

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0809.01 Michael Dohr x4347

HOUSE BILL 14-1209

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HOUSE SPONSORSHIP

Stephens, Coram, Landgraf, McNulty, Navarro, Priola, Waller, Wilson

SENATE SPONSORSHIP

(None),

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House Committees

Health, Insurance, & Environment

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING CREATION OF THE MARIJUANA DIVERSION PREVENTION  
102 GRANT PROGRAM.

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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://www.leg.state.co.us/billsummaries>.)*

The bill permits the general assembly to appropriate surplus funds in the marijuana cash fund to the marijuana diversion prevention grant program. The bill creates the marijuana diversion prevention grant program (grant program) that is administered by the state controller. The grant program will provide grants to the state patrol and other state law

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

enforcement agencies that share a border with Colorado to prevent diversion of retail marijuana from Colorado and apprehend those attempting to divert retail marijuana from Colorado. The grant program includes a grant review committee consisting of:

- ! The state controller;
- ! The executive director of the department of public safety, or his or her designee;
- ! The executive director of the statewide organization representing sheriffs, or his or her designee; and
- ! The executive director of the statewide organization representing the chiefs of police, or his or her designee.

In a fiscal year in which the general assembly appropriates money to the grant program, a law enforcement agency seeking a grant must apply by August 1. The application must include a description of how the money will be used, a description of law enforcement cooperation in using the money, and the amount requested itemized by personnel costs, equipment costs, and other costs, plus any other information required.

The grant review committee shall award grants based on need and effectiveness. The Colorado state patrol must receive priority in receiving grants.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-501, **amend**  
3 (1) (b) introductory portion, (1) (b) (IV), and (1) (b) (V); and **add** (1) (b)  
4 (VI) as follows:

5 **12-43.3-501. Marijuana cash fund - repeal.** (1) (b) Moneys in  
6 the fund ~~shall be~~ ARE subject to annual appropriation by the general  
7 assembly to:

8 (IV) The department of law for the training described in section  
9 24-31-313, C.R.S.; **and**

10 (V) The general fund to repay two million dollars to the general  
11 fund for the transfers required by section 39-26-123 (6), C.R.S.; **AND**

12 (VI) (A) THE STATE CONTROLLER TO ADMINISTER THE MARIJUANA  
13 DIVERSION PREVENTION GRANT PROGRAM CREATED IN SECTION 24-30-201  
14 (3), C.R.S., IF THE FUND HAS A SURPLUS.

1 (B) THE APPROPRIATION UNDER THIS SUBPARAGRAPH (VI) MUST  
2 NOT EXCEED ONE MILLION DOLLARS DURING THE 2014-15 AND 2015-16  
3 FISCAL YEARS. THIS SUB-SUBPARAGRAPH (B) IS REPEALED, EFFECTIVE  
4 JULY 1, 2016.

5 **SECTION 2.** In Colorado Revised Statutes, 24-30-201, **add** (3)  
6 as follows:

7 **24-30-201. Accounts and control - controller - marijuana**  
8 **diversion prevention grants - committee.** (3) (a) THERE IS CREATED A  
9 MARIJUANA DIVERSION PREVENTION GRANT PROGRAM, REFERRED TO IN  
10 THIS SECTION AS THE "GRANT PROGRAM", TO BE ADMINISTERED BY THE  
11 STATE CONTROLLER. THE GRANT PROGRAM SHALL PROVIDE GRANTS TO  
12 THE COLORADO STATE PATROL AND OTHER STATE LAW ENFORCEMENT  
13 AGENCIES IN STATES THAT SHARE A BORDER WITH COLORADO TO ASSIST  
14 EFFORTS THAT PREVENT RETAIL MARIJUANA DIVERSION OUTSIDE OF THE  
15 STATE OF COLORADO.

16 (b) THERE IS CREATED A GRANT REVIEW COMMITTEE. THE  
17 MEMBERS OF THE GRANT REVIEW COMMITTEE ARE:

18 (I) THE STATE CONTROLLER, WHO SHALL SERVE AS THE CHAIR;

19 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
20 SAFETY, OR HIS OR HER DESIGNEE;

21 (III) THE EXECUTIVE DIRECTOR OF A STATEWIDE ORGANIZATION  
22 REPRESENTING SHERIFFS, OR HIS OR HER DESIGNEE; AND

23 (IV) THE EXECUTIVE DIRECTOR OF A STATEWIDE ORGANIZATION  
24 REPRESENTING CHIEFS OF POLICE, OR HIS OR HER DESIGNEE.

25 (c) (I) THE STATE CONTROLLER SHALL DEVELOP AN APPLICATION  
26 FORM THAT MUST INCLUDE AT A MINIMUM:

27 (A) A DESCRIPTION OF HOW THE MONEY WILL BE USED TO PREVENT

1 DIVERSION OF RETAIL MARIJUANA FROM COLORADO OR HOW IT WILL BE  
2 USED TO APPREHEND THOSE WHO DIVERT RETAIL MARIJUANA OUT OF THE  
3 STATE;

4 (B) A DESCRIPTION OF HOW THE LAW ENFORCEMENT ENTITY WILL  
5 COORDINATE WITH OTHER LAW ENFORCEMENT ENTITIES AND  
6 GOVERNMENT AGENCIES IN ITS EFFORT; AND

7 (C) THE GRANT AMOUNT REQUESTED ITEMIZED BY PERSONNEL  
8 COSTS, EQUIPMENT COSTS, AND OTHER COSTS.

9 (II) AN ENTITY THAT WISHES TO APPLY FOR A GRANT SHALL APPLY  
10 BY AUGUST 1 OF ANY YEAR IN WHICH THE GENERAL ASSEMBLY  
11 APPROPRIATES MONEY TO THE GRANT PROGRAM.

12 (III) AFTER AUGUST 1 OF ANY YEAR IN WHICH THE GENERAL  
13 ASSEMBLY APPROPRIATES MONEY TO THE GRANT PROGRAM, THE  
14 CONTROLLER SHALL CONVENE THE GRANT REVIEW COMMITTEE CREATED  
15 IN PARAGRAPH (b) OF THIS SUBSECTION (3).

16 (IV) THE GRANT REVIEW COMMITTEE SHALL REVIEW THE  
17 APPLICATIONS AND MAKE AWARDS BASED ON THE NEED AND  
18 EFFECTIVENESS OF THE PROPOSALS. THE GRANT REVIEW COMMITTEE  
19 SHALL GIVE PRIORITY TO A GRANT APPLICATION FROM THE COLORADO  
20 STATE PATROL.

21 **SECTION 3. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.