

HB1159_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB21-1159 be amended as follows:

1 Amend printed bill, page 4, after line 4 insert:

2 "SECTION 5. In Colorado Revised Statutes, 44-10-601, amend
3 (13)(f)(VII) as follows:

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

5 (13) (f) In accordance with this subsection (13) and rules adopted to
6 implement this subsection (13), a licensed retail marijuana store with a
7 valid retail marijuana delivery permit may:

8 (VII) (A) Use an employee to conduct deliveries or contract with
9 a retail marijuana transporter that has a valid retail marijuana delivery
10 permit to conduct deliveries on its behalf, from its retail marijuana store
11 or its associated state licensing authority-authorized storage facility as
12 defined by rule.

13 (B) IF A LICENSED RETAIL MARIJUANA STORE CONTRACTS WITH A
14 RETAIL MARIJUANA TRANSPORTER TO CONDUCT THE DELIVERIES FOR THE
15 STORE AND THE STATE LICENSING AUTHORITY FINDS THE TRANSPORTER
16 VIOLATED THIS ARTICLE 10, OR ANY RULE PROMULGATED PURSUANT TO
17 THIS ARTICLE 10, WHEN THE VIOLATION IS RELATED TO DELIVERY AND THE
18 STATE LICENSING AUTHORITY DEEMS IT TO BE A VIOLATION OF PUBLIC
19 SAFETY, THE STATE LICENSING AUTHORITY SHALL NOTIFY THE STORE OF
20 THE VIOLATION. A VIOLATION AFFECTING PUBLIC SAFETY INCLUDES THE
21 TRANSFER OF REGULATED MARIJUANA TO A PERSON UNDER TWENTY-ONE
22 YEARS OF AGE, THE TRANSFER OF REGULATED MARIJUANA IN EXCESS OF
23 SALES LIMITATIONS, AND THE DIVERSION OF REGULATED MARIJUANA.

24 (C) IF THE STORE CONTINUES TO CONTRACT WITH THE RETAIL
25 MARIJUANA TRANSPORTER TO CONDUCT THE STORE'S DELIVERIES AND THE
26 STATE LICENSING AUTHORITY FINDS THE TRANSPORTER COMMITTED A
27 SECOND OR SUBSEQUENT VIOLATION OF THIS ARTICLE 10, OR ANY RULE
28 PROMULGATED PURSUANT TO THIS ARTICLE 10, WHEN THE VIOLATION IS
29 RELATED TO DELIVERY, IS DEEMED A VIOLATION AFFECTING PUBLIC
30 SAFETY, AND OCCURS WITHIN A YEAR OF THE FINAL AGENCY ACTION
31 VIOLATION OF A PREVIOUS VIOLATION, THE STATE LICENSING AUTHORITY
32 SHALL INITIATE ADMINISTRATIVE ACTION AGAINST THE RETAIL MARIJUANA
33 STORE IN ADDITION TO ANY DISCIPLINARY ADMINISTRATIVE ACTION
34 AGAINST THE RETAIL MARIJUANA TRANSPORTER.

35 (D) NOTHING IN THIS SUBSECTION (13)(f)(VII) LIMITS THE
36 AUTHORITY OF THE STATE LICENSING AUTHORITY TO IMPOSE DISCIPLINARY
37 ADMINISTRATIVE ACTION AGAINST A RETAIL MARIJUANA TRANSPORTER OR
38 MEDICAL MARIJUANA TRANSPORTER FOR VIOLATIONS OF STATE LAW OR
39 RULE."

40 Renumber succeeding section accordingly.

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