



Vote YES on SB23-271

SB23-271 (Intoxicating Cannabinoid Hemp and Marijuana) removes dangerous and intoxicating hemp products from the unregulated market in Colorado and strengthens the state’s ability to regulate cannabis products.

Currently in Colorado, a lack of federal enforcement has resulted in the proliferation of dangerous, unregulated, and intoxicating hemp products. These products can be purchased in gas stations, smoke shops, or even online, all with little or no age verification or safety standards for production.

As part of the state’s efforts to address this growing public health threat, the **Colorado General Assembly established the Intoxicating Hemp Task Force** with the statutory charge, “To study intoxicating hemp products and make legislative and rule recommendations” (C.R.S. 44-10-206).

In 2022, the Task Force issued a report that is now the foundation for SB23-271. This bill **thoughtfully and comprehensively promotes public health and safety** by empowering the Colorado Department of Public Health & Environment (CDPHE) and the Marijuana Enforcement Division (MED) to classify, oversee, and regulate the production and sale of products produced from cannabis (hemp and marijuana). This bill represents a major step forward for public health and safety based upon compromises between multiple stakeholders.

Under this framework, compounds from the cannabis plant are categorized as either intoxicating, potentially intoxicating, or non-intoxicating. The ability to use these compounds in either hemp or marijuana products will hinge on meeting established safety measures such as quantity limits, restrictions on method of production, and testing and labeling standards.

The bill clarifies that **hemp products must be non-intoxicating and fall within traditional categories for consumable products** (ex: food and dietary supplements). Any product containing any intoxicating or potentially intoxicating compounds (e.g., Delta-9-THC/ Delta-8-THC) is considered marijuana and must remain within the state’s best-in-class marijuana regulatory structure, unless they meet strict quantity limitations.

This bill will **protect public health and safety in Colorado by eliminating dangerous and unregulated intoxicating hemp products from the state**. Furthermore, **MED and CDPHE are granted wide-ranging authority to issue rules and regulations to protect public health** and ensure fair administration of this framework.

Will intoxicating hemp products be legal in Colorado?	No. The bill requires any finished hemp product to be non-intoxicating. Hemp products are also prohibited from being marketed as intoxicating.
What will happen to delta-8 THC products?	Chemically manufactured delta-8 THC would only be permitted if the state enacts rules for safe production within the state’s existing structure for intoxicating cannabis products.
Would Delta-9-THC hemp products be allowed?	No. This bill closes the loophole of 0.3% THC by weight, ensuring that only marijuana products can contain intoxicating amounts of Delta-9-THC.
How will the retail marijuana sales tax be collected?	Any finished marijuana product is subject to the retail marijuana sales tax, regardless of whether it contains ingredients derived from hemp or marijuana.
What options exist for hemp companies currently manufacturing intoxicants?	The bill creates a new class of hemp registration overseen by CDPHE that would allow companies to produce products for export to other states, provided they meet safety, testing, and labeling requirements.
What precautions exist to keep intoxicating products away from youth?	Intoxicating or potentially intoxicating products are classified as marijuana. Therefore, they are subject to all the stringent protections currently required in the marijuana market: 2x age verification, educational resources, daily purchase limits, etc.

We respectfully ask that you VOTE YES on SB23-271.

Please contact Katie Wolf (720) 365-3990 with any questions.