the licensee that would constitute good cause.  
2 The local licensing authority shall not hold a renewal hearing provided  
3 for by this subsection (1) for a medical marijuana store until it has posted  
4 a notice of hearing on the licensed medical marijuana store premises in  
5 the manner described in section 44-10-303 (2) for a period of ten days  
6 and provided notice to the applicant at least ten days ~~prior to~~ BEFORE the  
7 hearing. The local licensing authority may refuse to renew any license for  
8 good cause, subject to judicial review.

9 (2) The state licensing authority may require ~~an additional~~ A  
10 LICENSEE TO SUBMIT A fingerprint ~~request~~ TO PERFORM A  
11 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK when there is a  
12 demonstrated investigative need.

13 **SECTION 7.** In Colorado Revised Statutes, 44-10-501, **add** (13)  
14 as follows:

15 **44-10-501. Medical marijuana store license - seed-to-sale**  
16 **inventory tracking system - medical marijuana products - hemp**  
17 **products - patient verification - delivery permit - supplier-sponsored**  
18 **patient promotion - rules - definitions.** (13) (a) A MEDICAL MARIJUANA  
19 STORE MAY HOST A PATIENT PROMOTION SPONSORED BY A MEDICAL  
20 MARIJUANA CULTIVATION FACILITY OR MEDICAL MARIJUANA PRODUCTS  
21 MANUFACTURER WHERE PATIENT PROMOTIONAL UNITS ARE PROVIDED. TO  
22 PROVIDE A PATIENT PROMOTIONAL UNIT, THE PATIENT PROMOTIONAL UNIT  
23 MUST BE:

24 (I) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
25 SECTION 44-10-203 (2)(d);

26 (II) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING  
27 SYSTEM;

1 (III) TRANSFERRED TO THE MEDICAL MARIJUANA STORE BEFORE  
2 THE PATIENT PROMOTION;

3 (IV) PACKAGED IN ACCORDANCE WITH THE RULES ADOPTED  
4 UNDER SECTION 44-10-203 (3)(b); AND

5 (V) LABELED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
6 SECTION 44-10-203 (2)(f).

7 (b) A MEDICAL MARIJUANA STORE SHALL NOT PROVIDE PATIENT  
8 PROMOTIONAL UNITS UNLESS THE PATENT PROMOTIONAL UNITS ARE  
9 PROVIDED DURING A PATIENT PROMOTION.

10 (c) TO PROVIDE PATIENT PROMOTIONAL UNITS UNDER THIS  
11 SUBSECTION (13), A MEDICAL MARIJUANA STORE MUST:

12 (I) VERIFY, BEFORE PROVIDING THE PATIENT PROMOTIONAL UNIT,  
13 THAT THE PATIENT IS QUALIFIED TO RECEIVE THE PATIENT PROMOTIONAL  
14 UNIT;

15 (II) NOT CHARGE A PATIENT FOR A PATIENT PROMOTIONAL UNIT;

16 (III) ENSURE THE TOTAL AMOUNT OF PATIENT PROMOTIONAL UNITS  
17 AND PURCHASED MEDICAL MARIJUANA THAT ARE TRANSFERRED TO A  
18 PATIENT DO NOT EXCEED THE LIMITS ESTABLISHED IN SUBSECTIONS (3)(b)  
19 AND (3)(c) OF THIS SECTION; AND

20 (IV) NOT PERMIT THE CONSUMPTION OF PATIENT PROMOTIONAL  
21 UNITS ON THE LICENSED PREMISES.

22 **SECTION 8.** In Colorado Revised Statutes, 44-10-502, **amend**  
23 (5) and (6)(e) as follows:

24 **44-10-502. Medical marijuana cultivation facility license -**  
25 **promotional units - centralized distribution permit - obtaining**  
26 **genetic material - transfer and change of designation of retail**  
27 **marijuana to medical marijuana - contingency plan - rules -**

1 **definitions.** (5) (a) A medical marijuana cultivation facility licensee may  
2 provide a medical marijuana sample and a medical marijuana concentrate  
3 ~~sample to no more than five managers employed by the licensee for~~  
4 ~~purposes of quality control and product development. A medical~~  
5 ~~marijuana cultivation facility licensee may designate no more than five~~  
6 ~~managers per calendar month as recipients of quality control and product~~  
7 ~~development samples authorized pursuant to this subsection (5)(a) AN~~  
8 ~~R-AND-D UNIT TO AN OCCUPATIONAL LICENSEE.~~

9 (b) ~~Managers who receive a sample pursuant to subsection (5)(a)~~  
10 ~~of this section must have a valid registry identification card issued~~  
11 ~~pursuant to section 25-1.5-106 (9).~~

12 (c) ~~A sample authorized pursuant to subsection (5)(a) of this~~  
13 ~~section is limited to one gram of medical marijuana per batch as defined~~  
14 ~~in rules promulgated by the state licensing authority and one-quarter gram~~  
15 ~~of a medical marijuana concentrate per batch as defined in rules~~  
16 ~~promulgated by the state licensing authority; except that the limit is~~  
17 ~~one-half gram of medical marijuana concentrate if the intended use of the~~  
18 ~~final medical marijuana product is to be used in a device that can deliver~~  
19 ~~medical marijuana concentrate in a vaporized form to the person inhaling~~  
20 ~~from the device.~~

21 (d) ~~A sample authorized pursuant to subsection (5)(a) of this~~  
22 ~~section TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:~~  
23 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~  
24 ~~section 44-10-203 (2)(f) and (3)(b).~~

25 (I) ~~LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE~~  
26 ~~PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY~~  
27 ~~THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY~~

- 1 REQUIRED WARNING STATEMENTS;
- 2 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
- 3 SOLD OR RESOLD;
- 4 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
- 5 SECTION 44-10-203 (2)(d);
- 6 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;
- 7 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
- 8 SYSTEM; AND
- 9 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
- 10 CONTROL PURPOSES.

11 ~~(e) A sample provided pursuant to subsection (5)(a) of this section~~

12 ~~must be tracked with the seed-to-sale tracking system. Prior to a manager~~

13 ~~receiving a sample, a manager must be designated in the seed-to-sale~~

14 ~~tracking system as a recipient of quality control and product development~~

15 ~~samples. A manager receiving a sample must make a voluntary decision~~

16 ~~to be tracked in the seed-to-sale tracking system and is not a consumer~~

17 ~~pursuant to section 16(5)(c) of article XVIII of the state constitution. The~~

18 ~~medical marijuana cultivation facility licensee shall maintain~~

19 ~~documentation of all samples and shall make the documentation available~~

20 ~~to the state licensing authority.~~

21 ~~(f) Prior to a manager receiving a sample pursuant to subsection~~

22 ~~(5)(a) of this section, a medical marijuana cultivation facility licensee~~

23 ~~shall provide a standard operating procedure to the manager explaining~~

24 ~~requirements pursuant to this section and personal possession limits~~

25 ~~pursuant to section 18-18-406.~~

26 ~~(g) A manager shall not:~~

27 ~~(I) Receive more than one ounce total of medical marijuana~~



1 ~~samples or fifteen grams of medical marijuana concentrate samples per~~  
2 ~~calendar month, regardless of the number of licenses that the manager is~~  
3 ~~associated with; or~~

4 ~~(H) Provide or resell the sample to another licensed employee, a~~  
5 ~~customer, or any other individual.~~

6 (h) A medical marijuana cultivation facility licensee shall not:

7 (I) ~~Allow a manager to consume the sample~~ AN R-AND-D UNIT TO  
8 BE CONSUMED on the licensed premises; ~~or~~

9 (II) Use ~~the sample~~ AN R-AND-D UNIT as a means of  
10 compensation; ~~to a manager.~~

11 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT VIOLATES  
12 SECTION 18-18-406;

13 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D  
14 UNIT;

15 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; OR

16 (VI) GIVE AN R-AND-D UNIT TO A PERSON THE DOES NOT HOLD A  
17 VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION  
18 25-1.5-106 (9).

19 (i) ~~The state licensing authority may establish additional inventory~~  
20 ~~tracking and record keeping, including additional reporting required for~~  
21 ~~implementation. The medical marijuana cultivation facility licensee shall~~  
22 ~~maintain the information required by this subsection (5)(i) on the licensed~~  
23 ~~premises for inspection by the state and local licensing authorities.~~

24 (j) ~~For purposes of this subsection (5) only, "manager" means an~~  
25 ~~employee of the medical marijuana business who holds a valid key~~  
26 ~~license or associated key license. and is currently designated pursuant to~~  
27 ~~state licensing authority rules as the manager of the medical marijuana~~

1 business:

2 (6) (e) All security ~~and surveillance~~ requirements that apply to a  
3 medical marijuana cultivation facility apply to activities conducted  
4 pursuant to the privileges of a centralized distribution permit.

5 **SECTION 9.** In Colorado Revised Statutes, 44-10-503, **amend**  
6 (2) and (10) as follows:

7 **44-10-503. Medical marijuana products manufacturer license**  
8 **- hemp products - R-and-D units - transfer and change of designation**  
9 **of retail marijuana to medical marijuana - rules - definition.**

10 (2) Medical marijuana products must be prepared on a licensed premises  
11 that is used ~~exclusively~~ for the manufacture and preparation of medical  
12 marijuana products; ~~and using equipment that is used exclusively for the~~  
13 ~~manufacture and preparation of medical marijuana products;~~ except that,  
14 subject to rules of the state licensing authority, a medical marijuana  
15 products manufacturer licensee may share the same premises as a  
16 commonly owned marijuana research and development licensee so long  
17 as virtual or physical separation of inventory and research activity is  
18 maintained.

19 (10) (a) A medical marijuana products manufacturer licensee may  
20 provide a ~~medical marijuana concentrate and a medical marijuana product~~  
21 ~~sample to no more than five managers employed by the licensee for~~  
22 ~~purposes of quality control and product development. A medical~~  
23 ~~marijuana products manufacturer licensee may designate no more than~~  
24 ~~five managers per calendar month as recipients of quality control and~~  
25 ~~product development samples authorized pursuant to this subsection~~  
26 ~~(10)(a) AN R-AND-D UNIT TO AN OCCUPATIONAL LICENSEE.~~

27 (b) ~~Managers who receive a sample pursuant to subsection (10)(a)~~

1 of this section must have a valid registry identification card issued  
2 pursuant to section 25-1.5-106 (9).

3 (c) ~~A sample authorized pursuant to subsection (10)(a) of this~~  
4 ~~section is limited to one serving size of edible medical marijuana product~~  
5 ~~and its applicable equivalent serving size of nonedible medical marijuana~~  
6 ~~product per batch as defined in rules promulgated by the state licensing~~  
7 ~~authority and one-quarter gram of medical marijuana concentrate per~~  
8 ~~batch as defined in rules promulgated by the state licensing authority;~~  
9 ~~except that the limit is one-half gram of medical marijuana concentrate~~  
10 ~~if the intended use of the final product is to be used in a device that can~~  
11 ~~be used to deliver medical marijuana concentrate in a vaporized form to~~  
12 ~~the person inhaling from the device.~~

13 (d) ~~A sample authorized pursuant to subsection (10)(a) of this~~  
14 ~~section~~ TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:  
15 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~  
16 ~~section 44-10-203 (2)(f) and (3)(b).~~

17 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE  
18 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY  
19 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY  
20 REQUIRED WARNING STATEMENTS;

21 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE  
22 SOLD OR RESOLD;

23 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
24 SECTION 44-10-203 (2)(d);

25 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

26 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING  
27 SYSTEM; AND

1 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY  
2 CONTROL.

3 (e) ~~A sample provided pursuant to subsection (10)(a) of this~~  
4 ~~section must be tracked with the seed-to-sale tracking system. Prior to a~~  
5 ~~manager receiving a sample, a manager must be designated in the~~  
6 ~~seed-to-sale tracking system as a recipient of quality control and product~~  
7 ~~development samples. A manager receiving a sample must make a~~  
8 ~~voluntary decision to be tracked in the seed-to-sale tracking system and~~  
9 ~~is not a consumer pursuant to section 16 (5)(c) of article XVIII of the~~  
10 ~~state constitution. The medical marijuana products manufacturer licensee~~  
11 ~~shall maintain documentation of all samples and shall make the~~  
12 ~~documentation available to the state licensing authority.~~

13 (f) ~~Prior to a manager receiving a sample pursuant to subsection~~  
14 ~~(10)(a) of this section, a medical marijuana products manufacturer~~  
15 ~~licensee shall provide a standard operating procedure to the manager~~  
16 ~~explaining requirements pursuant to this section and personal possession~~  
17 ~~limits pursuant to section 18-18-406.~~

18 (g) A manager shall not:

19 (I) ~~Receive more than a total of fifteen grams of medical~~  
20 ~~marijuana concentrate or fourteen individual serving-size edibles or its~~  
21 ~~applicable equivalent in nonedible medical marijuana products per~~  
22 ~~calendar month, regardless of the number of licenses that the manager is~~  
23 ~~associated with; or~~

24 (II) ~~Provide to or resell the sample to another licensed employee,~~  
25 ~~a customer, or any other individual.~~

26 (h) A medical marijuana products manufacturer licensee shall not:

27 (I) ~~Allow a manager to consume the sample~~ AN R-AND-D UNIT TO

1 BE CONSUMED on the licensed premises; ~~or~~

2 (II) Use ~~the sample~~ AN R-AND-D UNIT as a means of

3 compensation; ~~to a manager.~~

4 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT WOULD VIOLATE

5 SECTION 18-18-406;

6 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D

7 UNIT;

8 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT; OR

9 (VI) GIVE AN R-AND-D UNIT TO A PERSON THAT DOES NOT HOLD

10 A VALID REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION

11 25-1.5-106 (9).

12 (i) ~~The state licensing authority may establish additional inventory~~

13 ~~tracking and record keeping, including additional reporting required for~~

14 ~~implementation. The medical marijuana products manufacturer licensee~~

15 ~~shall maintain the information required by this subsection (10)(i) on the~~

16 ~~licensed premises for inspection by the state and local licensing~~

17 ~~authorities.~~

18 (j) ~~For purposes of this subsection (10) only, "manager" means an~~

19 ~~employee of the medical marijuana products manufacturer who holds a~~

20 ~~valid key license or associated key license and is currently designated~~

21 ~~pursuant to state licensing authority rules as the manager of the medical~~

22 ~~marijuana products manufacturer.~~

23 (k) THE STATE LICENSING AUTHORITY SHALL ADOPT RULES TO

24 ENABLE A LICENSEE TO CONDUCT RESEARCH AND DEVELOPMENT USING

25 R-AND-D UNITS WHEN EVALUATING DIFFERENT FLAVORS.

26 **SECTION 10.** In Colorado Revised Statutes, 44-10-601, **amend**

27 (3)(a)(I); and **add** (18) as follows:

1           **44-10-601. Retail marijuana store license - retail marijuana**  
2           **products - hemp products - consumer verification - delivery permit**  
3           **- supplier-sponsored consumer promotion - rules - definitions.**

4           (3) (a) (I) A retail marijuana store may not sell more than ~~one ounce~~ TWO  
5           OUNCES of retail marijuana or its equivalent in retail marijuana products,  
6           including retail marijuana concentrate, except for nonedible,  
7           nonpsychoactive retail marijuana products, including ointments, lotions,  
8           balms, and other nontransdermal topical products, during a single  
9           transaction to a person.

10           (18) (a) A RETAIL MARIJUANA STORE MAY HOST A CUSTOMER  
11           PROMOTION SPONSORED BY A RETAIL MARIJUANA CULTIVATION FACILITY  
12           OR RETAIL MARIJUANA PRODUCT MANUFACTURER WHERE CUSTOMER  
13           PROMOTIONAL UNITS ARE PROVIDED. TO PROVIDE A CUSTOMER  
14           PROMOTIONAL UNIT, THE CUSTOMER PROMOTIONAL UNIT MUST BE:

15           (I) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
16           SECTION 44-10-203 (2)(d);

17           (II) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING  
18           SYSTEM IN ACCORDANCE WITH SUBSECTION (1)(d) OF THIS SECTION;

19           (III) TRANSFERRED TO THE RETAIL MARIJUANA STORE BEFORE THE  
20           CUSTOMER PROMOTION;

21           (IV) PACKAGED IN ACCORDANCE WITH THE RULES ADOPTED  
22           UNDER SECTION 44-10-203 (3)(b); AND

23           (V) LABELED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
24           SECTION 44-10-203 (2)(f).

25           (b) A RETAIL MARIJUANA STORE SHALL NOT PROVIDE CUSTOMER  
26           PROMOTIONAL UNITS UNLESS THE CUSTOMER PROMOTIONAL UNITS ARE  
27           PROVIDED DURING A CUSTOMER PROMOTION.

1 (c) TO PROVIDE CUSTOMER PROMOTIONAL UNITS UNDER THIS  
2 SUBSECTION (18), A RETAIL MARIJUANA STORE MUST:

3 (I) VERIFY, BEFORE PROVIDING A CUSTOMER PROMOTIONAL UNIT,  
4 THAT THE CUSTOMER IS QUALIFIED TO RECEIVE THE CUSTOMER  
5 PROMOTIONAL UNIT;

6 (II) NOT CHARGE A CUSTOMER FOR A CUSTOMER PROMOTIONAL  
7 UNIT;

8 (III) ENSURE THE TOTAL AMOUNT OF CUSTOMER PROMOTIONAL  
9 UNITS AND PURCHASED MEDICAL MARIJUANA THAT IS TRANSFERRED TO A  
10 CUSTOMER DOES NOT EXCEED THE LIMITS ESTABLISHED IN SUBSECTION  
11 (3)(a) OF THIS SECTION; AND

12 (IV) NOT PERMIT THE CONSUMPTION OF THE CUSTOMER  
13 PROMOTIONAL UNIT ON THE LICENSED PREMISES.

14 **SECTION 11.** In Colorado Revised Statutes, 44-10-602, **amend**  
15 (6)(a), (6)(d), (6)(h), and (7)(e); **repeal** (6)(c), (6)(e), (6)(f), (6)(g), (6)(i),  
16 and (6)(j) as follows:

17 **44-10-602. Retail marijuana cultivation facility license -**  
18 **R-and-D units - centralized distribution permit - genetic material -**  
19 **transfer and change of designation of retail marijuana to medical**  
20 **marijuana - contingency plan - rules - definitions.** (6) (a) A retail  
21 marijuana cultivation facility licensee may provide a retail marijuana  
22 sample and a retail marijuana concentrate sample to no more than five  
23 managers employed by the licensee for purposes of quality control and  
24 product development. A retail marijuana cultivation facility licensee may  
25 designate no more than five managers per calendar month as recipients  
26 of quality control and product development samples authorized pursuant  
27 to this subsection (6)(a) AN R-AND-D UNIT TO AN OCCUPATIONAL

1 LICENSEE.

2 (c) ~~A sample authorized pursuant to subsection (6)(a) of this~~  
3 ~~section is limited to one gram of retail marijuana per batch as defined in~~  
4 ~~rules promulgated by the state licensing authority, and one-quarter gram~~  
5 ~~of a retail marijuana concentrate per batch as defined in rules~~  
6 ~~promulgated by the state licensing authority, except that the limit is~~  
7 ~~one-half gram of retail marijuana concentrate if the intended use of the~~  
8 ~~final product is to be used in a device that can be used to deliver retail~~  
9 ~~marijuana concentrate in a vaporized form to the person inhaling from the~~  
10 ~~device.~~

11 (d) ~~A sample authorized pursuant to subsection (6)(a) of this~~  
12 ~~section~~ TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:  
13 ~~labeled and packaged pursuant to the rules promulgated pursuant to~~  
14 ~~section 44-10-203 (2)(f) and (3)(b).~~

15 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE  
16 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY  
17 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY  
18 REQUIRED WARNING STATEMENTS;

19 (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE  
20 SOLD OR RESOLD;

21 (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER  
22 SECTION 44-10-203 (2)(d);

23 (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;

24 (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING  
25 SYSTEM; AND

26 (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY  
27 CONTROL.



1           (e) ~~A sample provided pursuant to subsection (6)(a) of this section~~  
2 ~~must be tracked with the seed-to-sale tracking system. Prior to a manager~~  
3 ~~receiving a sample, a manager must be designated in the seed-to-sale~~  
4 ~~tracking system as a recipient of quality control and product development~~  
5 ~~samples. A manager receiving a sample must make a voluntary decision~~  
6 ~~to be tracked in the seed-to-sale tracking system and is not a consumer~~  
7 ~~pursuant to section 16(5)(c) of article XVIII of the state constitution. The~~  
8 ~~retail marijuana cultivation facility licensee shall maintain documentation~~  
9 ~~of all samples and shall make the documentation available to the state~~  
10 ~~licensing authority.~~

11           (f) ~~Prior to a manager receiving a sample pursuant to subsection~~  
12 ~~(6)(a) of this section, a retail marijuana cultivation facility licensee shall~~  
13 ~~provide a standard operating procedure to the manager explaining~~  
14 ~~requirements pursuant to this section and personal possession limits~~  
15 ~~pursuant to section 18-18-406.~~

16           (g) A manager shall not:

17           ~~(I) Receive more than one ounce total of retail marijuana or eight~~  
18 ~~grams of retail marijuana concentrate samples per calendar month,~~  
19 ~~regardless of the number of licenses that the manager is associated with;~~  
20 ~~or~~

21           ~~(II) Provide to or resell the sample to another licensed employee,~~  
22 ~~a customer, or any other individual.~~

23           (h) A retail marijuana cultivation facility licensee shall not:

24           ~~(I) Allow a manager to consume the sample~~ AN R-AND-D UNIT TO  
25 BE CONSUMED on the licensed premises; ~~or~~

26           ~~(II) Use the sample~~ AN R-AND-D UNIT as a means of  
27 compensation; ~~to a manager.~~

1 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT WOULD VIOLATE  
2 SECTION 18-18-406;

3 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D  
4 UNIT; OR

5 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT.

6 (i) ~~The state licensing authority may establish additional inventory~~  
7 ~~tracking and record keeping, including additional reporting required for~~  
8 ~~implementation. The retail marijuana cultivation facility licensee shall~~  
9 ~~maintain the information required by this subsection (6)(i) on the licensed~~  
10 ~~premises for inspection by the state and local licensing authorities.~~

11 (j) ~~For purposes of this subsection (6) only, "manager" means an~~  
12 ~~employee of the retail marijuana cultivation facility who holds a valid key~~  
13 ~~license or associated key license and is currently designated pursuant to~~  
14 ~~state licensing authority rules as the manager of the retail marijuana~~  
15 ~~cultivation facility.~~

16 (7) (e) All security ~~and surveillance~~ requirements that apply to a  
17 retail marijuana cultivation facility apply to activities conducted pursuant  
18 to the privileges of a centralized distribution permit.

19 **SECTION 12.** In Colorado Revised Statutes, 44-10-603, **amend**  
20 (2) introductory portion and (10) as follows:

21 **44-10-603. Retail marijuana products manufacturer license -**  
22 **rules - definition.** (2) Retail marijuana products must be prepared on a  
23 licensed premises that is used ~~exclusively~~ for the manufacture and  
24 preparation of retail marijuana or retail marijuana products; ~~and using~~  
25 ~~equipment that is used exclusively for the manufacture and preparation~~  
26 ~~of retail marijuana products;~~ except that, if permitted by the local  
27 jurisdiction and subject to rules of the state licensing authority, a retail

1 marijuana products manufacturer licensee may share the same premises  
2 as:

3 (10) (a) A retail marijuana products manufacturer licensee may  
4 provide a retail marijuana product sample and a retail marijuana  
5 concentrate sample to no more than five managers employed by the  
6 licensee for purposes of quality control and product development. A retail  
7 marijuana products manufacturer licensee may designate no more than  
8 five managers per calendar month as recipients of quality control and  
9 product development samples authorized pursuant to this subsection  
10 ~~(10)(a)~~ AN R-AND-D UNIT TO AN OCCUPATIONAL LICENSEE.

11 (b) A sample authorized pursuant to subsection (10)(a) of this  
12 section is limited to one serving size of an edible retail marijuana product  
13 not exceeding ten milligrams of THC and its applicable equivalent  
14 serving size of nonedible retail marijuana product per batch as defined in  
15 rules promulgated by the state licensing authority and one-quarter gram  
16 of retail marijuana concentrate per batch as defined in rules promulgated  
17 by the state licensing authority, except that the limit is one-half gram of  
18 retail marijuana concentrate if the intended use of the final product is to  
19 be used in a device that can be used to deliver retail marijuana  
20 concentrate in a vaporized form to the person inhaling from the device.

21 (c) A sample authorized pursuant to subsection (10)(a) of this  
22 section TO PROVIDE AN R-AND-D UNIT, THE R-AND-D UNIT must be:  
23 labeled and packaged pursuant to the rules promulgated pursuant to  
24 section 44-10-203 (2)(f) and (3)(b).

25 (I) LABELED WITH THE UNIVERSAL SYMBOL INDICATING THAT THE  
26 PACKAGE CONTAINS MARIJUANA, THE LICENSE NUMBER OF THE FACILITY  
27 THAT PRODUCED THE R-AND-D UNIT, THE BATCH NUMBER, AND ANY

- 1       REQUIRED WARNING STATEMENTS;
- 2               (II) LABELED TO INDICATE THAT THE R-AND-D UNIT MUST NOT BE
- 3       SOLD OR RESOLD;
- 4               (III) TESTED IN ACCORDANCE WITH THE RULES ADOPTED UNDER
- 5       SECTION 44-10-203 (2)(d);
- 6               (IV) PACKAGED IN A CHILD-RESISTANT CONTAINER;
- 7               (V) TRACKED WITH THE SEED-TO-SALE INVENTORY TRACKING
- 8       SYSTEM; AND
- 9               (VI) PROVIDED FOR PRODUCT DEVELOPMENT OR QUALITY
- 10       CONTROL.

11           (d) ~~A sample provided pursuant to subsection (10)(a) of this~~

12 ~~section must be tracked with the seed-to-sale tracking system. Prior to a~~

13 ~~manager receiving a sample, a manager must be designated in the~~

14 ~~seed-to-sale tracking system as a recipient of quality control and product~~

15 ~~development samples. A manager receiving a sample must make a~~

16 ~~voluntary decision to be tracked in the seed-to-sale tracking system and~~

17 ~~is not a consumer pursuant to section 16 (5)(c) of article XVIII of the~~

18 ~~state constitution. The retail marijuana products manufacturer licensee~~

19 ~~shall maintain documentation of all samples and shall make the~~

20 ~~documentation available to the state licensing authority.~~

21           (e) ~~Prior to a manager receiving a sample pursuant to subsection~~

22 ~~(10)(a) of this section, a retail marijuana products manufacturer licensee~~

23 ~~shall provide a standard operating procedure to the manager explaining~~

24 ~~requirements pursuant to this section and personal possession limits~~

25 ~~pursuant to section 18-18-406.~~

26           (f) ~~A manager shall not:~~

27           ~~(I) Receive more than a total of eight grams of retail marijuana~~

1 ~~concentrate or fourteen individual serving-size edibles or its applicable~~  
2 ~~equivalent in nonedible retail marijuana products per calendar month,~~  
3 ~~regardless of the number of licenses that the manager is associated with;~~  
4 ~~or~~

5 ~~(H) Provide to or resell the sample to another licensed employee,~~  
6 ~~a customer, or any other individual.~~

7 (g) A retail marijuana products ~~manufacturing~~ MANUFACTURER  
8 licensee shall not:

9 (I) ~~Allow a manager to consume the sample~~ AN R-AND-D UNIT TO  
10 BE CONSUMED on the licensed premises; ~~or~~

11 (II) Use ~~the sample~~ AN R-AND-D UNIT as a means of  
12 compensation; ~~to a manager.~~

13 (III) PROVIDE R-AND-D UNITS IN A MANNER THAT WOULD VIOLATE  
14 SECTION 18-18-406;

15 (IV) REQUIRE AN EMPLOYEE TO ACCEPT OR CONSUME AN R-AND-D  
16 UNIT; OR

17 (V) RECEIVE COMPENSATION FOR AN R-AND-D UNIT.

18 (h) ~~The state licensing authority may establish additional~~  
19 ~~inventory tracking and record keeping, including additional reporting~~  
20 ~~required for implementation. The retail marijuana products manufacturer~~  
21 ~~licensee shall maintain the information required by this subsection (10)(h)~~  
22 ~~on the licensed premises for inspection by the state and local licensing~~  
23 ~~authorities.~~

24 (i) For purposes of this subsection (10) only, "manager" means an  
25 employee of the retail marijuana products manufacturer who holds a valid  
26 key license or associated key license and is currently designated pursuant  
27 to state licensing authority rules as the manager of the retail marijuana

1 products manufacturer.

2 **SECTION 13.** In Colorado Revised Statutes, 44-10-701, **amend**  
3 (2)(d); and **repeal** (2)(b) and (2)(e) as follows:

4 **44-10-701. Unlawful acts - exceptions.** (2) It is unlawful for a  
5 person to:

6 (b) ~~Have a controlling beneficial ownership, passive beneficial~~  
7 ~~ownership, or indirect financial interest in a license pursuant to this article~~  
8 ~~10 that was not disclosed in accordance with section 44-10-309; except~~  
9 ~~that this subsection (2)(b) does not apply to banks or savings and loan~~  
10 ~~associations supervised and regulated by an agency of the state or federal~~  
11 ~~government, or to FHA-approved mortgagees, or to stockholders,~~  
12 ~~directors, or officers thereof;~~

13 (d) Exercise any privilege associated with holding a controlling  
14 beneficial ownership, passive beneficial ownership, or indirect financial  
15 interest in a license that was not disclosed in accordance with section  
16 44-10-309. ~~or~~

17 (e) ~~Engage in transfer of ownership without prior approval as~~  
18 ~~required by this article 10, including but not limited to:~~

19 (I) ~~A proposed transferee operating a medical marijuana business~~  
20 ~~or retail marijuana business before a transfer of ownership request for that~~  
21 ~~business is approved in writing by the state licensing authority; or~~

22 (II) ~~A current controlling beneficial owner, passive beneficial~~  
23 ~~owner, or proposed transferor failing to retain full responsibility for a~~  
24 ~~medical marijuana business or retail marijuana business identified in the~~  
25 ~~transfer of ownership application until the transfer request is approved in~~  
26 ~~writing by the state licensing authority.~~

27 **SECTION 14.** In Colorado Revised Statutes, 44-10-801, **amend**

1 (3)(a) introductory portion, (3)(a)(IV), and (3)(a)(V); and **add** (3)(a)(VI)  
2 as follows:

3 **44-10-801. Marijuana cash fund - transfer.** (3) (a) The state  
4 licensing authority shall establish fees for processing the following types  
5 of applications, licenses, notices, REQUESTS, or reports required to be  
6 submitted to the state licensing authority:

7 (IV) License renewal and expired license renewal applications  
8 pursuant to section 44-10-314; **and**

9 (V) Licenses as listed in section 44-10-401; AND

10 (VI) REQUESTS FOR COPIES OF A LICENSE APPLICATION SUBMITTED  
11 BY THE APPLICANT.

12 **SECTION 15.** In Colorado Revised Statutes, 44-10-1001, **add** (4)  
13 as follows:

14 **44-10-1001. Inspection procedures.** (4) NOTWITHSTANDING THE  
15 PROVISIONS OF THIS SECTION:

16 (a) IF A LICENSEE IS REQUIRED TO MAINTAIN BOOKS AND RECORDS  
17 IN THE SEED-TO-SALE INVENTORY TRACKING SYSTEM, THE LICENSEE NEED  
18 NOT MAINTAIN DUPLICATE COPIES OF THE BOOKS AND RECORDS; AND

19 (b) THE STATE LICENSING AUTHORITY MAY REQUIRE THE LICENSEE  
20 TO MAINTAIN ADDITIONAL RECORDS BEYOND THOSE REQUIRED BY THIS  
21 ARTICLE 10 OR THE RULES ADOPTED UNDER THIS ARTICLE 10 UPON A  
22 FINDING OF A VIOLATION BY THE LICENSEE OR BY AN AGENT OR EMPLOYEE  
23 OF THE LICENSEE OF THIS ARTICLE 10 OR A RULE ADOPTED UNDER THIS  
24 ARTICLE 10.

25 **SECTION 16. Act subject to petition - effective date -**  
26 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
27 the expiration of the ninety-day period after final adjournment of the

1 general assembly; except that, if a referendum petition is filed pursuant  
2 to section 1 (3) of article V of the state constitution against this act or an  
3 item, section, or part of this act within such period, then the act, item,  
4 section, or part will not take effect unless approved by the people at the  
5 general election to be held in November 2026 and, in such case, will take  
6 effect on the date of the official declaration of the vote thereon by the  
7 governor.

8 (2) This act applies to conduct occurring on or after the applicable  
9 effective date of this act.