

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB23-1020 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 44-10-103, **amend**  
4 (2), (58), and (65); and **add** (1.3), (1.7), (4.7), and (18.5) as follows:

5 **44-10-103. Rules - definitions.** As used in this article 10, unless  
6 the context otherwise requires:

7 (1.3) "ACCELERATOR HOSPITALITY BUSINESS" MEANS A SOCIAL  
8 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR  
9 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED  
10 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF A MARIJUANA  
11 HOSPITALITY BUSINESS ON THE PREMISES OF AN ACCELERATOR-ENDORSED  
12 MARIJUANA HOSPITALITY BUSINESS LICENSEE.

13 (1.7) "ACCELERATOR INDEPENDENT DELIVERER" MEANS A SOCIAL  
14 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR  
15 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED  
16 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF AN INDEPENDENT  
17 DELIVERER.

18 (2) "Accelerator-endorsed licensee" means a retail marijuana  
19 cultivation facility licensee, retail marijuana products manufacturer  
20 licensee, ~~or~~ retail marijuana store, ~~who~~, MARIJUANA HOSPITALITY  
21 BUSINESS LICENSEE, RETAIL MARIJUANA TRANSPORTER LICENSEE, OR  
22 INDEPENDENT DELIVERER LICENSEE THAT has, pursuant to rule, been  
23 endorsed to host and offer technical and capital support to a social equity  
24 licensee pursuant to the requirements of the accelerator program  
25 established pursuant to this article 10.

26 (4.7) "ACCELERATOR TRANSPORTER" MEANS A SOCIAL EQUITY  
27 LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR PROGRAM  
28 ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT  
29 TO RULE TO EXERCISE THE PRIVILEGES OF THE ACCELERATOR-ENDORSED  
30 RETAIL MARIJUANA TRANSPORTER LICENSEE.

31 (18.5) "INDEPENDENT DELIVERER" MEANS A PERSON LICENSED  
32 PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT TO RULES  
33 PROMULGATED PURSUANT TO THIS ARTICLE 10 TO OPERATE A BUSINESS AS  
34 DESCRIBED IN SECTION 44-10-613.

35 (58) "Retail marijuana business" means a retail marijuana store,  
36 a retail marijuana cultivation facility, a retail marijuana products  
37 manufacturer, a marijuana hospitality business, a retail marijuana  
38 hospitality and sales business, a retail marijuana testing facility, a retail  
39 marijuana business operator, ~~or~~ a retail marijuana transporter, OR AN

1 INDEPENDENT DELIVERER licensed pursuant to this article 10.

2 (65) "Retail marijuana transporter" means an entity or person  
3 licensed to transport retail marijuana and retail marijuana products from  
4 one retail marijuana business to another retail marijuana business and to  
5 temporarily store the transported retail marijuana and retail marijuana  
6 products at its licensed premises, but not authorized to sell retail  
7 marijuana or retail marijuana products under any circumstances UNLESS  
8 THE PERSON IS A SOCIAL EQUITY LICENSEE WITH A RETAIL MARIJUANA  
9 TRANSPORTER LICENSE AND RETAIL MARIJUANA DELIVERY PERMIT AND  
10 THE PERSON OBTAINED AN INDEPENDENT DELIVERY LICENSE AS DESCRIBED  
11 IN SECTION 44-10-613.

12 **SECTION 2.** In Colorado Revised Statutes, 44-10-104, **amend**  
13 (2)(a) as follows:

14 **44-10-104. Applicability - medical marijuana - retail**  
15 **marijuana.** (2) (a) A person applying for licensure pursuant to this  
16 article 10 must complete forms as provided by the state licensing  
17 authority and must pay the application fee and the licensing fee, which  
18 must be credited to the marijuana cash fund established pursuant to  
19 section 44-10-801. The state licensing authority shall forward, within  
20 seven days, one-half of the retail marijuana business license application  
21 fee to the local jurisdiction unless the application is for an accelerator  
22 cultivator, accelerator manufacturer, ~~or~~ accelerator store, ACCELERATOR  
23 HOSPITALITY BUSINESS, ACCELERATOR TRANSPORTER, OR ACCELERATOR  
24 INDEPENDENT DELIVERER license, or unless the local jurisdiction has  
25 prohibited the operation of retail marijuana businesses pursuant to section  
26 16 (5)(f) of article XVIII of the state constitution. If the license is denied,  
27 the state licensing authority shall refund the licensing fee to the applicant.

28 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **add**  
29 (2)(kk) as follows:

30 **44-10-203. State licensing authority - rules.** (2) **Mandatory**  
31 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)  
32 must include, but need not be limited to, the following subjects:

33 (kk) INDEPENDENT DELIVERY LICENSES, INCLUDING PROCEDURES  
34 FOR A SOCIAL EQUITY LICENSEE WHO HOLDS A RETAIL TRANSPORTER  
35 LICENSE AND A RETAIL MARIJUANA DELIVERY PERMIT TO APPLY FOR AN  
36 INDEPENDENT DELIVERY LICENSE; PROCEDURES FOR AN APPLICANT TO  
37 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A  
38 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING  
39 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT  
40 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A  
41 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL  
42 MARIJUANA AND RETAIL MARIJUANA PRODUCTS; AND THE CIRCUMSTANCES  
43 WHEN AN INDEPENDENT DELIVERY LICENSEE MAY PURCHASE, STORE, AND

1 CONDUCT SALES FOR RETAIL MARIJUANA AND RETAIL MARIJUANA  
2 PRODUCTS.

3 **SECTION 4.** In Colorado Revised Statutes, **add** 44-10-207 as  
4 follows:

5 **44-10-207. Social equity report.** (1) BY JANUARY 31, 2025, AND  
6 BY JANUARY 31 EACH YEAR THEREAFTER, THE STATE LICENSING  
7 AUTHORITY SHALL SUBMIT A REPORT CONCERNING SOCIAL EQUITY  
8 LICENSES TO THE FINANCE COMMITTEES OF THE HOUSE OF  
9 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT  
10 A MINIMUM, THE REPORT MUST INCLUDE:

11 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO  
12 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY  
13 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES  
14 THAT ARE OPERATIONAL;

15 (b) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES;

16 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSES THAT  
17 ARE OPERATIONAL;

18 (d) THE TOTAL NUMBER OF SOCIAL EQUITY LICENSES THAT ARE  
19 ENDORSED BY EACH ACCELERATOR-ENDORSED LICENSE TYPE;

20 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED  
21 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308  
22 (8);

23 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY LICENSE TYPES;  
24 AND

25 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING  
26 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

27 (2) THE STATE LICENSING AUTHORITY SHALL CONVENE A NEW, OR  
28 UTILIZE AN EXISTING, WORKING GROUP OF PERSONS INTERESTED IN SOCIAL  
29 EQUITY OPPORTUNITIES AND THE ACCELERATOR PROGRAM ESTABLISHED  
30 PURSUANT TO THIS ARTICLE 10 FOR THE PURPOSE OF DEVELOPING  
31 RECOMMENDATIONS PURSUANT TO SUBSECTIONS (1)(f) AND (1)(g) OF THIS  
32 SECTION.

33 (3) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
34 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS  
35 SECTION CONTINUES INDEFINITELY.

36 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**  
37 (4) introductory portion and (5); and **add** (4)(e), (6), (7), and (8) as  
38 follows:

39 **44-10-308. Business and owner requirements - rules -**  
40 **legislative declaration - definition.** (4) Effective January 1, 2021,  
41 THROUGH JANUARY 1, 2024, a person who qualifies as a social equity  
42 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated  
43 marijuana business license or permit, including but not limited to

1 accelerator store, accelerator cultivator, and accelerator manufacturer  
2 licenses, issued pursuant to this article 10. A person qualifies as a social  
3 equity licensee if such person meets the following criteria, in addition to  
4 any criteria established by rule of the state licensing authority:

5 (e) THIS SUBSECTION (4) APPLIES TO SOCIAL EQUITY LICENSEE  
6 APPLICATIONS RECEIVED BEFORE JANUARY 2, 2024, AND TO THE RENEWAL  
7 OF A SOCIAL EQUITY LICENSE APPLIED FOR OR ISSUED BEFORE JANUARY 2,  
8 2024. THIS SUBSECTION (4) DOES NOT APPLY TO REINSTATEMENT OR  
9 REACTIVATION OF SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR  
10 ISSUED BEFORE JANUARY 2, 2024, OR FOR SOCIAL EQUITY LICENSES  
11 APPLIED FOR ON OR AFTER JANUARY 2, 2024.

12 (5) ~~A person who meets the criteria in this section for a social~~  
13 ~~equity licensee, pursuant to rule and agency discretion, may be eligible for~~  
14 ~~incentives available through the department of revenue or office of~~  
15 ~~economic development and international trade, including but not limited~~  
16 ~~to a reduction in application or license fees.~~ EFFECTIVE JANUARY 2, 2024,  
17 A PERSON WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR  
18 ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING,  
19 BUT NOT LIMITED TO, ACCELERATOR STORE, ACCELERATOR CULTIVATOR,  
20 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS, OR  
21 ACCELERATOR TRANSPORTER LICENSES, ISSUED PURSUANT TO THIS  
22 ARTICLE 10. A PERSON QUALIFIES AS A SOCIAL EQUITY LICENSEE IF THE  
23 PERSON MEETS THE FOLLOWING CRITERIA, IN ADDITION TO ANY CRITERIA  
24 ESTABLISHED BY RULE OF THE STATE LICENSING AUTHORITY:

25 (a) HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE SUBJECT  
26 TO DISCIPLINARY OR LEGAL ACTION FROM THE STATE LICENSING  
27 AUTHORITY RESULTING IN THE REVOCATION OF A LICENSE ISSUED  
28 PURSUANT TO THIS ARTICLE 10; AND

29 (b) HAS DEMONSTRATED AT LEAST ONE OF THE FOLLOWING:

30 (I) THE APPLICANT HAS RESIDED:

31 (A) FOR AT LEAST ANY FIVE OF THE THIRTY YEARS PRIOR TO THE  
32 APPLICATION IN A CENSUS TRACT DESIGNATED BY THE OFFICE OF  
33 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE AS AN  
34 OPPORTUNITY ZONE OR DESIGNATED AS A DISPROPORTIONATE IMPACTED  
35 AREA AS DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j);

36 (B) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE  
37 APPLICATION IN HOUSING WITH FUNDING PROVIDED PURSUANT TO SECTION  
38 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS  
39 AMENDED, 42 U.S.C. SECS. 1437f AND 1437g; OR

40 (C) FOR AT LEAST ANY TEN OF THE THIRTY YEARS PRIOR TO THE  
41 APPLICATION IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME  
42 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,  
43 OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM

1 THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE  
2 INCOME THAT IS CURRENTLY SUBJECT TO A USE RESTRICTION THAT IS  
3 MONITORED TO ENSURE COMPLIANCE BY THE FEDERAL GOVERNMENT, THE  
4 STATE GOVERNMENT, A COUNTY GOVERNMENT, OR A MUNICIPAL  
5 GOVERNMENT, OR BY ANY POLITICAL SUBDIVISION OR DESIGNATED  
6 AGENCY THEREOF; OR

7 (II) (A) THE APPLICANT OR THE APPLICANT'S SPOUSE WAS  
8 CONVICTED OF A MARIJUANA OFFENSE; OR

9 (B) THE APPLICANT OR THE APPLICANT'S PARENT, LEGAL  
10 GUARDIAN, SIBLING, CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP  
11 WAS ARRESTED OR CONVICTED OF A MARIJUANA OFFENSE, AND THE  
12 APPLICANT OR THE APPLICANT'S PARENT, LEGAL GUARDIAN, SIBLING,  
13 CHILD, OR MINOR IN THE APPLICANT'S GUARDIANSHIP HAS RESIDED IN A  
14 DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO  
15 SECTION 44-10-203 (1)(j) FOR THE FIVE YEARS PRIOR TO APPLICATION OR  
16 WHOSE HOUSEHOLD INCOME DID NOT EXCEED SIXTY PERCENT OF THE  
17 STATE'S MEDIAN INCOME FOR THE FIVE YEARS PRIOR TO APPLICATION; OR

18 (III) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST  
19 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN  
20 YEARS PRIOR TO APPLICATION:

21 (A) THE LOW-INCOME ENERGY ASSISTANCE PROGRAM DESCRIBED  
22 IN SECTION 26-2-122.5;

23 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM  
24 DESCRIBED IN PART 3 OF ARTICLE 2 OF TITLE 26;

25 (C) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES, AS DEFINED IN  
26 SECTION 26-2-703 (19);

27 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR  
28 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.  
29 1786; OR

30 (E) THE "COLORADO MEDICAL ASSISTANCE ACT", PURSUANT TO  
31 PART 1 OF ARTICLE 4 OF TITLE 25.5; AND

32 (c) THE SOCIAL EQUITY LICENSEE, OR COLLECTIVELY ONE OR MORE  
33 SOCIAL EQUITY LICENSEES, HOLDS AT LEAST FIFTY-ONE PERCENT OF THE  
34 BENEFICIAL OWNERSHIP OF THE REGULATED MARIJUANA BUSINESS  
35 LICENSE.

36 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF  
37 THE APPLICANT, OR COLLECTIVELY ONE OR MORE APPLICANTS, IS A  
38 CONTROLLING BENEFICIAL OWNER OR PASSIVE BENEFICIAL OWNER OF  
39 THREE OR MORE RETAIL MARIJUANA STORE LICENSES, MEDICAL  
40 MARIJUANA STORE LICENSES, RETAIL MARIJUANA CULTIVATION FACILITY  
41 LICENSES, OR MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR  
42 ANY COMBINATION THEREOF, THE APPLICANT IS NOT ELIGIBLE FOR A  
43 SOCIAL EQUITY LICENSE;

1 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,  
2 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE  
3 LICENSES, CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY AND  
4 MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, OR CO-LOCATED  
5 RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSES THAT ARE MOBILE  
6 CONSTITUTE ONE LICENSE.

7 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL  
8 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER JANUARY 2, 2024,  
9 THE RENEWAL OF A SOCIAL EQUITY LICENSE FIRST APPLIED FOR ON OR  
10 AFTER JANUARY 2, 2024, OR TO REINSTATEMENT OR REACTIVATION OF  
11 SOCIAL EQUITY LICENSES ORIGINALLY APPLIED FOR OR ISSUED BEFORE  
12 JANUARY 2, 2024.

13 (b) SUBSECTION (5) OF THIS SECTION DOES NOT APPLY TO THE  
14 RENEWAL OF SOCIAL EQUITY LICENSES APPLIED FOR OR ISSUED BEFORE  
15 JANUARY 2, 2024.

16 (8) A PERSON WHO MEETS THE CRITERIA IN THIS SECTION FOR A  
17 SOCIAL EQUITY LICENSE IS ELIGIBLE FOR INCENTIVES AVAILABLE THROUGH  
18 THE DEPARTMENT OF REVENUE OR OFFICE OF ECONOMIC DEVELOPMENT  
19 AND INTERNATIONAL TRADE, INCLUDING, BUT NOT LIMITED TO, A  
20 REDUCTION IN APPLICATION OR LICENSE FEES. THE STATE LICENSING  
21 AUTHORITY SHALL PROMULGATE RULES TO CREATE INCENTIVES REQUIRED  
22 BY THIS SUBSECTION (8).

23 **SECTION 6.** In Colorado Revised Statutes, 44-10-401, **amend**  
24 (2)(b)(X); and **add** (2)(b)(XII), (2)(b)(XIII), (2)(b)(XIV), and (2)(b)(XV)  
25 as follows:

26 **44-10-401. Classes of licenses.** (2) (b) The following are retail  
27 marijuana licenses:

28 (X) Retail marijuana hospitality and sales business license; and

29 (XII) ACCELERATOR TRANSPORTER LICENSE;

30 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE;

31 (XIV) INDEPENDENT DELIVERY LICENSE; AND

32 (XV) ACCELERATOR INDEPENDENT DELIVERY LICENSE.

33 **SECTION 7.** In Colorado Revised Statutes, 44-10-601, **amend**  
34 (16) as follows:

35 **44-10-601. Retail marijuana store license - rules - definitions.**

36 (16) A retail marijuana store ~~pursuant to rule and the state licensing~~  
37 ~~authority discretion, may be~~ THAT HOSTS AN ACCELERATOR STORE  
38 LICENSE IS eligible for incentives available through the department of  
39 revenue or the office of economic development and international trade,  
40 including, but not limited to, a reduction in application or license fees.

41 **SECTION 8.** In Colorado Revised Statutes, 44-10-602, **amend**  
42 (11) as follows:

43 **44-10-602. Retail marijuana cultivation facility license - rules**

1 - **definitions.** (11) A retail marijuana cultivation facility licensee that  
2 hosts an accelerator cultivator licensee ~~pursuant to rule and the state~~  
3 ~~licensing authority discretion, may be~~ IS eligible for incentives available  
4 through the department of revenue or the office of economic development  
5 and international trade, including, but not limited to, a reduction in  
6 application or license fees.

7 **SECTION 9.** In Colorado Revised Statutes, 44-10-603, **amend**  
8 (14) as follows:

9 **44-10-603. Retail marijuana products manufacturer license -**  
10 **rules - definition.** (14) A retail marijuana products manufacturer  
11 licensee ~~pursuant to rule and the state licensing authority discretion, may~~  
12 ~~be~~ THAT HOSTS AN ACCELERATOR MANUFACTURER LICENSE IS eligible for  
13 incentives through the department of revenue or the office of economic  
14 development and international trade, including, but not limited to, a  
15 reduction in application or license fees.

16 **SECTION 10.** In Colorado Revised Statutes, 44-10-605, **add**  
17 (5)(k), (6), (7), and (8) as follows:

18 **44-10-605. Retail marijuana transporter license - definition.**  
19 (5) (k) IN ADDITION TO THE REQUIREMENTS OF THIS SUBSECTION (5), A  
20 PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION  
21 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA  
22 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED NOT LATER THAN  
23 OCTOBER 31, 2023, MAY APPLY FOR AN INDEPENDENT DELIVERY LICENSE  
24 ON OR AFTER OCTOBER 31, 2023, AND BEFORE AUGUST 1, 2025.

25 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON  
26 THE PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF, BEFORE  
27 EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE RETAIL  
28 MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED  
29 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS  
30 APPROVED TO OPERATE ON THAT PREMISES.

31 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN  
32 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,  
33 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
34 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON  
35 ITS PREMISES.

36 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN  
37 ACCELERATOR TRANSPORTER LICENSEE IS ELIGIBLE FOR INCENTIVES  
38 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF  
39 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT  
40 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

41 **SECTION 11.** In Colorado Revised Statutes, 44-10-609, **add** (5),  
42 (6), and (7) as follows:

43 **44-10-609. Marijuana hospitality business license.** (5) AN

1 ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON THE  
2 PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF, BEFORE  
3 EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES, THE  
4 MARIJUANA HOSPITALITY BUSINESS LICENSEE HAS ITS PREMISES ENDORSED  
5 PURSUANT TO RULE AND EACH ACCELERATOR HOSPITALITY BUSINESS  
6 LICENSEE IS APPROVED TO OPERATE ON THAT PREMISES.

7 (6) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS  
8 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY, PURSUANT TO  
9 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
10 ASSISTANCE TO AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE  
11 OPERATING ON ITS PREMISES.

12 (7) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS  
13 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE IS ELIGIBLE FOR  
14 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE  
15 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,  
16 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR  
17 LICENSE FEES.

18 **SECTION 12.** In Colorado Revised Statutes, **add** 44-10-612 as  
19 follows:

20 **44-10-612. Retail marijuana accelerator hospitality business**  
21 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS  
22 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE  
23 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON  
24 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA  
25 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR  
26 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE  
27 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY  
28 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

29 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING  
30 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY  
31 BUSINESS LICENSES ON JANUARY 2, 2024.

32 **SECTION 13.** In Colorado Revised Statutes, **add** 44-10-613 as  
33 follows:

34 **44-10-613. Independent delivery license - rules - definitions -**  
35 **repeal.** (1) (a) (I) ON AND AFTER OCTOBER 31, 2023, AND BEFORE  
36 AUGUST 1, 2025, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO  
37 A PERSON WITH A SOCIAL EQUITY LICENSE ISSUED PURSUANT TO SECTION  
38 44-10-308 (4) AND WHO IS LICENSED AS A RETAIL MARIJUANA  
39 TRANSPORTER WITH A VALID DELIVERY PERMIT ISSUED ON OR BEFORE  
40 OCTOBER 31, 2023.

41 (II) ON AND AFTER AUGUST 1, 2025, AND BEFORE JANUARY 1,  
42 2028, AN INDEPENDENT DELIVERY LICENSE MAY BE ISSUED TO A PERSON  
43 QUALIFIED AS A SOCIAL EQUITY LICENSEE PURSUANT TO SECTION



1 44-10-308 (5).

2 (b) AN INDEPENDENT DELIVERER MAY PURCHASE RETAIL  
3 MARIJUANA FROM A LICENSED RETAIL MARIJUANA CULTIVATION FACILITY.

4 (c) AN INDEPENDENT DELIVERER SHALL NOT ACCEPT ANY RETAIL  
5 MARIJUANA PURCHASED FROM A RETAIL MARIJUANA CULTIVATION  
6 FACILITY UNLESS THE INDEPENDENT DELIVERER IS PROVIDED WITH  
7 EVIDENCE THAT ANY APPLICABLE EXCISE TAX DUE, PURSUANT TO ARTICLE  
8 28.8 OF TITLE 39, WAS PAID.

9 (d) AN INDEPENDENT DELIVERER SHALL TRACK ALL OF ITS RETAIL  
10 MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM THE POINT THAT  
11 THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION  
12 FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURER TO THE POINT  
13 OF SALE.

14 (e) THE INDEPENDENT DELIVERY LICENSE APPLICANT SHALL  
15 PROVIDE PROOF OF AN OBTAINED, OR PROOF OF AN APPLICATION FOR, A  
16 LICENSE OR PERMIT FOR AN ASSOCIATED STATE LICENSING  
17 AUTHORITY-AUTHORIZED STORAGE FACILITY OR PROOF OF A CONTRACT  
18 WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE WHO MAINTAINS A  
19 LICENSED PREMISES AUTHORIZED BY THE STATE TO STORE RETAIL  
20 MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

21 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, AN  
22 INDEPENDENT DELIVERY LICENSEE MAY ALSO SELL RETAIL MARIJUANA  
23 PRODUCTS THAT ARE PREPACKAGED AND LABELED AS REQUIRED BY RULES  
24 OF THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203  
25 (2)(f) AND (3)(b).

26 (b) AN INDEPENDENT DELIVERY LICENSEE MAY TRANSACT WITH A  
27 RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE FOR THE  
28 PURCHASE OF RETAIL MARIJUANA PRODUCTS AT A RETAIL MARIJUANA  
29 PRODUCTS MANUFACTURER LICENSEE'S LICENSED PREMISES OR AT A STATE  
30 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY.

31 (3) (a) (I) AN INDEPENDENT DELIVERER MAY NOT SELL MORE THAN  
32 ONE OUNCE OF RETAIL MARIJUANA OR ITS EQUIVALENT IN RETAIL  
33 MARIJUANA PRODUCTS, INCLUDING RETAIL MARIJUANA CONCENTRATE,  
34 EXCEPT FOR NONEDIBLE, NONPSYCHOACTIVE RETAIL MARIJUANA  
35 PRODUCTS, INCLUDING OINTMENTS, LOTIONS, BALMS, AND OTHER  
36 NONTRANSDERMAL TOPICAL PRODUCTS, DURING A SINGLE TRANSACTION  
37 TO A PERSON.

38 (II) AS USED IN THIS SUBSECTION (3)(a), "EQUIVALENT IN RETAIL  
39 MARIJUANA PRODUCTS" HAS THE SAME MEANING AS ESTABLISHED BY THE  
40 STATE LICENSING AUTHORITY BY RULE PURSUANT TO SECTION 44-10-203  
41 (4).

42 (b) (I) PRIOR TO INITIATING A SALE, THE EMPLOYEE OF THE  
43 INDEPENDENT DELIVERER MAKING THE SALE SHALL VERIFY THAT THE

1 PURCHASER HAS A VALID IDENTIFICATION CARD SHOWING THE PURCHASER  
2 IS TWENTY-ONE YEARS OF AGE OR OLDER. IF A PERSON UNDER  
3 TWENTY-ONE YEARS OF AGE PRESENTS A FRAUDULENT PROOF OF AGE, ANY  
4 ACTION RELYING ON THE FRAUDULENT PROOF OF AGE IS NOT GROUNDS FOR  
5 THE REVOCATION OR SUSPENSION OF ANY LICENSE ISSUED UNDER THIS  
6 ARTICLE 10.

7 (II) (A) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE  
8 HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS UNDER  
9 TWENTY-ONE YEARS OF AGE AND IS EXHIBITING FRAUDULENT PROOF OF  
10 AGE IN AN ATTEMPT TO OBTAIN ANY RETAIL MARIJUANA OR RETAIL  
11 MARIJUANA PRODUCT, THE LICENSEE OR EMPLOYEE IS AUTHORIZED TO  
12 CONFISCATE THE FRAUDULENT PROOF OF AGE, IF POSSIBLE, AND SHALL,  
13 WITHIN SEVENTY-TWO HOURS AFTER THE CONFISCATION, REMIT IT TO A  
14 STATE OR LOCAL LAW ENFORCEMENT AGENCY. THE FAILURE TO  
15 CONFISCATE THE FRAUDULENT PROOF OF AGE OR TO REMIT IT TO A STATE  
16 OR LOCAL LAW ENFORCEMENT AGENCY WITHIN SEVENTY-TWO HOURS  
17 AFTER THE CONFISCATION DOES NOT CONSTITUTE A CRIMINAL OFFENSE.

18 (B) IF AN INDEPENDENT DELIVERY LICENSEE OR EMPLOYEE  
19 BELIEVES THAT A PERSON IS UNDER TWENTY-ONE YEARS OF AGE AND IS  
20 EXHIBITING FRAUDULENT PROOF OF AGE IN AN ATTEMPT TO OBTAIN ANY  
21 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT, THE LICENSEE OR  
22 EMPLOYEE OR A PEACE OFFICER, ACTING IN GOOD FAITH AND UPON  
23 PROBABLE CAUSE BASED UPON REASONABLE GROUNDS THEREFOR, MAY  
24 DETAIN AND QUESTION THE PERSON IN A REASONABLE MANNER FOR THE  
25 PURPOSE OF ASCERTAINING WHETHER THE PERSON IS GUILTY OF ANY  
26 UNLAWFUL ACT REGARDING THE PURCHASE OF RETAIL MARIJUANA OR  
27 RETAIL MARIJUANA PRODUCT. THE QUESTIONING OF A PERSON BY AN  
28 EMPLOYEE OR A PEACE OFFICER DOES NOT RENDER THE LICENSEE, THE  
29 EMPLOYEE, OR THE PEACE OFFICER CIVILLY OR CRIMINALLY LIABLE FOR  
30 SLANDER, FALSE ARREST, FALSE IMPRISONMENT, MALICIOUS PROSECUTION,  
31 OR UNLAWFUL DETENTION.

32 (c) (I) AN INDEPENDENT DELIVERER THAT SELLS AN INDUSTRIAL  
33 HEMP PRODUCT SHALL ENSURE THAT THE INDUSTRIAL HEMP PRODUCT HAS  
34 PASSED ALL TESTING REQUIRED BY RULES PROMULGATED BY THE STATE  
35 LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(d). PRIOR TO  
36 TAKING POSSESSION OF THE INDUSTRIAL HEMP PRODUCT, AN INDEPENDENT  
37 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL  
38 TESTING REQUIRED FOR RETAIL MARIJUANA PRODUCTS AT A LICENSED  
39 RETAIL MARIJUANA TESTING FACILITY AND THAT THE PERSON  
40 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT HAS RECEIVED A  
41 REGISTRATION FROM THE DEPARTMENT OF PUBLIC HEALTH AND  
42 ENVIRONMENT PURSUANT TO SECTION 25-5-426.

43 (II) ABSENT SAMPLING AND TESTING STANDARDS ESTABLISHED BY

1 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE  
2 SAMPLING AND TESTING OF AN INDUSTRIAL HEMP PRODUCT, A PERSON  
3 TRANSFERRING AN INDUSTRIAL HEMP PRODUCT TO AN INDEPENDENT  
4 DELIVERER PURSUANT TO THIS SECTION SHALL COMPLY WITH SAMPLING  
5 AND TESTING STANDARDS CONSISTENT WITH THOSE ESTABLISHED BY THE  
6 STATE LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 10. THE STATE  
7 LICENSING AUTHORITY SHALL REPORT TO THE DEPARTMENT OF PUBLIC  
8 HEALTH AND ENVIRONMENT ANY INVESTIGATIONS OR FINDINGS OF  
9 VIOLATIONS OF THIS SECTION BY A PERSON REGISTERED PURSUANT TO  
10 SECTION 25-5-426.

11 (d) WHEN COMPLETING A SALE OF RETAIL MARIJUANA  
12 CONCENTRATE, THE INDEPENDENT DELIVERER SHALL PROVIDE THE  
13 CUSTOMER WITH THE TANGIBLE EDUCATIONAL RESOURCE CREATED BY THE  
14 STATE LICENSING AUTHORITY THROUGH RULE-MAKING REGARDING THE  
15 USE OF RETAIL MARIJUANA CONCENTRATE.

16 (4) ALL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS  
17 SOLD BY AN INDEPENDENT DELIVERER MUST BE PACKAGED AND LABELED  
18 AS REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT  
19 TO SECTION 44-10-203 (2)(f) AND (3)(b).

20 (5) (a) AN INDEPENDENT DELIVERER SHALL ONLY SELL RETAIL  
21 MARIJUANA, RETAIL MARIJUANA PRODUCTS, MARIJUANA ACCESSORIES,  
22 NONCONSUMABLE PRODUCTS SUCH AS APPAREL, MARIJUANA-RELATED  
23 PRODUCTS SUCH AS CHILDPROOF PACKAGING CONTAINERS, AND  
24 INDUSTRIAL HEMP PRODUCTS. AN INDEPENDENT DELIVERER SHALL NOT  
25 SELL OR GIVE AWAY ANY CONSUMABLE PRODUCT, INCLUDING, BUT NOT  
26 LIMITED TO, CIGARETTES OR ALCOHOL, OR EDIBLE PRODUCTS THAT DO NOT  
27 CONTAIN MARIJUANA, INCLUDING, BUT NOT LIMITED TO, SODAS, CANDIES,  
28 OR BAKED GOODS.

29 (b) AN INDEPENDENT DELIVERER SHALL NOT SELL ANY RETAIL  
30 MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT CONTAIN NICOTINE OR  
31 ALCOHOL IF THE SALE OF THE ALCOHOL WOULD REQUIRE A LICENSE  
32 PURSUANT TO ARTICLE 3 OR 4 OF THIS TITLE 44.

33 (c) AN INDEPENDENT DELIVERER MUST TAKE ORDERS FOR RETAIL  
34 MARIJUANA OR RETAIL MARIJUANA PRODUCTS OVER THE INTERNET.

35 (6) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MUST  
36 NOT BE CONSUMED IN AN INDEPENDENT DELIVERER'S VEHICLE.

37 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,  
38 SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS ARE NOT  
39 EXEMPT FROM STATE OR LOCAL SALES TAX.

40 (8) A LISTING FOR SALE BY AN INDEPENDENT DELIVERER FOR  
41 RETAIL MARIJUANA CONCENTRATE MUST INCLUDE THE POTENCY OF THE  
42 RETAIL MARIJUANA CONCENTRATE NEXT TO THE NAME OF THE PRODUCT  
43 AND SAFETY WARNINGS AND HEALTH RISKS FOR RETAIL MARIJUANA

1 CONCENTRATES PROMULGATED BY RULE.

2 (9) (a) AN INDEPENDENT DELIVERER LICENSEE SHALL NOT MAKE  
3 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO  
4 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL  
5 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME  
6 VEHICLE.

7 (b) THE INDEPENDENT DELIVERER SHALL CHARGE A ONE-DOLLAR  
8 SURCHARGE ON EACH DELIVERY. THE INDEPENDENT DELIVERER SHALL  
9 REMIT THE SURCHARGES COLLECTED ON A MONTHLY BASIS TO THE  
10 MUNICIPALITY WHERE THE INDEPENDENT DELIVERY BUSINESS IS LOCATED,  
11 OR TO THE COUNTY IF THE INDEPENDENT DELIVERY BUSINESS IS IN AN  
12 UNINCORPORATED AREA, FOR LOCAL LAW ENFORCEMENT COSTS RELATED  
13 TO MARIJUANA ENFORCEMENT. FAILURE TO COMPLY WITH THIS  
14 SUBSECTION (9)(b) MAY RESULT IN NONRENEWAL OF THE INDEPENDENT  
15 DELIVERY LICENSE.

16 (c) AN INDEPENDENT DELIVERER MAY DELIVER RETAIL MARIJUANA  
17 AND RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED  
18 THE ORDER AND WHO:

19 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;  
20 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL  
21 MARIJUANA PRODUCTS PURSUANT TO RULES; AND  
22 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

23 (d) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL  
24 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE  
25 AND BE A CURRENT EMPLOYEE OF THE INDEPENDENT DELIVERER; MUST  
26 HAVE UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION  
27 AND VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE  
28 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST  
29 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING  
30 AUTHORITY.

31 (e) IN ACCORDANCE WITH THIS SUBSECTION (9) AND RULES  
32 ADOPTED TO IMPLEMENT THIS SUBSECTION (9), AN INDEPENDENT  
33 DELIVERER:

34 (I) SHALL NOT DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA  
35 PRODUCTS IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE  
36 LICENSING AUTHORITY;  
37 (II) SHALL DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS  
38 PROVIDED IN THE ORDER;  
39 (III) SHALL NOT DELIVER MORE THAN ONCE PER DAY TO THE SAME  
40 INDIVIDUAL OR RESIDENCE;  
41 (IV) (A) SHALL DELIVER ONLY TO PRIVATE RESIDENCES;  
42 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"  
43 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE

1 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES  
2 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN  
3 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY;  
4 (V) SHALL DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA  
5 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION  
6 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION  
7 44-10-203 (2)(dd);  
8 (VI) SHALL USE AN EMPLOYEE TO CONDUCT DELIVERIES; AND  
9 (VII) SHALL USE AN ASSOCIATED STATE LICENSING  
10 AUTHORITY-AUTHORIZED STORAGE FACILITY TO STORE, PACKAGE, AND  
11 LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS.  
12 (f) (I) AT THE TIME OF THE ORDER, THE INDEPENDENT DELIVERER  
13 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO  
14 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE  
15 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:  
16 (A) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;  
17 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER IS  
18 DELIVERED; AND  
19 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING  
20 AUTHORITY RULE.  
21 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN  
22 INDIVIDUAL, THE INDEPENDENT DELIVERER DELIVERING THE ORDER SHALL  
23 INSPECT THE INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE  
24 INFORMATION PROVIDED AT THE TIME THE ORDER IS PLACED MATCHES THE  
25 NAME AND AGE ON THE INDIVIDUAL'S IDENTIFICATION.  
26 (g) THE INDEPENDENT DELIVERER SHALL NOT SELL RETAIL  
27 MARIJUANA OR RETAIL MARIJUANA PRODUCTS DIRECTLY FROM THE  
28 DELIVERY VEHICLE.  
29 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING  
30 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL  
31 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO  
32 THIS ARTICLE 10 MAY APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND  
33 RETAIL MARIJUANA PRODUCTS, INCLUDING, BUT NOT LIMITED TO,  
34 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING  
35 REQUIREMENTS.  
36 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED  
37 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO INDEPENDENT  
38 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (9).  
39 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE CIVIL OR  
40 CRIMINAL LAW FOR AN INDEPENDENT DELIVERER, OR SUCH PERSON WHO  
41 HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE RENEWAL OF A  
42 RETAIL MARIJUANA DELIVERY PERMIT, OR ITS LICENSEES, TO POSSESS,  
43 TRANSPORT, AND DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA

1 PRODUCTS IN AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY  
2 THE STATE LICENSING AUTHORITY.

3 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE  
4 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE  
5 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL  
6 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE  
7 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING  
8 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION  
9 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

10 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,  
11 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT  
12 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS  
13 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A  
14 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,  
15 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL  
16 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL  
17 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM  
18 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,  
19 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE  
20 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTE TO ALLOW THE  
21 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS  
22 PURSUANT TO THIS SECTION.

23 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(k)(I)  
24 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND  
25 RETAIL MARIJUANA PRODUCTS FROM AN INDEPENDENT DELIVERER THAT  
26 IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S  
27 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL  
28 BOUNDARIES.

29 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,  
30 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT  
31 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF  
32 HIGHER EDUCATION.

33 (m) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING  
34 RETAIL MARIJUANA DELIVERY PERMITS TO QUALIFIED INDEPENDENT  
35 DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER THAN, OCTOBER  
36 31, 2023.

37 (10) AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY  
38 OPERATE WITH AN INDEPENDENT DELIVERY LICENSEE IF BEFORE AN  
39 ACCELERATOR INDEPENDENT DELIVERY LICENSEE OPERATES, THE  
40 INDEPENDENT DELIVERY LICENSEE HAS ITS PREMISES ENDORSED  
41 PURSUANT TO RULE AND EACH ACCELERATOR INDEPENDENT DELIVERY  
42 LICENSEE IS APPROVED TO OPERATE WITH THE ENDORSED LICENSEE.

43 (11) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN

1 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY, PURSUANT TO  
2 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL  
3 ASSISTANCE TO AN ACCELERATOR INDEPENDENT DELIVERY LICENSEE  
4 OPERATING ON ITS PREMISES WITH SHARED OPERATIONS PRIVILEGES.

5 (12) AN INDEPENDENT DELIVERY LICENSEE THAT HOSTS AN  
6 ACCELERATOR INDEPENDENT DELIVERER IS ELIGIBLE FOR INCENTIVES  
7 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF  
8 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT  
9 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

10 (13) AN INDEPENDENT DELIVERER SHALL NOT SELL MORE THAN  
11 EIGHT GRAMS OF RETAIL MARIJUANA CONCENTRATE TO A PERSON IN A  
12 SINGLE DAY.

13 **SECTION 14.** In Colorado Revised Statutes, **add** 44-10-614 as  
14 follows:

15 **44-10-614. Retail marijuana accelerator independent delivery**  
16 **license - repeal.** (1) A RETAIL MARIJUANA ACCELERATOR INDEPENDENT  
17 DELIVERY LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO  
18 EXERCISE THE PRIVILEGES OF A RETAIL MARIJUANA INDEPENDENT  
19 DELIVERY LICENSEE ON THE PREMISES OF AN ACCELERATOR-ENDORSED  
20 INDEPENDENT DELIVERY LICENSEE. THE RETAIL MARIJUANA  
21 ACCELERATOR INDEPENDENT DELIVERY LICENSEE MAY RECEIVE  
22 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL  
23 MARIJUANA INDEPENDENT DELIVERY LICENSEE WITH AN ACCELERATOR  
24 ENDORSEMENT.

25 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING  
26 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY  
27 BUSINESS LICENSES ON JANUARY 2, 2024.

28 **SECTION 15.** In Colorado Revised Statutes, 44-10-1401, **amend**  
29 (2) as follows:

30 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the  
31 repeal of this article 10, the department of regulatory agencies shall  
32 conduct a sunset review as described in section 24-34-104 (5). AS A PART  
33 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES  
34 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS  
35 CONCERNING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY  
36 LICENSE.

37 **SECTION 16.** In Colorado Revised Statutes, 24-34-104, **amend**  
38 (29)(a)(XII) as follows:

39 **24-34-104. General assembly review of regulatory agencies**  
40 **and functions for repeal, continuation, or reestablishment -**  
41 **legislative declaration - repeal.** (29) (a) The following agencies,  
42 functions, or both, are scheduled for repeal on September 1, 2028:

43 (XII) The "Colorado Marijuana Code", article 10 of title 44,

1 INCLUDING SOCIAL EQUITY LICENSING AND THE INDEPENDENT DELIVERY  
2 LICENSE;

3 **SECTION 17.** In Colorado Revised Statutes, 24-48.5-128, add  
4 (3)(e) as follows:

5 **24-48.5-128. Program - marijuana entrepreneurs - social**  
6 **equity licensees - committee - report - marijuana entrepreneur fund**  
7 **- creation - legislative declaration - definitions. (3) Loans, grants,**  
8 **and technical assistance. (e) (I) THERE IS CREATED IN THE OFFICE THE**  
9 **PROGRAM GRANT COMMITTEE THAT IS RESPONSIBLE FOR REVIEWING**  
10 **GRANT APPLICATIONS, SELECTING GRANT RECIPIENTS, AND DETERMINING**  
11 **GRANT AWARDS ISSUED PURSUANT TO THIS SECTION. ON OR BEFORE**  
12 **SEPTEMBER 1, 2023, THE OFFICE DIRECTOR SHALL APPOINT THE**  
13 **FOLLOWING MEMBERS TO SERVE ON THE COMMITTEE:**

14 (A) FIVE PERSONS WHO OWN A BUSINESS THAT IS CURRENTLY  
15 LOCATED AND OPERATING IN COLORADO;

16 (B) FIVE PERSONS WITH EXPERIENCE REPRESENTING MARIJUANA  
17 LICENSEES; AND

18 (C) FIVE PERSONS WHO ARE INTERESTED COMMUNITY MEMBERS.

19 (II) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE  
20 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND  
21 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

22 (III) THE MEMBERSHIP OF THE COMMITTEE MUST NOT INCLUDE A  
23 LICENSEE, AS DEFINED BY SECTION 44-10-103 (25).

24 (IV) MEMBERS OF THE COMMITTEE SERVE TWO-YEAR TERMS AND  
25 MAY BE REAPPOINTED FOR AN ADDITIONAL TWO-YEAR TERM. MEMBERS  
26 OF THE COMMITTEE SERVE AT THE PLEASURE OF THE OFFICE DIRECTOR. IF  
27 A MEMBER OF THE COMMITTEE LEAVES THE COMMITTEE PRIOR TO THE  
28 EXPIRATION OF THE MEMBER'S TERM, THE OFFICE DIRECTOR SHALL  
29 APPOINT A NEW MEMBER TO SERVE FOR THE REMAINDER OF THE TERM.

30 (V) MEMBERS OF THE COMMITTEE SERVE WITHOUT  
31 COMPENSATION OR REIMBURSEMENT OF EXPENSES.

32 **SECTION 18. Act subject to petition - effective date.** This act  
33 takes effect at 12:01 a.m. on the day following the expiration of the  
34 ninety-day period after final adjournment of the general assembly; except  
35 that, if a referendum petition is filed pursuant to section 1 (3) of article  
36 V of the state constitution against this act or an item, section, or part of  
37 this act within such period, then the act, item, section, or part will not  
38 take effect unless approved by the people at the general election to be  
39 held in November 2024 and, in such case, will take effect on the date of  
40 the official declaration of the vote thereon by the governor.

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