

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0021.02 Jacob Baus x2173

HOUSE BILL 24-1061

HOUSE SPONSORSHIP

Ricks and English,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES RELATED TO THE MARIJUANA INDUSTRY, AND,
102 IN CONNECTION THEREWITH, REFORMING THE SOCIAL EQUITY
103 PROGRAM; CREATING INDEPENDENT DELIVERY LICENSES FOR
104 SOCIALEQUITY LICENSEES; CREATING ACCELERATOR LICENSES
105 FOR SOCIAL EQUITY LICENSEES; EXPANDING PERMISSIBLE
106 DELIVERY LOCATIONS; ALLOWING A MARIJUANA HOSPITALITY
107 BUSINESS THAT IS MOBILE TO SUSPEND ITS LICENSE PRIVILEGES
108 TO PERFORM NON-MARIJUANA COMMERCIAL ACTIVITIES;
109 CREATING REPORTING REQUIREMENTS CONCERNING SOCIAL
110 EQUITY LICENSES; REFORMING SOCIAL EQUITY LICENSE
111 ELIGIBILITY REQUIREMENTS; ELIMINATING A DELIVERY
112 SURCHARGE; REQUIRING A SUNSET REVIEW OF THE "COLORADO
113 MARIJUANA CODE" TO REVIEW CERTAIN SOCIAL EQUITY

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.

101 MATTERS; PROVIDING GRANTS TO LOCAL JURISDICTIONS THAT
102 ESTABLISH A SOCIAL EQUITY PROGRAM; CREATING AN INCOME
103 TAX CREDIT FOR ACCELERATOR-ENDORSED LICENSEES; AND
104 CLARIFYING MARIJUANA RETAILER SALES TAX REQUIREMENTS.

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>.)

The bill creates a medical marijuana independent delivery license and a retail marijuana independent delivery license (licenses) to deliver and sell respective marijuana and marijuana products to consumers at permissible delivery locations. A person must have a social equity license to be issued the licenses. The department of revenue (department) is required to promulgate rules concerning the licenses.

The bill creates an accelerator independent deliverer license, accelerator hospitality business license, and accelerator transporter license for social equity licensees qualified to participate in the accelerator program.

The bill defines "permissible delivery locations" to establish where licensees with delivery privileges may deliver to consumers.

The bill adds mandatory and permissive rule-making authority to the department concerning social-equity-related matters.

The bill allows a marijuana hospitality licensee with a mobile facility to temporarily suspend its license privileges related to mobility in order to conduct non-marijuana commercial activities. The bill adds mandatory rule-making authority to the department concerning these matters.

Beginning January 31, 2026, the bill requires the state licensing authority to provide an annual report to the finance committees of the house of representatives and the senate concerning active social equity or accelerator licenses and licensees, recommendations for new social equity or accelerator licenses, and recommendations for new or innovative funding sources for the social equity program. The department is required to convene a new, or utilize an existing, working group of persons to develop recommendations for the annual report.

Effective April 1, 2025, the bill amends the eligibility requirements for a person to qualify as a social equity licensee. The new eligibility

requirements do not apply to licensee applications or licenses issued before April 1, 2025, except for a limited exception.

The bill eliminates the \$1 surcharge applied on deliveries.

The bill requires the department of regulatory agencies, as part of its sunset review of the "Colorado Marijuana Code" in 2028, to review social equity licensing and the licenses.

Under current law, there is the marijuana entrepreneur fund within the office of economic development that provides grants and loans to support marijuana industry entrepreneurs. The bill creates a new permissible grant for local jurisdictions that establish a social equity licensing program.

The bill creates a tax credit for an accelerator-endorsed licensee who hosts and offers technical and capital support to a social equity licensee for at least 12 consecutive months. An eligible accelerator-endorsed licensee may claim up to \$50,000 and may carry it forward as a credit against subsequent years' income tax liability for a period not exceeding 5 years. The tax credit may be claimed for tax years 2026 through 2035.

The bill amends the statutory provision concerning the retail marijuana sales tax to state that a retailer is not allowed to retain any portion of the retail marijuana sales tax collected to cover the expenses of collecting and remitting the tax.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **amend**
3 (2), (35), (58), and (68.5); and **add** (2.3), (2.7), (4.7), (37.5), (46.5), and
4 (60.7) as follows:

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

7 (2) "Accelerator-endorsed licensee" means a retail marijuana
8 cultivation facility licensee, retail marijuana products manufacturer
9 licensee, ~~or~~ retail marijuana store, ~~who~~ MARIJUANA HOSPITALITY
10 BUSINESS LICENSEE, RETAIL MARIJUANA TRANSPORTER LICENSEE, OR
11 RETAIL MARIJUANA INDEPENDENT DELIVERER THAT has, pursuant to rule,
12 been endorsed to host and offer technical and capital support to a social
13 equity licensee pursuant to the requirements of the accelerator program

1 established pursuant to this article 10.

2 (2.3) "ACCELERATOR HOSPITALITY BUSINESS" MEANS A SOCIAL
3 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR
4 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED
5 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF A MARIJUANA
6 HOSPITALITY BUSINESS ON THE PREMISES OF AN ACCELERATOR-ENDORSED
7 MARIJUANA HOSPITALITY BUSINESS LICENSEE.

8 (2.7) "ACCELERATOR INDEPENDENT DELIVERER" MEANS A SOCIAL
9 EQUITY LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR
10 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED
11 PURSUANT TO RULE TO EXERCISE THE PRIVILEGES OF AN INDEPENDENT
12 DELIVERER.

13 (4.7) "ACCELERATOR TRANSPORTER" MEANS A SOCIAL EQUITY
14 LICENSEE QUALIFIED TO PARTICIPATE IN THE ACCELERATOR PROGRAM
15 ESTABLISHED PURSUANT TO THIS ARTICLE 10 AND AUTHORIZED PURSUANT
16 TO RULE TO EXERCISE THE PRIVILEGES OF THE ACCELERATOR-ENDORSED
17 RETAIL MARIJUANA TRANSPORTER LICENSEE.

18 (35) "Medical marijuana business" means any of the following
19 entities licensed pursuant to this article 10: A medical marijuana store, a
20 medical marijuana cultivation facility, a medical marijuana products
21 manufacturer, a medical marijuana testing facility, a marijuana research
22 and development licensee, a medical marijuana business operator, or a
23 medical marijuana transporter, OR A MEDICAL MARIJUANA INDEPENDENT
24 DELIVERER.

25 (37.5) "MEDICAL MARIJUANA INDEPENDENT DELIVERER" MEANS
26 A PERSON LICENSED TO DELIVER AND SELL MEDICAL MARIJUANA AND
27 MEDICAL MARIJUANA PRODUCTS TO CONSUMERS AT THE PERMISSIBLE

1 DELIVERY LOCATIONS PURSUANT TO THIS ARTICLE 10, RULES
2 PROMULGATED PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF
3 AN ENACTED, INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE
4 LOCAL JURISDICTION WHERE THE LICENSEE OPERATES.

5 (46.5) (a) "PERMISSIBLE DELIVERY LOCATION" MEANS:

6 (I) A PRIVATE RESIDENCE, INCLUDING, BUT NOT LIMITED TO, A
7 SINGLE FAMILY RESIDENCE, CONDOMINIUM, APARTMENT, MOBILE HOME,
8 MANUFACTURED HOME, COMMUNITY-LIVING UNIT, ASSISTED-LIVING UNIT,
9 OR SENIOR-LIVING FACILITY UNIT;

10 (II) A MARIJUANA HOSPITALITY BUSINESS LICENSED PREMISES; OR

11 (III) AN ESTABLISHMENT IN THE BUSINESS OF OFFERING
12 OVERNIGHT ROOM ACCOMMODATIONS.

13 (b) "PERMISSIBLE DELIVERY LOCATION" DOES NOT MEAN:

14 (I) A PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
15 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY;

16 (II) AN ESTABLISHMENT IN THE BUSINESS OF OFFERING OVERNIGHT
17 ROOM ACCOMMODATIONS THAT OPERATES A LICENSE OR PERMIT ISSUED
18 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44;

19 (III) A MARIJUANA HOSPITALITY BUSINESS THAT IS MOBILE; OR

20 (IV) AN ESTABLISHMENT DEFINED IN SUBSECTION (46.5)(a)(II) OR
21 (46.5)(a)(III) OF THIS SECTION THAT, PURSUANT TO RULE, PROVIDES A
22 WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY TO OPT OUT OF
23 HAVING MARIJUANA DELIVERIES RECEIVED ON ITS PREMISES.

24 (58) "Retail marijuana business" means a retail marijuana store,
25 a retail marijuana cultivation facility, a retail marijuana products
26 manufacturer, a marijuana hospitality business, a retail marijuana
27 hospitality and sales business, a retail marijuana testing facility, a retail

1 marijuana business operator, ~~or~~ a retail marijuana transporter, OR A
2 RETAIL MARIJUANA INDEPENDENT DELIVERER licensed pursuant to this
3 article 10.

4 (60.7) "RETAIL MARIJUANA INDEPENDENT DELIVERER" MEANS A
5 PERSON LICENSED TO DELIVER AND SELL RETAIL MARIJUANA AND RETAIL
6 MARIJUANA PRODUCTS TO CONSUMERS AT PERMISSIBLE DELIVERY
7 LOCATIONS PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED
8 PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF AN ENACTED,
9 INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL
10 JURISDICTION WHERE THE LICENSEE OPERATES.

11 (68.5) "Social equity licensee" means a natural person who meets
12 the criteria established pursuant to section 44-10-308. ~~(4)~~ A person
13 qualified as a social equity licensee may participate in the accelerator
14 program established pursuant to this article 10 or may hold a regulated
15 marijuana business license or permit issued pursuant to this article 10.

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

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

1 ACCELERATOR INDEPENDENT DELIVERER license, or unless the local
2 jurisdiction has prohibited the operation of retail marijuana businesses
3 pursuant to section 16 (5)(f) of article XVIII of the state constitution. If
4 the license is denied, the state licensing authority ~~may~~ MUST refund only
5 the licensing fee to the applicant. The applicant's application fees must be
6 retained by the state licensing authority, and a local licensing authority
7 may retain the applicant's application fees.

8 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **amend**
9 (2)(aa), (2)(dd) introductory portion, (2)(gg)(V), and (2)(gg)(VI); and **add**
10 (1)(j.3), (2)(gg)(VII), (2)(kk), and (2)(ll) as follows:

11 **44-10-203. State licensing authority - rules. (1) Permissive**
12 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
13 may include, but need not be limited to, the following subjects:

14 (j.3) THE DOCUMENTATION A PERSON APPLYING TO BE A SOCIAL
15 EQUITY LICENSEE MUST PROVIDE AND THE DOCUMENTATION VERIFICATION
16 THE STATE LICENSING AUTHORITY MUST PERFORM. THE RULES MAY
17 ALLOW A SOCIAL EQUITY LICENSEE APPLICANT TO ATTEST THAT THE
18 APPLICANT SATISFIES THE ELIGIBILITY CRITERIA PURSUANT TO SECTION
19 44-10-308 (5)(b)(I)(A), (5)(b)(III)(A), AND (6). THE RULES MAY ALLOW
20 A SOCIAL EQUITY LICENSEE APPLICANT TO ATTEST THAT THE APPLICANT
21 SATISFIES THE ELIGIBILITY CRITERIA PURSUANT TO SECTION 44-10-308
22 (5)(b)(IV) IF THE APPLICANT IS UNABLE TO PROVIDE THE APPLICANT'S
23 DISCHARGE DOCUMENT DD214 OR DD256 TO THE STATE LICENSING
24 AUTHORITY.

25 (2) **Mandatory rule-making.** Rules promulgated pursuant to
26 section 44-10-202 (1)(c) must include but need not be limited to the
27 following subjects:

1 (aa) The implementation of an accelerator program including, but
2 not limited to, rules to establish requirements for social equity licensees
3 operating on the same licensed premises or on separate premises
4 possessed by an accelerator-endorsed licensee. THE RULES MUST ALLOW
5 AN ACCELERATOR-ENDORSED LICENSEE TO HOST AND OFFER TECHNICAL
6 AND CAPITAL SUPPORT TO MULTIPLE SOCIAL EQUITY LICENSEES OF THE
7 SAME LICENSE TYPE. ~~The state licensing authority's~~ rules establishing an
8 accelerator program may include requirements for severed custodianship
9 of regulated marijuana products, protections of the intellectual property
10 of a social equity licensee, AND incentives for accelerator-endorsed
11 licensees. ~~and additional requirements if a person applying for an~~
12 ~~accelerator endorsement has less than two years' experience operating a~~
13 ~~licensed facility pursuant to this article 10.~~ An accelerator-endorsed
14 licensee is not required to exercise the privileges of its license on the
15 premises where a social equity licensee operates. ~~The state licensing~~
16 ~~authority's implementation of an accelerator program is extended from~~
17 ~~July 1, 2020, to January 1, 2021.~~

18 (dd) Requirements for medical marijuana and medical marijuana
19 products delivery as described in ~~section~~ SECTIONS 44-10-501 (11) and
20 ~~section~~ 44-10-505 (5) and retail marijuana and retail marijuana products
21 delivery as described in ~~section~~ SECTIONS 44-10-601 (13), ~~and section~~
22 44-10-605 (5), AND 44-10-614, including:

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

- 25 (V) Ensuring activity is not visible outside of the vehicle; ~~and~~
- 26 (VI) Proper ventilation within the vehicle; AND
- 27 (VII) PROCEDURES AND REQUIREMENTS THAT ALLOW A

1 MARIJUANA HOSPITALITY LICENSEE WITH A MOBILE FACILITY TO
2 TEMPORARILY SUSPEND ITS LICENSE PRIVILEGES RELATED TO MOBILITY
3 FOR THE PURPOSE OF CONDUCTING NON-MARIJUANA COMMERCIAL
4 ACTIVITIES THAT ARE PERMITTED BY THE PUBLIC UTILITIES COMMISSION,
5 CREATED IN SECTION 40-2-101, WITHIN THE MOBILE FACILITY.

6 (kk) INDEPENDENT DELIVERY LICENSES, INCLUDING:

7 (I) PROCEDURES FOR A SOCIAL EQUITY LICENSEE WHO HOLDS A
8 MEDICAL MARIJUANA TRANSPORTER LICENSE AND MEDICAL MARIJUANA
9 DELIVERY PERMIT TO CONVERT TO A MEDICAL MARIJUANA INDEPENDENT
10 DELIVERY LICENSE PRIOR TO APRIL 1, 2025, AND PROCEDURES FOR A
11 SOCIAL EQUITY LICENSEE WHO HOLDS A RETAIL MARIJUANA TRANSPORTER
12 LICENSE AND A RETAIL MARIJUANA DELIVERY PERMIT TO CONVERT TO A
13 RETAIL MARIJUANA INDEPENDENT DELIVERY LICENSE PRIOR TO APRIL 1,
14 2025;

15 (II) PROCEDURES FOR A SOCIAL EQUITY LICENSEE TO APPLY FOR A
16 INDEPENDENT DELIVERY LICENSE;

17 (III) REQUIREMENTS AND CONDITIONS UNDER WHICH A MEDICAL
18 MARIJUANA INDEPENDENT DELIVERER OR RETAIL MARIJUANA
19 INDEPENDENT DELIVERER MAY PURCHASE, STORE, AND CONDUCT SALES OF
20 MARIJUANA AND MARIJUANA PRODUCTS;

21 (IV) REQUIREMENTS AND CONDITIONS UNDER WHICH A MEDICAL
22 MARIJUANA INDEPENDENT DELIVERER OR RETAIL MARIJUANA
23 INDEPENDENT DELIVERER MAY CONTRACT WITH ANOTHER MEDICAL
24 MARIJUANA INDEPENDENT DELIVERER OR RETAIL MARIJUANA
25 INDEPENDENT DELIVERER TO SHARE A LICENSED PREMISES FOR THE
26 PURPOSES OF STORING MARIJUANA AND MARIJUANA PRODUCTS, INCLUDING
27 TRACKING AND RECORD-KEEPING REQUIREMENTS FOR SEPARATE

1 INVENTORY;

2 (V) REQUIREMENTS FOR SAFETY AND SECURITY OF THE
3 AUTHORIZED STORAGE FACILITY;

4 (VI) PROCEDURES AND REQUIREMENTS TO ENSURE THAT THE
5 MEDICAL MARIJUANA INDEPENDENT DELIVERER OR RETAIL MARIJUANA
6 INDEPENDENT DELIVERER HOLDS NOT LESS THAN FIFTY-ONE PERCENT OF
7 THE BENEFICIAL OWNERSHIP, INCLUDING REQUIREMENTS FOR DISCLOSING
8 CONTRACTUAL AND OPERATIONAL AGREEMENTS; AND

9 (VII) PROCEDURES AND REQUIREMENTS FOR AN APPLICANT TO
10 PROVIDE PROOF OF AN OBTAINED LICENSED PREMISES, INCLUDING AN
11 AUTHORIZED STORAGE FACILITY.

12 (II) PROCEDURES AND REQUIREMENTS FOR AN ESTABLISHMENT
13 DEFINED IN SECTION 44-10-103 (46.5)(a)(II) OR (46.5)(a)(III) TO PROVIDE
14 WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY TO OPT OUT OF,
15 AND SUBSEQUENTLY OPT IN TO, RECEIVING MARIJUANA DELIVERIES ON ITS
16 PREMISES.

17 **SECTION 4.** In Colorado Revised Statutes, **add** 44-10-210 as
18 follows:

19 **44-10-210. Social equity report.** (1) ON OR BEFORE JANUARY 31,
20 2026, AND ON OR BEFORE JANUARY 31 EACH YEAR THEREAFTER, THE
21 STATE LICENSING AUTHORITY SHALL SUBMIT A REPORT CONCERNING
22 SOCIAL EQUITY LICENSEES TO THE FINANCE COMMITTEES OF THE HOUSE OF
23 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. AT
24 A MINIMUM, THE REPORT MUST INCLUDE:

25 (a) THE TOTAL NUMBER OF BUSINESSES LICENSED PURSUANT TO
26 THIS ARTICLE 10 THAT ARE MAJORITY OWNED BY A SOCIAL EQUITY
27 APPLICANT OR LICENSEE, AND THE TOTAL NUMBER OF THOSE BUSINESSES

- 1 THAT ARE OPERATIONAL;
- 2 (b) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSEES;
- 3 (c) THE TOTAL NUMBER OF ACTIVE SOCIAL EQUITY LICENSEES
- 4 THAT ARE OPERATIONAL;
- 5 (d) THE TOTAL NUMBER OF SOCIAL EQUITY LICENSEES THAT ARE
- 6 ENDORSED BY EACH ACCELERATOR-ENDORSED LICENSE TYPE;
- 7 (e) THE INCENTIVES AND ANY ASSOCIATED CRITERIA DEVELOPED
- 8 BY THE STATE LICENSING AUTHORITY PURSUANT TO SECTION 44-10-308
- 9 (8);
- 10 (f) RECOMMENDATIONS FOR NEW SOCIAL EQUITY OR
- 11 ACCELERATOR LICENSE TYPES; AND
- 12 (g) RECOMMENDATIONS FOR NEW OR INNOVATIVE FUNDING
- 13 SOURCES FOR THE SOCIAL EQUITY PROGRAM.

14 (2) THE STATE LICENSING AUTHORITY SHALL CONVENE A NEW, OR

15 UTILIZE AN EXISTING, WORKING GROUP OF PERSONS INTERESTED IN SOCIAL

16 EQUITY OPPORTUNITIES AND THE ACCELERATOR PROGRAM ESTABLISHED

17 PURSUANT TO THIS ARTICLE 10 FOR THE PURPOSE OF DEVELOPING

18 RECOMMENDATIONS PURSUANT TO SUBSECTIONS (1)(f) AND (1)(g) OF THIS

19 SECTION.

20 (3) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136

21 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT DESCRIBED IN THIS

22 SECTION CONTINUES INDEFINITELY.

23 **SECTION 5.** In Colorado Revised Statutes, 44-10-308, **amend**

24 (4) introductory portion and (5); and **add** (4.5), (6), (7), and (8) as

25 follows:

26 **44-10-308. Business and owner requirements - rules -**

27 **legislative declaration - definition.** (4) Effective January 1, 2021,

1 THROUGH MARCH 31, 2025, a person who qualifies as a social equity
2 licensee PURSUANT TO THIS SUBSECTION (4) may apply for any regulated
3 marijuana business license or permit, including, but not limited to,
4 accelerator store, accelerator cultivator, and accelerator manufacturer
5 licenses issued pursuant to this article 10. A PERSON WHO QUALIFIES AS
6 A SOCIAL EQUITY LICENSEE PURSUANT TO THIS SUBSECTION (4) MAY APPLY
7 FOR ANY REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT ON OR
8 AFTER APRIL 1, 2025, WITHOUT HAVING TO QUALIFY AS A SOCIAL EQUITY
9 LICENSEE PURSUANT TO SUBSECTION (5) OF THIS SECTION, UNLESS THE
10 QUALIFICATION PURSUANT TO THIS SUBSECTION (4) IS BASED ON THE
11 SOCIAL EQUITY LICENSEE'S INCOME. A person qualifies as a social equity
12 licensee if ~~such~~ THE person meets the following criteria, in addition to any
13 criteria established by rule: ~~of the state licensing authority:~~

14 (4.5) SUBSECTION (4) OF THIS SECTION APPLIES TO A SOCIAL
15 EQUITY LICENSE APPLICATION RECEIVED ON OR BEFORE MARCH 31, 2025,
16 AND TO THE RENEWAL OF A LICENSE ISSUED TO A SOCIAL EQUITY LICENSEE
17 ON OR BEFORE MARCH 31, 2025.

18 (5) ~~A person who meets the criteria in this section for a social~~
19 ~~equity licensee, pursuant to rule and agency discretion, may be eligible for~~
20 ~~incentives available through the department of revenue or office of~~
21 ~~economic development and international trade, including but not limited~~
22 ~~to a reduction in application or license fees~~ EXCEPT AS PROVIDED IN
23 SUBSECTION (4) OF THIS SECTION, EFFECTIVE APRIL 1, 2025, A PERSON
24 WHO QUALIFIES AS A SOCIAL EQUITY LICENSEE MAY APPLY FOR ANY
25 REGULATED MARIJUANA BUSINESS LICENSE OR PERMIT, INCLUDING, BUT
26 NOT LIMITED TO, AN ACCELERATOR STORE, ACCELERATOR CULTIVATOR,
27 ACCELERATOR MANUFACTURER, ACCELERATOR HOSPITALITY BUSINESS,

1 ACCELERATOR TRANSPORTER, OR ACCELERATOR INDEPENDENT DELIVERY
2 LICENSE ISSUED PURSUANT TO THIS ARTICLE 10. A PERSON QUALIFIES AS
3 A SOCIAL EQUITY LICENSEE IF, IN ADDITION TO ANY CRITERIA ESTABLISHED
4 BY RULE, THE PERSON:

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

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

10 (I) THE APPLICANT HAS RESIDED:

11 (A) FOR AT LEAST ANY FIVE YEARS OF THE THIRTY-YEAR PERIOD
12 PRIOR TO THE APPLICATION AND FOR WHICH DATA IS AVAILABLE, IN A
13 CENSUS TRACT DESIGNATED BY THE OFFICE OF ECONOMIC DEVELOPMENT
14 AND INTERNATIONAL TRADE AS AN OPPORTUNITY ZONE OR DESIGNATED AS
15 A DISPROPORTIONATE IMPACTED AREA AS DEFINED BY RULE PURSUANT TO
16 SECTION 44-10-203 (1)(j); OR

17 (B) FOR AT LEAST ANY FIVE OF THE THIRTY YEARS PRIOR TO THE
18 APPLICATION, IN HOUSING WITH FUNDING PROVIDED PURSUANT TO
19 SECTION 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF
20 1937", 42 U.S.C. SECS. 1437f AND 1437g, AS AMENDED; OR

21 (C) FOR AT LEAST ANY FIVE OF THE THIRTY YEARS PRIOR TO THE
22 APPLICATION, IN HOUSING WITH FUNDING FROM FEDERAL LOW-INCOME
23 HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS,
24 OR FUNDING PROVIDED PURSUANT TO ANY FEDERAL, STATE, OR LOCAL
25 PROGRAM THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR
26 MODERATE INCOME THAT, AT THE TIME OF RESIDENCE, WAS SUBJECT TO A
27 USE RESTRICTION THAT WAS MONITORED TO ENSURE COMPLIANCE BY THE

1 FEDERAL GOVERNMENT, THE STATE GOVERNMENT, A COUNTY
2 GOVERNMENT, OR A MUNICIPAL GOVERNMENT, OR BY ANY POLITICAL
3 SUBDIVISION OR DESIGNATED AGENCY THEREOF; OR

4 (II) THE APPLICANT OR THE APPLICANT'S SPOUSE, PARENT, OR
5 LEGAL GUARDIAN WAS CONVICTED OF A MARIJUANA OFFENSE; OR

6 (III) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
7 APPLICANT'S GUARDIANSHIP WAS ARRESTED FOR OR CONVICTED OF A
8 MARIJUANA OFFENSE, AND:

9 (A) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
10 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED FOR OR CONVICTED OF
11 A MARIJUANA OFFENSE RESIDED IN A DISPROPORTIONATE IMPACTED AREA
12 AS DEFINED BY RULE PURSUANT TO SECTION 44-10-203 (1)(j) FOR ANY OF
13 THE FIVE YEARS OF THE THIRTY-YEAR PERIOD PRIOR TO APPLICATION; OR

14 (B) THE APPLICANT'S SIBLING, CHILD, OR MINOR IN THE
15 APPLICANT'S GUARDIANSHIP WHO WAS ARRESTED FOR OR CONVICTED OF
16 A MARIJUANA OFFENSE HAS RECEIVED ASSISTANCE FROM AT LEAST ONE OF
17 THE PROGRAMS LISTED IN SUBSECTIONS (5)(b)(V)(A) TO (5)(b)(V)(E) OF
18 THIS SECTION FOR AT LEAST ANY FIVE OF THE TEN YEARS PRIOR TO
19 APPLICATION; OR

20 (IV) THE APPLICANT WAS A MEMBER OF THE MILITARY AND WAS
21 DISCHARGED OR ADMINISTRATIVELY SEPARATED FROM THE MILITARY
22 BECAUSE OF MARIJUANA USE OR POSSESSION WHILE THE APPLICANT WAS
23 A MEMBER OF THE MILITARY AND THE APPLICANT PROVIDES THE
24 APPLICANT'S DISCHARGE DOCUMENT DD214 OR DD256 TO THE STATE
25 LICENSING AUTHORITY UNLESS EXEMPTED BY RULES PROMULGATED BY
26 THE STATE LICENSING AUTHORITY; OR

27 (V) THE APPLICANT HAS RECEIVED ASSISTANCE FROM AT LEAST

1 ONE OF THE FOLLOWING PROGRAMS FOR AT LEAST ANY FIVE OF THE TEN
2 YEARS PRIOR TO APPLICATION:

3 (A) THE LOW-INCOME ENERGY ASSISTANCE PROGRAM DESCRIBED
4 IN SECTION 26-2-122.5; OR

5 (B) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
6 DESCRIBED IN PART 3 OF ARTICLE 2 OF TITLE 26; OR

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

9 (D) THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
10 WOMEN, INFANTS, AND CHILDREN, CREATED PURSUANT TO 42 U.S.C. SEC.
11 1786; OR

12 (E) THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4, 5,
13 AND 6 OF TITLE 25.5; AND

14 (c) HOLDS AT LEAST FIFTY-ONE PERCENT OF A BENEFICIAL
15 OWNERSHIP OF A REGULATED MARIJUANA BUSINESS LICENSE ALONE OR
16 COLLECTIVELY WITH AT LEAST ONE OTHER APPLICANT.

17 (6) (a) FOR THE PURPOSES OF SUBSECTION (5) OF THIS SECTION, IF
18 AN APPLICANT IS A CONTROLLING BENEFICIAL OWNER ALONE OR
19 COLLECTIVELY WITH AT LEAST ONE OTHER APPLICANT, UPON ATTESTATION
20 ON THE APPLICATION TO WHICH THE APPLICANT IS A PASSIVE BENEFICIAL
21 OWNER, OR PASSIVE BENEFICIAL OWNER OF THREE OR MORE RETAIL
22 MARIJUANA STORE LICENSES, MEDICAL MARIJUANA STORE LICENSES,
23 RETAIL MARIJUANA CULTIVATION FACILITY LICENSES, OR MEDICAL
24 MARIJUANA CULTIVATION FACILITY LICENSES, OR ANY COMBINATION
25 THEREOF, THE APPLICANT IS NOT ELIGIBLE TO BE A SOCIAL EQUITY
26 LICENSEE.

27 (b) FOR THE PURPOSES OF SUBSECTION (6)(a) OF THIS SECTION,

1 CO-LOCATED RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA STORE
2 LICENSES, OR CO-LOCATED RETAIL MARIJUANA CULTIVATION FACILITY
3 AND MEDICAL MARIJUANA CULTIVATION FACILITY LICENSES, CONSTITUTE
4 ONE LICENSE.

5 (7) (a) SUBSECTION (5) OF THIS SECTION APPLIES TO NEW SOCIAL
6 EQUITY LICENSEE APPLICATIONS RECEIVED ON OR AFTER APRIL 1, 2025, OR
7 THE RENEWAL OF A LICENSE ISSUED TO A SOCIAL EQUITY LICENSEE FIRST
8 APPLIED FOR ON OR AFTER APRIL 1, 2025.

9 (b) SUBSECTION (5) OF THIS SECTION DOES NOT APPLY TO NEW
10 SOCIAL EQUITY LICENSEE APPLICATIONS RECEIVED ON OR BEFORE MARCH
11 31, 2025, OR THE RENEWAL OF A LICENSE ISSUED TO A SOCIAL EQUITY
12 LICENSEE FIRST APPLIED FOR OR ISSUED ON OR BEFORE MARCH 31, 2025.

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

20 **SECTION 6.** In Colorado Revised Statutes, 44-10-401, **amend**
21 (2)(a)(VI), (2)(a)(VII), and (2)(b)(X); and **add** (2)(a)(VIII), (2)(b)(XII),
22 (2)(b)(XIII), (2)(b)(XIV), and (2)(b)(XV) as follows:

23 **44-10-401. Classes of licenses.** (2) (a) The following are medical
24 marijuana licenses:

25 (VI) Medical marijuana business operator license; **and**

26 (VII) Marijuana research and development license; **AND**

27 (VIII) MEDICAL MARIJUANA INDEPENDENT DELIVERY LICENSE.

- 1 (b) The following are retail marijuana licenses:
2 (X) Retail marijuana hospitality and sales business license; ~~and~~
3 (XII) RETAIL MARIJUANA INDEPENDENT DELIVERY LICENSE;
4 (XIII) ACCELERATOR HOSPITALITY BUSINESS LICENSE;
5 (XIV) ACCELERATOR TRANSPORTER LICENSE; AND
6 (XV) ACCELERATOR INDEPENDENT DELIVERY LICENSE.

7 **SECTION 7.** In Colorado Revised Statutes, 44-10-501, **amend**
8 (11)(f)(IV), (11)(f)(V), and (11)(g)(I)(D); **repeal** (11)(c); and **add** (2)(c)
9 as follows:

10 **44-10-501. Medical marijuana store license.** (2) (c) A MEDICAL
11 MARIJUANA STORE MAY SELL WHOLESALE MEDICAL MARIJUANA AND
12 WHOLESALE MEDICAL MARIJUANA PRODUCTS TO A MEDICAL MARIJUANA
13 INDEPENDENT DELIVERER.

14 (11) (c) ~~A licensed medical marijuana store shall charge a~~
15 ~~one-dollar surcharge on each delivery. The licensed medical marijuana~~
16 ~~store shall remit the surcharges collected on a monthly basis to the~~
17 ~~municipality where the licensed medical marijuana store is located, or to~~
18 ~~the county if the licensed medical marijuana store is in an unincorporated~~
19 ~~area, for local law enforcement costs related to marijuana enforcement.~~
20 ~~Failure to comply with this subsection (11)(c) may result in nonrenewal~~
21 ~~of the medical marijuana delivery permit.~~

22 (f) In accordance with this subsection (11) and rules adopted to
23 implement this subsection (11), a licensed medical marijuana store with
24 a valid medical marijuana delivery permit may:

25 (IV) Deliver no more than once per day to the same patient or
26 parent or guardian ~~or residence~~ AT A PERMISSIBLE DELIVERY LOCATION;

27 (V) ~~(A) Deliver only to private residences~~ PERMISSIBLE DELIVERY

1 LOCATIONS;

2 ~~(B) For purposes of this section, "private residences" means~~
3 ~~private premises where a person lives, such as a private dwelling place or~~
4 ~~place of habitation, and specifically excludes any premises located at a~~
5 ~~school or on the campus of an institution of higher education, or any other~~
6 ~~public property.~~

7 (g) (I) At the time of the order, the medical marijuana store shall
8 require the patient or parent or guardian to provide information necessary
9 to verify the patient is qualified to purchase and receive a delivery of
10 medical marijuana and medical marijuana products pursuant to this
11 section. The provided information must, at a minimum, include the
12 following:

13 (D) The address of the ~~residence~~ PERMISSIBLE DELIVERY
14 LOCATION where the order will be delivered; and

15 **SECTION 8.** In Colorado Revised Statutes, 44-10-502, **amend**
16 (1) as follows:

17 **44-10-502. Medical marijuana cultivation facility license -**
18 **rules - definitions.** (1) A medical marijuana cultivation facility may be
19 issued only to a person who cultivates medical marijuana for sale and
20 distribution to licensed medical marijuana stores, medical marijuana
21 products manufacturer licensees, MEDICAL MARIJUANA INDEPENDENT
22 DELIVERERS, or other medical marijuana cultivation facilities.

23 **SECTION 9.** In Colorado Revised Statutes, 44-10-503, **add**
24 (1)(d) as follows:

25 **44-10-503. Medical marijuana products manufacturer license**
26 **- rules - definition.** (1) (d) A MEDICAL MARIJUANA PRODUCTS
27 MANUFACTURER MAY SELL WHOLESALE MEDICAL MARIJUANA AND

1 WHOLESALe MEDICAL MARIJUANA PRODUCTS TO A MEDICAL MARIJUANA
2 INDEPENDENT DELIVERER.

3 **SECTION 10.** In Colorado Revised Statutes, 44-10-505, **amend**
4 (5)(d)(IV) and (5)(d)(V) as follows:

5 **44-10-505. Medical marijuana transporter license.** (5) (d) In
6 accordance with this subsection (5) and rules adopted to implement this
7 subsection (5), a licensed medical marijuana transporter with a valid
8 medical marijuana delivery permit may:

9 (IV) Deliver no more than once per day to the same patient ~~or~~
10 ~~residence~~ AT A PERMISSIBLE DELIVERY LOCATION;

11 (V) ~~(A)~~ Deliver only to a ~~private residence~~ PERMISSIBLE DELIVERY
12 LOCATIONS.

13 ~~(B) For purposes of this section, "private residences" means~~
14 ~~private premises where a person lives, such as a private dwelling place or~~
15 ~~place of habitation, and specifically excludes any premises located at a~~
16 ~~school or on the campus of an institution of higher education, or any other~~
17 ~~public property.~~

18 **SECTION 11.** In Colorado Revised Statutes, **add** 44-10-508 as
19 follows:

20 **44-10-508. Medical marijuana independent delivery license -**
21 **rules.** (1) (a) ON OR AFTER APRIL 1, 2025, THE STATE LICENSING
22 AUTHORITY MAY ISSUE A MEDICAL MARIJUANA INDEPENDENT DELIVERY
23 LICENSE TO A PERSON WITH A SOCIAL EQUITY LICENSE AUTHORIZING THE
24 PERSON TO DELIVER AND SELL MEDICAL MARIJUANA AND MEDICAL
25 MARIJUANA PRODUCTS TO CONSUMERS AT PERMISSIBLE DELIVERY
26 LOCATIONS PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED
27 PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE

1 OR RESOLUTION OF THE LOCAL JURISDICTION WHERE THE LICENSEE
2 OPERATES.

3 (b) A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY
4 PURCHASE WHOLESALE MEDICAL MARIJUANA AND WHOLESALE MEDICAL
5 MARIJUANA PRODUCTS FROM A MEDICAL MARIJUANA STORE LICENSEE,
6 AND THE MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY PURCHASE
7 WHOLESALE MEDICAL MARIJUANA FROM A MEDICAL MARIJUANA
8 CULTIVATION FACILITY AND WHOLESALE MEDICAL MARIJUANA PRODUCTS
9 FROM A MEDICAL MARIJUANA PRODUCTS MANUFACTURER LICENSEE.

10 (c) A MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL
11 TRACK ALL OF ITS MEDICAL MARIJUANA AND MEDICAL MARIJUANA
12 PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A
13 MEDICAL MARIJUANA STORE OR MEDICAL MARIJUANA PRODUCTS
14 MANUFACTURER TO THE POINT OF SALE.

15 (d) A MEDICAL MARIJUANA INDEPENDENT DELIVERY LICENSE
16 APPLICANT SHALL PROVIDE PROOF OF AN OBTAINED LICENSED PREMISES OR
17 PROOF OF A CONTRACT WITH AN ESTABLISHED SOCIAL EQUITY LICENSEE
18 WHO MAINTAINS A LICENSED PREMISES AUTHORIZED BY THE STATE TO
19 STORE MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS. THE
20 STATE LICENSING AUTHORITY SHALL PROMULGATE RULES CONCERNING
21 PERMITTING A MEDICAL MARIJUANA INDEPENDENT DELIVERER TO STORE
22 MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS AT A
23 STATE-AUTHORIZED STORAGE FACILITY OR LICENSED PREMISES.

24 (e) FOR PURPOSES OF THIS SECTION, A STATE-AUTHORIZED
25 STORAGE FACILITY IS SUBJECT TO THE SAME SAFETY AND SECURITY
26 REQUIREMENTS AS A LICENSED PREMISES, UNLESS EXEMPTED BY RULE.

27 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A

1 MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY ALSO SELL MEDICAL
2 MARIJUANA PRODUCTS THAT ARE PREPACKAGED AND LABELED AS
3 REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT TO
4 SECTION 44-10-203 (2)(f) AND (3)(b).

5 (b) A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY
6 TRANSACT WITH A MEDICAL MARIJUANA PRODUCTS MANUFACTURER FOR
7 THE PURCHASE OF MEDICAL MARIJUANA PRODUCTS AT A MEDICAL
8 MARIJUANA PRODUCTS MANUFACTURER'S LICENSED PREMISES OR AT THE
9 MEDICAL MARIJUANA INDEPENDENT DELIVERER'S LICENSED PREMISES.

10 (3) (a) (I) A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY
11 DELIVER AND SELL NO MORE THAN TWO OUNCES OF MEDICAL MARIJUANA
12 TO A PATIENT OR CAREGIVER; EXCEPT THAT A MEDICAL MARIJUANA
13 INDEPENDENT DELIVERER MAY DELIVER AND SELL MORE THAN TWO
14 OUNCES OF MEDICAL MARIJUANA TO A PATIENT OR CAREGIVER WHO HAS
15 BEEN RECOMMENDED AN EXTENDED OUNCE COUNT BY THE
16 RECOMMENDING PHYSICIAN IN ACCORDANCE WITH REGULATIONS ADOPTED
17 BY THE STATE LICENSING AUTHORITY.

18 (II) IN ADDITION TO MEDICAL MARIJUANA, A MEDICAL MARIJUANA
19 INDEPENDENT DELIVERER MAY DELIVER AND SELL NO MORE THAN SIX
20 IMMATURE PLANTS TO A PATIENT; EXCEPT THAT A MEDICAL MARIJUANA
21 INDEPENDENT DELIVERER MAY DELIVER AND SELL MORE THAN SIX
22 IMMATURE PLANTS, BUT MAY NOT EXCEED HALF THE RECOMMENDED
23 PLANT COUNT, TO A PATIENT WHO HAS BEEN RECOMMENDED AN
24 EXPANDED PLANT COUNT BY THE PATIENT'S RECOMMENDING PHYSICIAN
25 IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE STATE LICENSING
26 AUTHORITY. A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY SELL
27 IMMATURE PLANTS TO A PRIMARY CAREGIVER, ANOTHER MEDICAL

1 MARIJUANA STORE, OR A MEDICAL MARIJUANA PRODUCTS MANUFACTURER
2 PURSUANT TO RULES PROMULGATED BY THE STATE LICENSING AUTHORITY.

3 (b) (I) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO THE
4 PATIENT OR PARENT OR GUARDIAN WHO PLACED THE ORDER, THE PERSON
5 DELIVERING THE ORDER SHALL INSPECT THE INDIVIDUAL'S IDENTIFICATION
6 AND VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE
7 ORDER MATCHES THE NAME AND DATE OF BIRTH ON THE INDIVIDUAL'S
8 IDENTIFICATION.

9 (II) IF THE PERSON DELIVERING THE ORDER HAS REASONABLE
10 CAUSE TO BELIEVE THAT AN INDIVIDUAL IS UNDER EIGHTEEN YEARS OF
11 AGE AND IS EXHIBITING FRAUDULENT PROOF OF AGE IN AN ATTEMPT TO
12 OBTAIN MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCT, THE
13 PERSON SHALL NOT TRANSFER POSSESSION OF THE ORDER TO THE
14 INDIVIDUAL. THE MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL
15 REPORT THE INCIDENT TO THE STATE LICENSING AUTHORITY WITHIN
16 FORTY-EIGHT HOURS AFTER THE INCIDENT AND SHALL NOT DELIVER AN
17 ORDER TO THE INDIVIDUAL AGAIN.

18 (c) (I) A MEDICAL MARIJUANA INDEPENDENT DELIVERER THAT
19 SELLS AN INDUSTRIAL HEMP PRODUCT SHALL ENSURE THAT THE
20 INDUSTRIAL HEMP PRODUCT HAS PASSED ALL TESTING REQUIRED BY RULES
21 PROMULGATED BY THE STATE LICENSING AUTHORITY PURSUANT TO
22 SECTION 44-10-203 (2)(d). PRIOR TO TAKING POSSESSION OF THE
23 INDUSTRIAL HEMP PRODUCT, A MEDICAL MARIJUANA INDEPENDENT
24 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL
25 TESTING REQUIRED FOR MEDICAL MARIJUANA PRODUCTS AT A LICENSED
26 MEDICAL MARIJUANA TESTING FACILITY AND THAT THE PERSON
27 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT IS REGISTERED WITH THE

1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
2 SECTION 25-5-426.

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

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

19 (4) ALL MEDICAL MARIJUANA AND MEDICAL MARIJUANA
20 PRODUCTS SOLD BY A MEDICAL MARIJUANA INDEPENDENT DELIVERER
21 MUST BE PACKAGED AND LABELED AS REQUIRED BY RULES OF THE STATE
22 LICENSING AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(f) AND
23 (3)(b).

24 (5) (a) A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY
25 ACCEPT PAYMENT ONLINE FOR THE SALE OF MEDICAL MARIJUANA AND
26 MEDICAL MARIJUANA PRODUCTS.

27 (b) AT THE TIME OF AN ONLINE ORDER, THE MEDICAL MARIJUANA

1 INDEPENDENT DELIVERER SHALL REQUIRE THE PURCHASING INDIVIDUAL
2 TO PROVIDE INFORMATION NECESSARY TO VERIFY THAT THE INDIVIDUAL
3 IS AT LEAST EIGHTEEN YEARS OF AGE. AT A MINIMUM, THE MEDICAL
4 MARIJUANA INDEPENDENT DELIVERER SHALL REQUIRE:

5 (I) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;

6 (II) THE REGISTRATION NUMBER REFLECTED ON THE PATIENT'S
7 REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
8 25-1.5-106;

9 (III) IF THE PATIENT IS UNDER EIGHTEEN YEARS OF AGE, THE NAME
10 AND DATE OF BIRTH OF THE PARENT OR GUARDIAN DESIGNATED AS THE
11 PATIENT'S PRIMARY CAREGIVER AND, IF APPLICABLE, THE REGISTRATION
12 NUMBER REFLECTED ON THE PRIMARY CAREGIVER'S REGISTRY
13 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106; AND

14 (IV) ANY OTHER INFORMATION REQUIRED BY THE STATE
15 LICENSING AUTHORITY BY RULE.

16 (c) WHEN THE MEDICAL MARIJUANA INDEPENDENT DELIVERER
17 DELIVERS THE ONLINE ORDER, THE MEDICAL MARIJUANA INDEPENDENT
18 DELIVERER SHALL INSPECT THE PATIENT'S, OR PARENT'S OR GUARDIAN'S,
19 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
20 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
21 IDENTIFICATION CARD, AND VERIFY THE INFORMATION AT THE TIME OF
22 ORDER MATCHES THE NAME AND DATE OF BIRTH ON THE PATIENT'S, OR
23 PARENT'S OR GUARDIAN'S, IDENTIFICATION. THE MEDICAL MARIJUANA
24 INDEPENDENT DELIVERER SHALL NOT TRANSFER POSSESSION OF THE
25 ORDER UNLESS THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
26 MATCHES THE IDENTIFICATION.

27 (d) A MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL

1 ENSURE THAT AN INDIVIDUAL PURCHASING MEDICAL MARIJUANA OR
2 MEDICAL MARIJUANA PRODUCTS ONLINE IS PROVIDED WITH DIGITAL
3 VERSIONS OF ALL WARNINGS OR EDUCATIONAL MATERIALS THAT THE
4 MEDICAL MARIJUANA INDEPENDENT DELIVERER IS REQUIRED TO POST AND
5 PROVIDE, AND ANY ADDITIONAL RELEVANT WARNINGS OR EDUCATIONAL
6 MATERIALS, AS APPLICABLE. THE INDIVIDUAL MUST ACKNOWLEDGE
7 RECEIPT OF THE WARNINGS AND EDUCATIONAL MATERIALS BEFORE
8 COMPLETING THE PURCHASE.

9 (6) MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS
10 MUST NOT BE CONSUMED IN A MEDICAL MARIJUANA INDEPENDENT
11 DELIVERER'S VEHICLE OR ON ANY LICENSED PREMISES.

12 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,
13 SALES OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS ARE
14 NOT EXEMPT FROM STATE OR LOCAL SALES TAX.

15 (8) A PRODUCT LISTED FOR SALE BY A MEDICAL MARIJUANA
16 INDEPENDENT DELIVERER OF MEDICAL MARIJUANA CONCENTRATE MUST
17 INCLUDE THE POTENCY OF THE MEDICAL MARIJUANA CONCENTRATE NEXT
18 TO THE NAME OF THE PRODUCT AND SAFETY WARNINGS AND HEALTH RISKS
19 FOR MEDICAL MARIJUANA CONCENTRATES, AS PROMULGATED BY RULE.

20 (9) (a) A MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL
21 NOT MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA
22 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING MEDICAL
23 MARIJUANA OR MEDICAL MARIJUANA PRODUCTS BETWEEN LICENSEES'
24 LICENSED PREMISES IN THE SAME VEHICLE.

25 (b) A MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
26 ENGAGE IN THIRD-PARTY BUSINESS-TO-BUSINESS LOGISTICS,
27 DISTRIBUTION, DELIVERY, OR STORAGE OF MEDICAL MARIJUANA AND

1 MEDICAL MARIJUANA PRODUCTS UNLESS THE MEDICAL MARIJUANA
2 INDEPENDENT DELIVERER ALSO OBTAINS A VALID MEDICAL MARIJUANA
3 TRANSPORTER LICENSE.

4 (c) A MEDICAL MARIJUANA INDEPENDENT DELIVERER MAY
5 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS ONLY
6 TO THE INDIVIDUAL WHO PLACED THE ORDER AND WHO:

7 (I) IS EIGHTEEN YEARS OF AGE OR OLDER;

8 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
9 MARIJUANA PRODUCTS PURSUANT TO RULES;

10 (III) POSSESSES A VALID FORM OF IDENTIFICATION; AND

11 (IV) (A) POSSESSES A VALID PATIENT'S REGISTRY IDENTIFICATION
12 CARD ISSUED PURSUANT TO SECTION 25-1.5-106; OR

13 (B) IF THE PATIENT IS UNDER EIGHTEEN YEARS OF AGE, HAS A
14 PRIMARY CAREGIVER WHO POSSESSES A VALID REGISTRY IDENTIFICATION
15 CARD ISSUED PURSUANT TO SECTION 25-1.5-106.

16 (d) A PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
17 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
18 AND BE A CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA INDEPENDENT
19 DELIVERER AND MUST HAVE UNDERGONE RESPONSIBLE VENDOR TRAINING
20 AS REQUIRED BY THE STATE LICENSING AUTHORITY.

21 (e) IN ACCORDANCE WITH THIS SUBSECTION (9) AND RULES
22 ADOPTED TO IMPLEMENT THIS SUBSECTION (9), A MEDICAL MARIJUANA
23 INDEPENDENT DELIVERER:

24 (I) SHALL NOT DELIVER MEDICAL MARIJUANA OR MEDICAL
25 MARIJUANA PRODUCTS IN EXCESS OF THE STATUTORY LIMITATIONS;

26 (II) SHALL DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS
27 PROVIDED IN THE ORDER;

1 (III) SHALL NOT DELIVER MORE THAN ONCE PER DAY TO THE SAME
2 INDIVIDUAL AT A PERMISSIBLE DELIVERY LOCATION;

3 (IV) SHALL DELIVER ONLY TO PERMISSIBLE DELIVERY LOCATIONS;

4 (V) SHALL DELIVER MEDICAL MARIJUANA OR MEDICAL 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 LICENSED PREMISES TO STORE,
10 PACKAGE, AND LABEL THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA
11 PRODUCTS.

12 (f) (I) AT THE TIME OF THE ORDER, THE MEDICAL MARIJUANA
13 INDEPENDENT DELIVERER SHALL REQUIRE THE INDIVIDUAL TO PROVIDE
14 INFORMATION NECESSARY TO VERIFY THE INDIVIDUAL IS AT LEAST
15 EIGHTEEN YEARS OF AGE. THE PROVIDED INFORMATION MUST, AT A
16 MINIMUM, INCLUDE THE FOLLOWING:

17 (A) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;

18 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER IS
19 DELIVERED; AND

20 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
21 AUTHORITY RULE.

22 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
23 INDIVIDUAL, THE MEDICAL MARIJUANA INDEPENDENT DELIVERER
24 DELIVERING THE ORDER SHALL INSPECT THE INDIVIDUAL'S IDENTIFICATION
25 AND VERIFY THAT THE INFORMATION PROVIDED AT THE TIME THE ORDER
26 IS PLACED MATCHES THE NAME AND DATE OF BIRTH ON THE INDIVIDUAL'S
27 IDENTIFICATION.

1 (g) THE MEDICAL MARIJUANA INDEPENDENT DELIVERER SHALL
2 NOT SELL MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS
3 DIRECTLY FROM THE DELIVERY VEHICLE.

4 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
5 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10,
6 PURSUANT TO THIS ARTICLE 10 APPLY TO THE DELIVERY OF MEDICAL
7 MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, INCLUDING, BUT NOT
8 LIMITED TO, INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING
9 AND LABELING REQUIREMENTS.

10 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
11 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO MEDICAL MARIJUANA
12 INDEPENDENT DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (9).

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

26 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(i)(I)
27 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA AND

1 MEDICAL MARIJUANA PRODUCTS FROM A MEDICAL MARIJUANA
2 INDEPENDENT DELIVERER THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S,
3 CITY'S, OR CITY AND COUNTY'S JURISDICTIONAL BOUNDARIES TO AN
4 ADDRESS WITHIN ITS JURISDICTIONAL BOUNDARIES.

5 (j) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
6 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS IS
7 NOT PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION
8 OF HIGHER EDUCATION.

9 (k) THE STATE LICENSING AUTHORITY MAY BEGIN ISSUING
10 INDEPENDENT DELIVERY LICENSES TO QUALIFIED MEDICAL MARIJUANA
11 INDEPENDENT DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER
12 THAN, APRIL 1, 2025.

13 **SECTION 12.** In Colorado Revised Statutes, 44-10-601, **amend**
14 (13)(f)(IV), (13)(f)(V), (13)(g)(I)(B), and (16); **repeal** (13)(c); and **add**
15 (2)(d) as follows:

16 **44-10-601. Retail marijuana store license - rules.** (2) (d) A
17 RETAIL MARIJUANA STORE MAY SELL WHOLESALE RETAIL MARIJUANA AND
18 WHOLESALE RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA
19 INDEPENDENT DELIVERER.

20 (13) (c) ~~The licensed retail marijuana store shall charge a~~
21 ~~one-dollar surcharge on each delivery. The licensed retail marijuana store~~
22 ~~shall remit the surcharges collected on a monthly basis to the~~
23 ~~municipality where the licensed retail marijuana store is located, or to the~~
24 ~~county if the licensed retail marijuana store is in an unincorporated area,~~
25 ~~for local law enforcement costs related to marijuana enforcement. Failure~~
26 ~~to comply with this subsection (13)(c) may result in nonrenewal of the~~
27 ~~retail marijuana delivery permit.~~

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

4 (IV) Deliver no more than once per day to the same individual ~~or~~
5 ~~residence~~ AT A PERMISSIBLE DELIVERY LOCATION;

6 (V) ~~(A)~~ Deliver only to ~~private residences~~. PERMISSIBLE DELIVERY
7 LOCATIONS;

8 ~~(B) For purposes of this section, "private residences" means~~
9 ~~private premises where a person lives, such as a private dwelling place~~
10 ~~or place of habitation, and specifically excludes any premises located at~~
11 ~~a school or on the campus of an institution of higher education, or any~~
12 ~~other public property.~~

13 (g) (I) At the time of the order, the retail marijuana store shall
14 require the individual to provide information necessary to verify the
15 individual is at least twenty-one years of age. The provided information
16 must, at a minimum, include the following:

17 (B) The address of the ~~residence~~ PERMISSIBLE DELIVERY
18 LOCATION where the order will be delivered; and

19 (16) A retail marijuana store ~~pursuant to rule and the state~~
20 ~~licensing authority discretion~~, THAT HOSTS AN ACCELERATOR STORE
21 LICENSEE may be eligible for incentives available through the department
22 of revenue or the office of economic development and international trade,
23 including, but not limited to, a reduction in application or license fees.

24 **SECTION 13.** In Colorado Revised Statutes, 44-10-602, **amend**
25 (1) and (11) as follows:

26 **44-10-602. Retail marijuana cultivation facility license - rules**
27 **- definitions.** (1) A retail marijuana cultivation facility license may be

1 issued only to a person who cultivates retail marijuana for sale and
2 distribution to licensed retail marijuana stores, retail marijuana products
3 manufacturer licensees, retail marijuana hospitality and sales business,
4 RETAIL MARIJUANA INDEPENDENT DELIVERERS, or other retail marijuana
5 cultivation facilities.

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

12 **SECTION 14.** In Colorado Revised Statutes, 44-10-603, **amend**
13 (2)(b), (2)(c), and (14); and **add** (1)(e.5) and (2)(d) as follows:

14 **44-10-603. Retail marijuana products manufacturer license**
15 **- rules - definition.** (1) (e.5) A RETAIL MARIJUANA PRODUCTS
16 MANUFACTURER MAY SELL WHOLESALE RETAIL MARIJUANA AND
17 WHOLESALE RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA
18 INDEPENDENT DELIVERER.

19 (2) Retail marijuana products must be prepared on a licensed
20 premises that is used exclusively for the manufacture and preparation of
21 retail marijuana or retail marijuana products and using equipment that is
22 used exclusively for the manufacture and preparation of retail marijuana
23 products; except that, if permitted by the local jurisdiction and subject to
24 rules of the state licensing authority, a retail marijuana products
25 manufacturer licensee may share the same premises as:

26 (b) A commonly owned marijuana research and development
27 licensee so long as virtual or physical separation of inventory and

1 research activity is maintained; ~~or~~

2 (c) An accelerator manufacturer licensee if the retail marijuana
3 products manufacturer has its premises endorsed pursuant to rule before
4 each accelerator manufacturer licensee operates and each accelerator
5 manufacturer licensee is approved to operate on that premises; OR

6 (d) A RETAIL MARIJUANA INDEPENDENT DELIVERER FOR THE
7 PURPOSE OF STORING RETAIL MARIJUANA PRODUCTS AS PERMITTED BY
8 RULE, IF VIRTUAL OR PHYSICAL SEPARATION OF INVENTORY IS
9 MAINTAINED.

10 (14) A retail marijuana products manufacturer licensee ~~pursuant~~
11 ~~to rule and the state licensing authority discretion~~, THAT HOSTS AN
12 ACCELERATOR MANUFACTURER LICENSEE may be eligible for incentives
13 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 15.** In Colorado Revised Statutes, 44-10-605, **amend**
17 (5)(d)(IV) and (5)(d)(V); and **add** (6), (7), and (8) as follows:

18 **44-10-605. Retail marijuana transporter license - rules.**

19 (5) (d) In accordance with this subsection (5) and rules adopted to
20 implement this subsection (5), a licensed retail marijuana transporter with
21 a valid retail marijuana delivery permit may:

22 (IV) Deliver no more than once per day to the same individual ~~or~~
23 ~~residence~~ AT A PERMISSIBLE DELIVERY LOCATION;

24 (V) ~~(A)~~ Deliver only to ~~a private residence~~. PERMISSIBLE
25 DELIVERY LOCATIONS;

26 ~~(B)~~ ~~For purposes of this section, "private residences" means~~
27 ~~private premises where a person lives, such as a private dwelling place~~

1 ~~or place of habitation, and specifically excludes any premises located at~~
2 ~~a school or on the campus of an institution of higher education, or any~~
3 ~~other public property.~~

4 (6) AN ACCELERATOR TRANSPORTER LICENSEE MAY OPERATE ON
5 THE PREMISES OF A RETAIL MARIJUANA TRANSPORTER LICENSEE IF,
6 BEFORE EACH ACCELERATOR TRANSPORTER LICENSEE OPERATES, THE
7 RETAIL MARIJUANA TRANSPORTER LICENSEE HAS ITS PREMISES ENDORSED
8 PURSUANT TO RULE AND EACH ACCELERATOR TRANSPORTER LICENSEE IS
9 APPROVED TO OPERATE ON THAT PREMISES.

10 (7) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
11 ACCELERATOR TRANSPORTER LICENSEE MAY, PURSUANT TO RULE,
12 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
13 ASSISTANCE TO AN ACCELERATOR TRANSPORTER LICENSEE OPERATING ON
14 ITS PREMISES.

15 (8) A RETAIL MARIJUANA TRANSPORTER LICENSEE THAT HOSTS AN
16 ACCELERATOR TRANSPORTER LICENSEE MAY BE ELIGIBLE FOR INCENTIVES
17 AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF
18 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE, INCLUDING, BUT
19 NOT LIMITED TO, A REDUCTION IN APPLICATION OR LICENSE FEES.

20 **SECTION 16.** In Colorado Revised Statutes, 44-10-609, **add** (5),
21 (6), (7), and (8) as follows:

22 **44-10-609. Marijuana hospitality business license - rules.**

23 (5) AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY OPERATE ON
24 THE PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSEE IF,
25 BEFORE EACH ACCELERATOR HOSPITALITY BUSINESS LICENSEE OPERATES,
26 THE MARIJUANA HOSPITALITY BUSINESS LICENSEE HAS ITS PREMISES
27 ENDORSED PURSUANT TO RULE AND EACH ACCELERATOR HOSPITALITY

1 BUSINESS LICENSEE IS APPROVED TO OPERATE ON THAT PREMISES.

2 (6) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
3 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY, PURSUANT TO
4 RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL
5 ASSISTANCE TO AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE
6 OPERATING ON ITS PREMISES.

7 (7) A MARIJUANA HOSPITALITY BUSINESS LICENSEE THAT HOSTS
8 AN ACCELERATOR HOSPITALITY BUSINESS LICENSEE MAY BE ELIGIBLE FOR
9 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE
10 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,
11 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR
12 LICENSE FEES.

13 (8) IN ACCORDANCE WITH RULES PROMULGATED BY THE STATE
14 LICENSING AUTHORITY, A MARIJUANA HOSPITALITY BUSINESS LICENSEE
15 WITH A MOBILE FACILITY MAY TEMPORARILY SUSPEND ITS LICENSE
16 PRIVILEGES RELATED TO MOBILITY FOR THE PURPOSE OF CONDUCTING
17 NON-MARIJUANA COMMERCIAL ACTIVITIES THAT ARE PERMITTED BY THE
18 PUBLIC UTILITIES COMMISSION, CREATED IN SECTION 40-2-101, WITHIN
19 THE MOBILE FACILITY.

20 **SECTION 17.** In Colorado Revised Statutes, **add** 44-10-612 as
21 follows:

22 **44-10-612. Retail marijuana accelerator hospitality business**
23 **license.** (1) A RETAIL MARIJUANA ACCELERATOR HOSPITALITY BUSINESS
24 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE
25 PRIVILEGES OF A RETAIL MARIJUANA HOSPITALITY BUSINESS LICENSEE ON
26 THE PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA
27 HOSPITALITY BUSINESS LICENSEE. THE RETAIL MARIJUANA ACCELERATOR

1 HOSPITALITY BUSINESS LICENSEE MAY RECEIVE TECHNICAL ASSISTANCE
2 AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA HOSPITALITY
3 BUSINESS LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

4 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
5 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR HOSPITALITY
6 BUSINESS LICENSES ON APRIL 1, 2025.

7 **SECTION 18.** In Colorado Revised Statutes, **add** 44-10-613 as
8 follows:

9 **44-10-613. Retail marijuana accelerator transporter license.**

10 (1) A RETAIL MARIJUANA ACCELERATOR TRANSPORTER LICENSE MAY BE
11 ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE PRIVILEGES OF A
12 RETAIL MARIJUANA TRANSPORTER LICENSEE ON THE PREMISES OF AN
13 ACCELERATOR-ENDORSED TRANSPORTER LICENSEE. THE RETAIL
14 MARIJUANA ACCELERATOR TRANSPORTER LICENSEE MAY RECEIVE
15 TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL
16 MARIJUANA TRANSPORTER LICENSEE WITH AN ACCELERATOR
17 ENDORSEMENT.

18 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
19 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR TRANSPORTER
20 LICENSES ON APRIL 1, 2025.

21 **SECTION 19.** In Colorado Revised Statutes, **add** 44-10-614 as
22 follows:

23 **44-10-614. Retail marijuana independent delivery license -**

24 **rules.** (1) (a) ON OR AFTER APRIL 1, 2025, THE STATE LICENSING
25 AUTHORITY MAY ISSUE A RETAIL MARIJUANA INDEPENDENT DELIVERY
26 LICENSE TO A PERSON WITH A SOCIAL EQUITY LICENSE AUTHORIZING THE
27 PERSON TO DELIVER AND SELL RETAIL MARIJUANA AND RETAIL

1 MARIJUANA PRODUCTS TO CONSUMERS AT THE PERMISSIBLE DELIVERY
2 LOCATIONS PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED
3 PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE
4 OR RESOLUTION OF THE LOCAL JURISDICTION WHERE THE LICENSEE
5 OPERATES.

6 (b) A RETAIL MARIJUANA INDEPENDENT DELIVERER MAY
7 PURCHASE WHOLESALE RETAIL MARIJUANA AND WHOLESALE RETAIL
8 MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE LICENSEE, AND
9 THE RETAIL MARIJUANA INDEPENDENT DELIVERER MAY PURCHASE
10 WHOLESALE RETAIL MARIJUANA FROM A RETAIL MARIJUANA CULTIVATION
11 FACILITY LICENSEE AND WHOLESALE RETAIL MARIJUANA PRODUCTS FROM
12 A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE.

13 (c) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL TRACK
14 ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM
15 THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA
16 STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER TO THE POINT
17 OF SALE.

18 (d) A RETAIL MARIJUANA INDEPENDENT DELIVERY LICENSE
19 APPLICANT SHALL PROVIDE PROOF OF AN OBTAINED LICENSED PREMISES
20 OR PROOF OF A CONTRACT WITH AN ESTABLISHED SOCIAL EQUITY
21 LICENSEE WHO MAINTAINS A LICENSED PREMISES AUTHORIZED BY THE
22 STATE TO STORE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS.
23 THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES
24 CONCERNING PERMITTING A RETAIL MARIJUANA INDEPENDENT DELIVERER
25 TO STORE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS AT A
26 STATE-AUTHORIZED STORAGE FACILITY OR LICENSED PREMISES.

27 (e) FOR PURPOSES OF THIS SECTION, A STATE-AUTHORIZED

1 STORAGE FACILITY IS SUBJECT TO THE SAME SAFETY AND SECURITY
2 REQUIREMENTS AS A LICENSED PREMISES, UNLESS EXEMPTED BY RULE.

3 (2) (a) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A
4 RETAIL MARIJUANA INDEPENDENT DELIVERER MAY ALSO SELL RETAIL
5 MARIJUANA PRODUCTS THAT ARE PREPACKAGED AND LABELED AS
6 REQUIRED BY RULES OF THE STATE LICENSING AUTHORITY PURSUANT TO
7 SECTION 44-10-203 (2)(f) AND (3)(b).

8 (b) A RETAIL MARIJUANA INDEPENDENT DELIVERER MAY
9 TRANSACT WITH A RETAIL MARIJUANA PRODUCTS MANUFACTURER
10 LICENSEE FOR THE PURCHASE OF RETAIL MARIJUANA PRODUCTS AT THE
11 RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE'S LICENSED
12 PREMISES OR AT THE RETAIL MARIJUANA INDEPENDENT DELIVERER'S
13 LICENSED PREMISES.

14 (3) (a) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
15 DELIVER AND SELL RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
16 IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING
17 AUTHORITY.

18 (b) (I) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
19 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
20 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
21 PROVIDED AT THE TIME OF THE ORDER MATCHES THE NAME AND DATE OF
22 BIRTH ON THE INDIVIDUAL'S IDENTIFICATION.

23 (II) IF A RETAIL MARIJUANA INDEPENDENT DELIVERER OR
24 EMPLOYEE HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS UNDER
25 TWENTY-ONE YEARS OF AGE AND IS EXHIBITING FRAUDULENT PROOF OF
26 AGE IN AN ATTEMPT TO OBTAIN RETAIL MARIJUANA OR A RETAIL
27 MARIJUANA PRODUCT, THE LICENSEE OR EMPLOYEE SHALL NOT TRANSFER

1 POSSESSION OF THE ORDER TO THE INDIVIDUAL. THE RETAIL MARIJUANA
2 INDEPENDENT DELIVERER SHALL REPORT THE INCIDENT TO THE STATE
3 LICENSING AUTHORITY WITHIN FORTY-EIGHT HOURS AFTER THE INCIDENT
4 AND SHALL NOT DELIVER AN ORDER TO THE INDIVIDUAL AGAIN.

5 (c) (I) A RETAIL MARIJUANA INDEPENDENT DELIVERER THAT SELLS
6 AN INDUSTRIAL HEMP PRODUCT SHALL ENSURE THAT THE INDUSTRIAL
7 HEMP PRODUCT HAS PASSED ALL TESTING REQUIRED BY RULES
8 PROMULGATED BY THE STATE LICENSING AUTHORITY PURSUANT TO
9 SECTION 44-10-203 (2)(d). PRIOR TO TAKING POSSESSION OF THE
10 INDUSTRIAL HEMP PRODUCT, A RETAIL MARIJUANA INDEPENDENT
11 DELIVERER SHALL VERIFY THE INDUSTRIAL HEMP PRODUCT PASSED ALL
12 TESTING REQUIRED FOR RETAIL MARIJUANA PRODUCTS AT A LICENSED
13 RETAIL MARIJUANA TESTING FACILITY AND THAT THE PERSON
14 TRANSFERRING THE INDUSTRIAL HEMP PRODUCT IS REGISTERED WITH THE
15 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
16 SECTION 25-5-426.

17 (II) ABSENT SAMPLING AND TESTING STANDARDS ESTABLISHED BY
18 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE
19 SAMPLING AND TESTING OF AN INDUSTRIAL HEMP PRODUCT, A PERSON
20 TRANSFERRING AN INDUSTRIAL HEMP PRODUCT TO A RETAIL MARIJUANA
21 INDEPENDENT DELIVERER PURSUANT TO THIS SECTION SHALL COMPLY
22 WITH SAMPLING AND TESTING STANDARDS CONSISTENT WITH THOSE
23 ESTABLISHED BY THE STATE LICENSING AUTHORITY PURSUANT TO THIS
24 ARTICLE 10. THE STATE LICENSING AUTHORITY SHALL REPORT TO THE
25 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT ANY
26 INVESTIGATIONS OR FINDINGS OF VIOLATIONS OF THIS SECTION BY A
27 PERSON REGISTERED PURSUANT TO SECTION 25-5-426.

1 (d) WHEN COMPLETING A SALE OF RETAIL MARIJUANA
2 CONCENTRATE, THE RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL
3 PROVIDE THE CUSTOMER WITH THE TANGIBLE EDUCATIONAL RESOURCE
4 CREATED BY THE STATE LICENSING AUTHORITY THROUGH RULE-MAKING
5 REGARDING THE USE OF RETAIL MARIJUANA CONCENTRATE.

6 (4) ALL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
7 SOLD BY A RETAIL MARIJUANA INDEPENDENT DELIVERER MUST BE
8 PACKAGED AND LABELED AS REQUIRED BY RULES OF THE STATE LICENSING
9 AUTHORITY PURSUANT TO SECTION 44-10-203 (2)(f) AND (3)(b).

10 (5) (a) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL
11 ONLY SELL RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS,
12 MARIJUANA ACCESSORIES, NONCONSUMABLE PRODUCTS SUCH AS
13 APPAREL, MARIJUANA-RELATED PRODUCTS SUCH AS CHILDPROOF
14 PACKAGING CONTAINERS, AND INDUSTRIAL HEMP PRODUCTS. A RETAIL
15 MARIJUANA INDEPENDENT DELIVERER SHALL NOT SELL OR GIVE AWAY
16 ANY CONSUMABLE PRODUCT, INCLUDING, BUT NOT LIMITED TO,
17 CIGARETTES OR ALCOHOL, OR EDIBLE PRODUCTS THAT DO NOT CONTAIN
18 MARIJUANA, INCLUDING, BUT NOT LIMITED TO, SODAS, CANDIES, OR
19 BAKED GOODS.

20 (b) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
21 SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT
22 CONTAIN NICOTINE OR ALCOHOL IF THE SALE OF THE ALCOHOL WOULD
23 REQUIRE A LICENSE PURSUANT TO ARTICLE 3, 4, 5, OR 7 OF THIS TITLE 44.

24 (c) (I) A RETAIL MARIJUANA INDEPENDENT DELIVERER MAY
25 ACCEPT PAYMENT ONLINE FOR THE SALE OF RETAIL MARIJUANA AND
26 RETAIL MARIJUANA PRODUCTS.

27 (II) AT THE TIME OF AN ONLINE ORDER, THE RETAIL MARIJUANA

1 INDEPENDENT DELIVERER SHALL REQUIRE THE PURCHASING INDIVIDUAL
2 TO PROVIDE INFORMATION NECESSARY TO VERIFY THAT THE INDIVIDUAL
3 IS AT LEAST TWENTY-ONE YEARS OF AGE. AT A MINIMUM, THE RETAIL
4 MARIJUANA INDEPENDENT DELIVERER SHALL REQUIRE THE INDIVIDUAL'S
5 NAME, THE INDIVIDUAL'S DATE OF BIRTH, AND ANY OTHER INFORMATION
6 REQUIRED BY THE STATE LICENSING AUTHORITY BY RULE. WHEN THE
7 RETAIL MARIJUANA INDEPENDENT DELIVERER DELIVERS THE ONLINE
8 ORDER, THE RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL INSPECT
9 THE INDIVIDUAL'S IDENTIFICATION. THE RETAIL MARIJUANA INDEPENDENT
10 DELIVERER SHALL NOT TRANSFER POSSESSION OF THE ORDER UNLESS THE
11 NAME AND DATE OF BIRTH PROVIDED AT THE TIME OF THE ORDER
12 MATCHES THE NAME AND DATE OF BIRTH ON THE INDIVIDUAL'S
13 IDENTIFICATION.

14 (III) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL
15 ENSURE THAT AN INDIVIDUAL PURCHASING RETAIL MARIJUANA OR RETAIL
16 MARIJUANA PRODUCTS ONLINE IS PROVIDED WITH DIGITAL VERSIONS OF
17 ALL WARNINGS OR EDUCATIONAL MATERIALS THAT THE RETAIL
18 MARIJUANA INDEPENDENT DELIVERER IS REQUIRED TO POST AND PROVIDE
19 PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION AND ANY ADDITIONAL
20 RELEVANT WARNINGS OR EDUCATIONAL MATERIALS, AS APPLICABLE. THE
21 INDIVIDUAL MUST ACKNOWLEDGE RECEIPT OF THE WARNINGS AND
22 EDUCATIONAL MATERIALS BEFORE COMPLETING THE PURCHASE.

23 (6) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MUST
24 NOT BE CONSUMED IN A RETAIL MARIJUANA INDEPENDENT DELIVERER'S
25 VEHICLE OR ON ANY LICENSED PREMISES.

26 (7) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW,
27 SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS ARE NOT

1 EXEMPT FROM STATE OR LOCAL SALES TAX.

2 (8) A PRODUCT LISTED FOR SALE BY A RETAIL MARIJUANA
3 INDEPENDENT DELIVERER OF RETAIL MARIJUANA CONCENTRATE MUST
4 INCLUDE THE POTENCY OF THE RETAIL MARIJUANA CONCENTRATE NEXT
5 TO THE NAME OF THE PRODUCT AND SAFETY WARNINGS AND HEALTH
6 RISKS FOR RETAIL MARIJUANA CONCENTRATES, AS PROMULGATED BY
7 RULE.

8 (9)(a) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
9 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
10 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
11 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSEES'
12 LICENSED PREMISES IN THE SAME VEHICLE.

13 (b) A RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
14 ENGAGE IN THIRD-PARTY BUSINESS-TO-BUSINESS LOGISTICS,
15 DISTRIBUTION, DELIVERY, OR STORAGE OF RETAIL MARIJUANA AND RETAIL
16 MARIJUANA PRODUCTS UNLESS THE RETAIL MARIJUANA INDEPENDENT
17 DELIVERER ALSO OBTAINS A VALID RETAIL MARIJUANA TRANSPORTER
18 LICENSE.

19 (c) A RETAIL MARIJUANA INDEPENDENT DELIVERER MAY DELIVER
20 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS ONLY TO THE
21 INDIVIDUAL WHO PLACED THE ORDER AND WHO:

22 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;

23 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
24 MARIJUANA PRODUCTS PURSUANT TO RULES; AND

25 (III) POSSESSES A VALID FORM OF IDENTIFICATION.

26 (d) A PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
27 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE

1 AND BE A CURRENT EMPLOYEE OF THE RETAIL MARIJUANA INDEPENDENT
2 DELIVERER AND MUST HAVE UNDERGONE RESPONSIBLE VENDOR TRAINING
3 AS REQUIRED BY THE STATE LICENSING AUTHORITY.

4 (e) IN ACCORDANCE WITH THIS SUBSECTION (9) AND RULES
5 ADOPTED TO IMPLEMENT THIS SUBSECTION (9), A RETAIL MARIJUANA
6 INDEPENDENT DELIVERER:

7 (I) SHALL NOT DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
8 PRODUCTS IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE
9 LICENSING AUTHORITY;

10 (II) SHALL DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS
11 PROVIDED IN THE ORDER;

12 (III) SHALL NOT DELIVER MORE THAN ONCE PER DAY TO THE SAME
13 INDIVIDUAL AT A PERMISSIBLE DELIVERY LOCATION;

14 (IV) SHALL DELIVER ONLY TO PERMISSIBLE DELIVERY LOCATIONS;

15 (V) SHALL DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
16 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
17 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
18 44-10-203 (2)(dd);

19 (VI) SHALL USE AN EMPLOYEE TO CONDUCT DELIVERIES; AND

20 (VII) SHALL USE AN ASSOCIATED LICENSED PREMISES TO STORE,
21 PACKAGE, AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA
22 PRODUCTS.

23 (f) (I) AT THE TIME OF THE ORDER, THE RETAIL MARIJUANA
24 INDEPENDENT DELIVERER SHALL REQUIRE THE INDIVIDUAL TO PROVIDE
25 INFORMATION NECESSARY TO VERIFY THE INDIVIDUAL IS AT LEAST
26 TWENTY-ONE YEARS OF AGE. THE PROVIDED INFORMATION MUST, AT A
27 MINIMUM, INCLUDE THE FOLLOWING:

1 (A) THE INDIVIDUAL'S NAME AND DATE OF BIRTH;
2 (B) THE ADDRESS OF THE PERMISSIBLE DELIVERY LOCATION
3 WHERE THE ORDER IS DELIVERED; AND
4 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
5 AUTHORITY RULE.

6 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
7 INDIVIDUAL, THE RETAIL MARIJUANA INDEPENDENT DELIVERER
8 DELIVERING THE ORDER SHALL INSPECT THE INDIVIDUAL'S IDENTIFICATION
9 AND VERIFY THAT THE INFORMATION PROVIDED AT THE TIME THE ORDER
10 IS PLACED MATCHES THE NAME AND DATE OF BIRTH ON THE INDIVIDUAL'S
11 IDENTIFICATION.

12 (g) THE RETAIL MARIJUANA INDEPENDENT DELIVERER SHALL NOT
13 SELL RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS DIRECTLY
14 FROM THE DELIVERY VEHICLE.

15 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
16 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
17 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
18 THIS ARTICLE 10 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
19 RETAIL MARIJUANA PRODUCTS, INCLUDING, BUT NOT LIMITED TO,
20 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
21 LABELING REQUIREMENTS.

22 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
23 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO RETAIL MARIJUANA
24 INDEPENDENT DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (9).

25 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
26 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
27 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS

1 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
2 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
3 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
4 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
5 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
6 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
7 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
8 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTE TO ALLOW THE
9 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
10 PURSUANT TO THIS SECTION.

11 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (9)(i)(I)
12 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
13 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA INDEPENDENT
14 DELIVERER THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY
15 AND COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
16 JURISDICTIONAL BOUNDARIES.

17 (j) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
18 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
19 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
20 HIGHER EDUCATION.

21 (k) THE STATE LICENSING AUTHORITY MAY BEGIN ISSUING
22 INDEPENDENT DELIVERY LICENSES TO QUALIFIED RETAIL MARIJUANA
23 INDEPENDENT DELIVERER APPLICANTS ON AND AFTER, BUT NOT EARLIER
24 THAN, APRIL 1, 2025.

25 (10) A RETAIL MARIJUANA INDEPENDENT DELIVERER THAT HOSTS
26 AN ACCELERATOR INDEPENDENT DELIVERER MAY, PURSUANT TO RULE,
27 PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE AND CAPITAL

1 ASSISTANCE TO AN ACCELERATOR INDEPENDENT DELIVERER OPERATING
2 ON ITS PREMISES WITH SHARED OPERATIONS PRIVILEGES.

3 (11) A RETAIL MARIJUANA INDEPENDENT DELIVERER THAT HOSTS
4 AN ACCELERATOR INDEPENDENT DELIVERER MAY BE ELIGIBLE FOR
5 INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE
6 OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE,
7 INCLUDING, BUT NOT LIMITED TO, A REDUCTION IN APPLICATION OR
8 LICENSE FEES.

9 **SECTION 20.** In Colorado Revised Statutes, **add** 44-10-615 as
10 follows:

11 **44-10-615. Retail marijuana accelerator independent delivery**
12 **license.** (1) A RETAIL MARIJUANA ACCELERATOR INDEPENDENT DELIVERY
13 LICENSE MAY BE ISSUED TO A SOCIAL EQUITY LICENSEE TO EXERCISE THE
14 PRIVILEGES OF A RETAIL MARIJUANA INDEPENDENT DELIVERER ON THE
15 PREMISES OF AN ACCELERATOR-ENDORSED RETAIL MARIJUANA
16 INDEPENDENT DELIVERER. THE RETAIL MARIJUANA ACCELERATOR
17 INDEPENDENT DELIVERER MAY RECEIVE TECHNICAL ASSISTANCE AND
18 FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA INDEPENDENT
19 DELIVERER WITH AN ACCELERATOR ENDORSEMENT.

20 (2) THE STATE LICENSING AUTHORITY SHALL BEGIN ACCEPTING
21 APPLICATIONS FOR RETAIL MARIJUANA ACCELERATOR INDEPENDENT
22 DELIVERY LICENSES ON APRIL 1, 2025.

23 **SECTION 21.** In Colorado Revised Statutes, 44-10-1401, **amend**
24 (2) as follows:

25 **44-10-1401. Sunset review - repeal of article.** (2) Prior to the
26 repeal of this article 10, the department of regulatory agencies shall
27 conduct a sunset review as described in section 24-34-104 (5). AS PART

1 OF THE SUNSET REVIEW, THE DEPARTMENT OF REGULATORY AGENCIES
2 SHALL ANALYZE, EVALUATE, AND SUBMIT RECOMMENDATIONS
3 CONCERNING SOCIAL EQUITY LICENSING AND THE MEDICAL MARIJUANA
4 INDEPENDENT DELIVERER OR RETAIL MARIJUANA INDEPENDENT
5 DELIVERER LICENSING.

6 **SECTION 22.** In Colorado Revised Statutes, 24-34-104, **amend**
7 (29)(a)(XII) as follows:

8 **24-34-104. General assembly review of regulatory agencies**
9 **and functions for repeal, continuation, or reestablishment -**
10 **legislative declaration - repeal.** (29) (a) The following agencies,
11 functions, or both, are scheduled for repeal on September 1, 2028:

12 (XII) The "Colorado Marijuana Code", article 10 of title 44,
13 INCLUDING SOCIAL EQUITY LICENSING;

14 **SECTION 23.** In Colorado Revised Statutes, 24-48.5-128,
15 **amend** (3)(a)(II) as follows:

16 **24-48.5-128. Program - marijuana entrepreneurs - social**
17 **equity licensees - report - marijuana entrepreneur fund - creation -**
18 **legislative declaration - definitions.** (3) **Loans, grants, and technical**
19 **assistance.** (a) There is created within the office a program to support
20 entrepreneurs in the marijuana industry. The office shall use the money
21 specified in subsection (4) of this section for the following purposes,
22 including any related administrative expenses:

23 (II) Grants to:

24 (A) Social equity licensees to support innovation and job creation;

25 **and**

26 (B) Organizations that support marijuana businesses to be used
27 to support innovation and job creation of social equity licensees; AND

1 (C) LOCAL JURISDICTIONS THAT ESTABLISH A SOCIAL EQUITY
2 LICENSING PROGRAM FOR REGULATED MARIJUANA BUSINESS LICENSES OR
3 PERMITS LOCATED WITHIN THEIR LOCAL JURISDICTIONS. SUBJECT TO
4 AVAILABLE APPROPRIATIONS, THE OFFICE SHALL AWARD NO MORE THAN
5 FIVE HUNDRED THOUSAND DOLLARS IN GRANTS PURSUANT TO THIS
6 SUBSECTION (3)(a)(II)(C). THE OFFICE SHALL NOT AWARD A LOCAL
7 JURISDICTION GRANT PURSUANT TO THIS SUBSECTION (3)(a)(II)(C) TO A
8 GRANT RECIPIENT MORE THAN ONCE. THE LOCAL JURISDICTION GRANTS
9 AWARDED PURSUANT TO THIS SUBSECTION (3)(a)(II)(C) MAY BE USED BY
10 THE GRANT RECIPIENT TO ASSIST REGULATED MARIJUANA BUSINESS
11 LICENSEES OR PERMITEES WITHIN THE GRANT RECIPIENT'S LOCAL
12 JURISDICTION'S SOCIAL EQUITY PROGRAM WITH EMPLOYEE
13 COMPENSATION, START-UP COSTS, SATISFYING COMPLIANCE AND
14 ENFORCEMENT REQUIREMENTS, AND OFFSETTING LICENSING AND
15 PERMITTING FEES. A GRANT RECIPIENT DESCRIBED IN THIS SUBSECTION
16 (3)(a)(II)(C) SHALL NOT USE A LOTTERY PROCESS, OR SIMILAR PROCESS,
17 FOR DETERMINING WHICH SOCIAL EQUITY LICENSEES OR PERMITEES WILL
18 BENEFIT FROM THE GRANT AWARD ISSUED PURSUANT TO THIS SUBSECTION
19 (3)(a)(II)(C).

20 **SECTION 24.** In Colorado Revised Statutes, **add** 39-22-560 as
21 follows:

22 **39-22-560. Marijuana accelerator program participation tax**
23 **credit - tax preference performance statement - review - legislative**
24 **declaration - definitions - repeal.** (1) (a) IN ACCORDANCE WITH
25 SECTION 39-21-304(1), WHICH REQUIRES EACH BILL THAT CREATES A NEW
26 TAX EXPENDITURE TO INCLUDE A TAX PREFERENCE PERFORMANCE
27 STATEMENT AS PART OF A STATUTORY LEGISLATIVE DECLARATION, THE

1 GENERAL ASSEMBLY FINDS AND DECLARES THAT THE PURPOSE OF THE TAX
2 CREDIT PROVIDED IN THIS SECTION IS TO PROVIDE TAX RELIEF TO CERTAIN
3 BUSINESSES, SPECIFICALLY ACCELERATOR-ENDORSED LICENSEES, AND TO
4 INDUCE DESIGNATED BEHAVIOR BY CERTAIN TAXPAYERS, SPECIFICALLY
5 ELIGIBLE ACCELERATOR-ENDORSED LICENSEES, TO HOST AND OFFER
6 TECHNICAL AND CAPITAL SUPPORT TO A SOCIAL EQUITY LICENSEE FOR THE
7 PURPOSE OF FOSTERING DIVERSITY AND EQUITY WITHIN THE MARIJUANA
8 INDUSTRY.

9 (b) THE GENERAL ASSEMBLY AND THE STATE AUDITOR SHALL
10 MEASURE THE EFFECTIVENESS OF THE CREDIT IN ACHIEVING THE PURPOSE
11 SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION BASED ON THE
12 INFORMATION REQUIRED TO BE MAINTAINED BY AND REPORTED TO THE
13 STATE AUDITOR BY THE DEPARTMENT PURSUANT TO SUBSECTION (6) OF
14 THIS SECTION.

15 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "ACCELERATOR-ENDORSED LICENSEE" HAS THE SAME
18 MEANING AS SET FORTH IN SECTION 44-10-103 (2).

19 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

20 (c) "ELIGIBLE ACCELERATOR-ENDORSED LICENSEE" MEANS AN
21 ACCELERATOR-ENDORSED LICENSEE THAT HAS HOSTED AND OFFERED
22 TECHNICAL AND CAPITAL SUPPORT TO A SOCIAL EQUITY LICENSEE FOR
23 TWELVE CONSECUTIVE MONTHS.

24 (d) "SOCIAL EQUITY LICENSEE" HAS THE SAME MEANING AS SET
25 FORTH IN SECTION 44-10-103 (68.5).

26 (3) FOR INCOME TAX YEARS STARTING ON OR AFTER JANUARY 1,
27 2026, BUT BEFORE JANUARY 1, 2036, AN ELIGIBLE

1 ACCELERATOR-ENDORSED LICENSEE IS ALLOWED A CREDIT AGAINST THE
2 INCOME TAXES IMPOSED BY THIS ARTICLE 22 IN THE AMOUNT OF FIFTY
3 THOUSAND DOLLARS.

4 (4) THE DEPARTMENT SHALL DEVELOP STANDARDS AS NECESSARY
5 FOR THE IMPLEMENTATION OF THIS SECTION. THE DEPARTMENT MAY
6 ANNUALLY REVIEW AND UPDATE THESE STANDARDS. THE DEPARTMENT
7 SHALL POST THE MOST RECENT STANDARDS ON THE DEPARTMENT'S
8 WEBSITE.

9 (5) IF THE AMOUNT OF THE ALLOWED CREDIT EXCEEDS THE
10 AMOUNT OF INCOME TAXES OTHERWISE DUE ON THE INCOME OF THE
11 TAXPAYER IN THE INCOME TAX YEAR FOR WHICH THE CREDIT IS BEING
12 CLAIMED, THE AMOUNT OF THE CREDIT NOT BEING USED AS AN OFFSET
13 AGAINST INCOME TAXES IN THAT INCOME TAX YEAR MAY BE CARRIED
14 FORWARD AS A CREDIT AGAINST SUBSEQUENT YEARS' INCOME TAX
15 LIABILITY FOR A PERIOD NOT EXCEEDING FIVE YEARS AND MUST BE
16 APPLIED FIRST TO THE EARLIEST INCOME TAX YEARS POSSIBLE. ANY
17 CREDIT REMAINING AFTER THE PERIOD IS NOT REFUNDED OR CREDITED TO
18 THE TAXPAYER.

19 (6) PURSUANT TO SECTION 39-21-304 (3), AND FOR THE PURPOSE
20 OF PROVIDING DATA TO MEASURE THE EFFECTIVENESS OF THE TAX CREDIT
21 ALLOWED PURSUANT TO THIS SECTION, THE DEPARTMENT, ON OR BEFORE
22 JANUARY 1, 2027, AND ON OR BEFORE JANUARY 1 EACH YEAR
23 THEREAFTER THROUGH JANUARY 1, 2036, SHALL PROVIDE THE STATE
24 AUDITOR INFORMATION THAT DETAILS THE NUMBER AND VALUE OF
25 CREDITS CLAIMED, THE TOTAL NUMBER OF ACCELERATOR-ENDORSED
26 LICENSEES, THE TOTAL NUMBER OF SOCIAL EQUITY LICENSEES HOSTED BY
27 ACCELERATOR-ENDORSED LICENSEES, THE DURATION OF OPERATION OF

1 THE SOCIAL EQUITY LICENSEE'S REGULATED MARIJUANA BUSINESS
2 LICENSE OR PERMIT WHEN HOSTED BY ACCELERATOR-ENDORSED
3 LICENSEES, AND THE TOTAL NUMBER OF SOCIAL EQUITY LICENSEES IN THE
4 STATE, FOR CONSIDERATION DURING THE STATE AUDITOR'S EVALUATION
5 OF THIS TAX EXPENDITURE PURSUANT TO SECTION 39-21-305.

6 (7) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2044.

7 **SECTION 25.** In Colorado Revised Statutes, 39-28.8-202,
8 **amend** (1)(a)(I) as follows:

9 **39-28.8-202. Retail marijuana sales tax - rules.** (1) (a) (I) In
10 addition to the tax imposed pursuant to part 1 of article 26 of this title 39
11 and the sales tax imposed by a local government pursuant to title 29, 30,
12 31, or 32, but except as otherwise set forth in subsections (1)(a)(II) and
13 (1)(a)(III) of this section, beginning January 1, 2014, and through June
14 30, 2017, there is imposed upon all RETAIL sales of retail marijuana and
15 retail marijuana products by a retailer a tax at the rate of ten percent of
16 the amount of the sale. Beginning July 1, 2017, there is imposed upon all
17 sales of retail marijuana and retail marijuana products by a retailer a tax
18 at the rate of fifteen percent of the amount of the sale. The tax imposed
19 by this section is computed in accordance with schedules or forms
20 prescribed by the executive director of the department; except that a ~~retail~~
21 ~~marijuana store~~ RETAILER is not allowed to retain any portion of the retail
22 marijuana sales tax collected pursuant to this part 2 to cover the expenses
23 of collecting and remitting the tax. The executive director may
24 promulgate rules to implement this section.

25 **SECTION 26. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety or for appropriations

- 1 for the support and maintenance of the departments of the state and state
- 2 institutions.