

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB23-290 be amended as follows:

1 Amend reengrossed bill, page 83, after line 23 insert:

2 "SECTION 33. In Colorado Revised Statutes, 17-2-102, **add**
3 (8.5)(d) as follows:

4 **17-2-102. Division of adult parole - general powers, duties, and**
5 **functions - definition.** (8.5) (d) THIS SUBSECTION (8.5) DOES NOT APPLY
6 TO A PAROLEE WHO POSSESSES OR USES NATURAL MEDICINE OR NATURAL
7 MEDICINE PRODUCT AS AUTHORIZED PURSUANT TO SECTION 18-18-434,
8 ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

9 **SECTION 34.** In Colorado Revised Statutes, 17-2-201, **add** (5.3)
10 as follows:

11 **17-2-201. State board of parole - duties - definitions.**
12 (5.3) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE POSSESSION
13 OR USE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS
14 AUTHORIZED PURSUANT TO SECTION 18-18-434, ARTICLE 170 OF TITLE 12,
15 OR ARTICLE 50 OF TITLE 44, MUST NOT BE CONSIDERED AN OFFENSE SUCH
16 THAT ITS POSSESSION OR USE CONSTITUTES A VIOLATION OF CONDITIONS
17 OF PAROLE.

18 **SECTION 35.** In Colorado Revised Statutes, 18-1.3-204, **amend**
19 (2)(a)(VIII) introductory portion; and **add** (1)(c) as follows:

20 **18-1.3-204. Conditions of probation - interstate compact**
21 **probation transfer cash fund - creation.** (1) (c) NOTWITHSTANDING
22 THE PROVISIONS OF SUBSECTION (1)(a) OF THIS SECTION, THE POSSESSION
23 OR USE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS
24 AUTHORIZED PURSUANT TO SECTION 18-18-434, ARTICLE 170 OF TITLE 12,
25 OR ARTICLE 50 OF TITLE 44, MUST NOT BE CONSIDERED ANOTHER OFFENSE
26 SUCH THAT ITS USE CONSTITUTES A VIOLATION OF THE TERMS OF
27 PROBATION.

28 (2) (a) When granting probation, the court may, as a condition of
29 probation, require that the defendant:

30 (VIII) Refrain from excessive use of alcohol or any unlawful use
31 of controlled substances, as defined in section 18-18-102 (5), or of any
32 other dangerous or abusable drug without a prescription; except that the
33 court shall not, as a condition of probation, PROHIBIT THE POSSESSION OR
34 USE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS
35 AUTHORIZED PURSUANT TO SECTION 18-18-434, ARTICLE 170 OF TITLE 12,
36 OR ARTICLE 50 OF TITLE 44. FURTHERMORE, THE COURT SHALL NOT, AS A
37 CONDITION OF PROBATION, prohibit the possession or use of medical
38 marijuana, as authorized pursuant to section 14 of article XVIII of the
39 state constitution, unless:".

40 Renumber succeeding sections accordingly.

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