

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 19-0822.01 Michael Dohr x4347

HOUSE BILL 19-1234

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING ALLOWING DELIVERY OF REGULATED MARIJUANA BY**
102 **REGULATED MARIJUANA SELLERS, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 marijuana delivery permits for licensed medical marijuana centers and transporters and licensed retail marijuana stores and transporters that allow the centers, stores, and transporters to deliver medical marijuana, medical marijuana-infused products, retail marijuana, and retail marijuana products to customers. The bill gives the state

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

SENATE
3rd Reading Unamended
May 1, 2019

SENATE
2nd Reading Unamended
April 30, 2019

HOUSE
3rd Reading Unamended
April 18, 2019

HOUSE
Amended 2nd Reading
April 17, 2019

licensing authority rule-making authority over the permit and delivery system. Medical marijuana delivery permitting begins January 2, 2020, and retail marijuana delivery permitting begins January 2, 2021.

The bill requires responsible vendor training programs to include marijuana delivery training.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-11-202, **amend**
3 (2)(a)(XXI), (2)(a)(XXVIII), and (2)(a)(XXIX); and **add** (2)(a)(XXX) as
4 follows:

5 **44-11-202. Powers and duties of state licensing authority -**
6 **rules.** (2) (a) Rules promulgated pursuant to subsection (1)(b) of this
7 section may include, but need not be limited to, the following subjects:

8 (XXI) Medical marijuana transporter licensed businesses,
9 including requirements for drivers, including obtaining and maintaining
10 a valid Colorado driver's license; insurance requirements; acceptable time
11 frames for transport, storage, and delivery; requirements for transport
12 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
13 premises;

14 (XXVIII) Requirements for a centralized distribution permit for
15 optional premises cultivation facilities issued pursuant to section
16 44-11-403 (5), including but not limited to permit application
17 requirements and privileges and restrictions of a centralized distribution
18 permit; ~~and~~

19 (XXIX) Requirements for issuance of colocation permits to a
20 marijuana research and development licensee or a marijuana research and
21 development cultivation licensee authorizing colocation with a medical
22 marijuana-infused products manufacturing licensed premises, including
23 application requirements, eligibility, restrictions to prevent

1 cross-contamination and to ensure physical separation of inventory and
2 research activities, and other privileges and restrictions of permits; AND
3 (XXX) REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL
4 MARIJUANA-INFUSED PRODUCTS DELIVERY AS DESCRIBED IN SECTION
5 44-11-402 (11) AND SECTION 44-11-406 (5), INCLUDING:
6 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR
7 LICENSED MEDICAL MARIJUANA CENTERS AND MEDICAL MARIJUANA
8 TRANSPORTERS APPLYING FOR A MEDICAL MARIJUANA DELIVERY PERMIT;
9 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL
10 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS THAT
11 HOLD A MEDICAL MARIJUANA DELIVERY PERMIT WHO WILL DELIVER
12 MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS
13 PURSUANT TO THIS ARTICLE 11 AND REQUIREMENTS THAT MEDICAL
14 MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS OBTAIN
15 A RESPONSIBLE VENDOR DESIGNATION PURSUANT TO SECTION 44-11-1102
16 PRIOR TO CONDUCTING A DELIVERY;
17 (C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY
18 AND AGE IDENTIFICATION AND VERIFICATION;
19 (D) SECURITY REQUIREMENTS;
20 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
21 REQUIREMENTS FOR SURVEILLANCE;
22 (F) RECORD-KEEPING REQUIREMENTS;
23 (G) LIMITS ON THE AMOUNT OF MEDICAL MARIJUANA AND
24 MEDICAL MARIJUANA-INFUSED PRODUCTS THAT MAY BE CARRIED IN A
25 DELIVERY VEHICLE AND DELIVERED TO A PATIENT OR PARENT OR
26 GUARDIAN, WHICH CANNOT EXCEED LIMITS PLACED ON SALES AT LICENSED
27 MEDICAL MARIJUANA CENTERS;

1 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;

2 (I) HEALTH AND SAFETY REQUIREMENTS FOR MEDICAL MARIJUANA
3 AND MEDICAL MARIJUANA-INFUSED PRODUCTS DELIVERED TO A PATIENT
4 OR PARENT OR GUARDIAN;

5 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
6 DELIVERING MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
7 PRODUCTS PURSUANT TO THIS ARTICLE 11 DO NOT DISCLOSE PERSONAL
8 IDENTIFYING INFORMATION TO ANY PERSON OTHER THAN THOSE WHO
9 NEED THAT INFORMATION IN ORDER TO TAKE, PROCESS, OR DELIVER THE
10 ORDER OR AS OTHERWISE REQUIRED OR AUTHORIZED BY THIS ARTICLE 11,
11 TITLE 18, OR TITLE 25; AND

12 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
13 MEDICAL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
14 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE MEDICAL
15 MARIJUANA DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE
16 LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND
17 INDIRECT COSTS.

18 (L) THE PERMITTED HOURS OF DELIVERY OF MEDICAL MARIJUANA
19 AND MEDICAL MARIJUANA-INFUSED PRODUCTS;

20 (M) REQUIREMENTS FOR AREAS WHERE MEDICAL MARIJUANA AND
21 MEDICAL MARIJUANA-INFUSED PRODUCTS ORDERS ARE STORED, WEIGHED,
22 PACKAGED, PREPARED, AND TAGGED, INCLUDING REQUIREMENTS THAT
23 MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS
24 CANNOT BE PLACED INTO A DELIVERY VEHICLE UNTIL AFTER AN ORDER
25 HAS BEEN PLACED AND THAT ALL DELIVERY ORDERS MUST BE PACKAGED
26 ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA CENTER OR ITS
27 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE

1 FACILITY AS DEFINED BY RULE AFTER AN ORDER HAS BEEN RECEIVED; AND
2 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
3 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

4 **SECTION 2.** In Colorado Revised Statutes, 44-12-202, **amend**
5 (3)(a)(XVIII), (3)(a)(XXIII), and (3)(a)(XXIV); and **add** (3)(a)(XXV) as
6 follows:

7 **44-12-202. Powers and duties of state licensing authority -**
8 **rules.** (3) (a) Rules promulgated pursuant to subsection (2)(b) of this
9 section must include, but need not be limited to, the following subjects:

10 (XVIII) Retail marijuana transporter licensed businesses,
11 including requirements for drivers, including obtaining and maintaining
12 a valid Colorado driver's license; insurance requirements; acceptable time
13 frames for transport, storage, and delivery; requirements for transport
14 vehicles; REQUIREMENTS FOR DELIVERIES; and requirements for licensed
15 premises;

16 (XXIII) Requirements for a centralized distribution permit for
17 retail marijuana cultivation facilities issued pursuant to section 44-12-403
18 (7), including but not limited to permit application requirements and
19 privileges and restrictions of a centralized distribution permit; ~~and~~

20 (XXIV) Requirements for issuance of colocation permits to a
21 marijuana research and development licensee or a marijuana research and
22 development cultivation licensee authorizing colocation with a retail
23 marijuana products manufacturing licensed premises, including
24 application requirements, eligibility, restrictions to prevent
25 cross-contamination and to ensure physical separation of inventory and
26 research activities, and other privileges and restrictions of permits; AND

27 (XXV) REQUIREMENTS FOR RETAIL MARIJUANA AND RETAIL

1 MARIJUANA PRODUCTS DELIVERY AS DESCRIBED IN SECTION 44-12-402
2 (12) AND SECTION 44-12-406 (5), INCLUDING:

- 3 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR RETAIL
4 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS APPLYING
5 FOR A RETAIL MARIJUANA DELIVERY PERMIT;
- 6 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF RETAIL
7 MARIJUANA STORES AND RETAIL MARIJUANA TRANSPORTERS THAT HOLD
8 A RETAIL MARIJUANA DELIVERY PERMIT THAT WILL DELIVER RETAIL
9 MARIJUANA OR RETAIL MARIJUANA PRODUCTS PURSUANT TO THIS ARTICLE
10 12 AND REQUIREMENTS THAT RETAIL MARIJUANA STORES AND RETAIL
11 MARIJUANA TRANSPORTERS OBTAIN A RESPONSIBLE VENDOR DESIGNATION
12 PURSUANT TO SECTION 44-11-1102 PRIOR TO CONDUCTING A DELIVERY;
- 13 (C) PROCEDURES FOR AGE IDENTIFICATION AND VERIFICATION;
- 14 (D) SECURITY REQUIREMENTS;
- 15 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
16 REQUIREMENTS FOR SURVEILLANCE;
- 17 (F) RECORD-KEEPING REQUIREMENTS;
- 18 (G) LIMITS ON THE AMOUNT OF RETAIL MARIJUANA AND RETAIL
19 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
20 AND DELIVERED TO AN INDIVIDUAL, WHICH CANNOT EXCEED LIMITS
21 PLACED ON SALES AT RETAIL MARIJUANA STORES;
- 22 (H) INVENTORY TRACKING SYSTEM REQUIREMENTS;
- 23 (I) HEALTH AND SAFETY REQUIREMENTS FOR RETAIL MARIJUANA
24 AND RETAIL MARIJUANA PRODUCTS DELIVERED TO AN INDIVIDUAL;
- 25 (J) CONFIDENTIALITY REQUIREMENTS TO ENSURE THAT PERSONS
26 DELIVERING RETAIL MARIJUANA PURSUANT TO THIS ARTICLE 12 DO NOT
27 DISCLOSE PERSONAL IDENTIFYING INFORMATION AND HEALTH CARE

1 INFORMATION TO ANY PERSON OTHER THAN THOSE WHO NEED THAT
2 INFORMATION IN ORDER TO TAKE, PROCESS, OR DELIVER THE ORDER OR AS
3 OTHERWISE REQUIRED OR AUTHORIZED BY THIS ARTICLE 12, TITLE 18, OR
4 TITLE 25;

5 (K) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
6 RETAIL MARIJUANA DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST
7 REFLECT THE EXPECTED COSTS OF ADMINISTERING THE RETAIL MARIJUANA
8 DELIVERY PERMIT AND MAY BE ADJUSTED BY THE STATE LICENSING
9 AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND INDIRECT
10 COSTS.

11 (L) THE PERMITTED HOURS OF DELIVERY OF RETAIL MARIJUANA
12 AND RETAIL MARIJUANA PRODUCTS;

13 (M) REQUIREMENTS FOR AREAS WHERE RETAIL MARIJUANA
14 ORDERS ARE STORED, WEIGHED, PACKAGED, PREPARED, AND TAGGED,
15 INCLUDING REQUIREMENTS THAT RETAIL MARIJUANA AND RETAIL
16 MARIJUANA PRODUCTS CANNOT BE PLACED INTO A DELIVERY VEHICLE
17 UNTIL AFTER AN ORDER HAS BEEN PLACED AND THAT ALL DELIVERY
18 ORDERS MUST BE PACKAGED ON THE LICENSED PREMISES OF A RETAIL
19 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
20 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE AFTER
21 AN ORDER HAS BEEN RECEIVED; AND

22 (N) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
23 OF GIFT CARDS AND PREPAYMENT ACCOUNTS.

24 **SECTION 3.** In Colorado Revised Statutes, 44-11-301, **amend**
25 (1) introductory portion, (1)(g), and (1)(h); and **add** (1)(i) as follows:

26 **44-11-301. Local licensing authority - applications - licenses**
27 **- permits.** (1) A local licensing authority may issue only the following

1 medical marijuana licenses OR PERMITS upon payment of the fee and
2 compliance with all local licensing requirements to be determined by the
3 local licensing authority:

4 (g) A marijuana research and development license; ~~and~~

5 (h) A marijuana research and development cultivation license;

6 AND

7 (i) A MEDICAL MARIJUANA DELIVERY PERMIT.

8 **SECTION 4.** In Colorado Revised Statutes, 44-12-301, **amend**
9 (1) as follows:

10 **44-12-301. Local approval - licensing.** (1) When the state
11 licensing authority receives an application for original licensing OR
12 ISSUANCE OF A RETAIL MARIJUANA DELIVERY PERMIT or renewal of an
13 existing license OR PERMIT for any marijuana establishment, the state
14 licensing authority shall provide, within seven days, a copy of the
15 application to the local jurisdiction in which the establishment is to be
16 located unless the local jurisdiction has prohibited the operation of retail
17 marijuana establishments pursuant to section 16 (5)(f) of article XVIII of
18 the state constitution. The local jurisdiction shall determine whether the
19 application complies with local restrictions on time, place, manner, and
20 the number of marijuana businesses. The local jurisdiction shall inform
21 the state licensing authority whether the application complies with local
22 restrictions on time, place, manner, and the number of marijuana
23 businesses.

24 **SECTION 5.** In Colorado Revised Statutes, 44-11-402, **add** (11)
25 as follows:

26 **44-11-402. Medical marijuana center license - medical**
27 **marijuana delivery permit - report - rules - repeal.** (11) (a) (I) THERE

1 IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY PERMIT TO A MEDICAL
2 MARIJUANA CENTER LICENSE AUTHORIZING THE PERMIT HOLDER TO
3 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
4 PRODUCTS.

5 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
6 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
7 MARIJUANA CENTER LICENSE.

8 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
9 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA CENTER;
10 EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY PERMIT MAY
11 APPLY TO MULTIPLE MEDICAL MARIJUANA CENTERS PROVIDED THAT THE
12 MEDICAL MARIJUANA CENTERS ARE IN THE SAME LOCAL JURISDICTION AND
13 ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
14 AUTHORITY FOR PURPOSES OF THIS SECTION.

15 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
16 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
17 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
18 MEDICAL MARIJUANA CENTER LICENSE ISSUED PURSUANT TO THIS ARTICLE
19 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN DETERMINING
20 WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A MEDICAL MARIJUANA
21 DELIVERY PERMIT. A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED BY
22 THE STATE LICENSING AUTHORITY IS DEEMED A REVOCABLE PRIVILEGE OF
23 A LICENSED MEDICAL MARIJUANA CENTER. A VIOLATION RELATED TO A
24 MEDICAL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
25 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR MEDICAL
26 MARIJUANA CENTER LICENSE.

27 (b) A MEDICAL MARIJUANA CENTER LICENSEE SHALL NOT MAKE

1 DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
2 PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS WHILE ALSO
3 TRANSPORTING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
4 PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME VEHICLE.

5 (c) A LICENSED MEDICAL MARIJUANA CENTER SHALL CHARGE A
6 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED MEDICAL
7 MARIJUANA CENTER SHALL REMIT THE SURCHARGES COLLECTED ON A
8 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED MEDICAL
9 MARIJUANA CENTER IS LOCATED, OR TO THE COUNTY IF THE LICENSED
10 MEDICAL MARIJUANA CENTER IS IN AN UNINCORPORATED AREA, FOR
11 LOCAL LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
12 FAILURE TO COMPLY WITH THIS SUBSECTION (11)(c) MAY RESULT IN
13 NONRENEWAL OF THE MEDICAL MARIJUANA DELIVERY PERMIT.

14 (d) A LICENSED MEDICAL MARIJUANA CENTER WITH A MEDICAL
15 MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND
16 MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO THE PATIENT OR
17 PARENT OR GUARDIAN WHO PLACED THE ORDER AND WHO:

18 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
19 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
20 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
21 CAREGIVER;

22 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
23 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

24 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

25 (e) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
26 MARIJUANA-INFUSED PRODUCTS MUST POSSESS A VALID OCCUPATIONAL
27 LICENSE AND BE A CURRENT EMPLOYEE OF THE LICENSED MEDICAL

1 MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER LICENSEE
2 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
3 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
4 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
5 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
6 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
7 AUTHORITY.

8 (f) IN ACCORDANCE WITH THIS SUBSECTION (11) AND RULES
9 ADOPTED TO IMPLEMENT THIS SUBSECTION (11), A LICENSED MEDICAL
10 MARIJUANA CENTER WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT
11 MAY:

12 (I) RECEIVE AN ORDER BY ELECTRONIC OR OTHER MEANS FROM A
13 PATIENT OR THE PARENT OR GUARDIAN FOR THE PURCHASE AND DELIVERY
14 OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS.
15 WHEN USING AN ONLINE PLATFORM FOR MARIJUANA DELIVERY, THE
16 PLATFORM MUST REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO
17 CHOOSE A MEDICAL MARIJUANA CENTER BEFORE VIEWING THE PRICE.

18 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
19 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
20 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

21 (III) DELIVER ONLY TO A PATIENT OR A PARENT OR GUARDIAN AT
22 THE ADDRESS PROVIDED IN THE ORDER;

23 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
24 PATIENT OR PARENT OR GUARDIAN OR RESIDENCE;

25 (V) (A) DELIVER ONLY TO PRIVATE RESIDENCES;

26 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
27 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE

1 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
2 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
3 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

4 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
5 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
6 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
7 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

8 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
9 WITH A MEDICAL MARIJUANA TRANSPORTER THAT HAS A VALID MEDICAL
10 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
11 FROM ITS MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE
12 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY
13 RULE.

14 (g) (I) AT THE TIME OF THE ORDER, THE MEDICAL MARIJUANA
15 CENTER SHALL REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO
16 PROVIDE INFORMATION NECESSARY TO VERIFY THE PATIENT IS QUALIFIED
17 TO PURCHASE AND RECEIVE A DELIVERY OF MEDICAL MARIJUANA AND
18 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.
19 THE PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE
20 FOLLOWING:

21 (A) THE PATIENT'S NAME AND DATE OF BIRTH;

22 (B) THE REGISTRATION NUMBER REFLECTED ON THE PATIENT'S
23 REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
24 25-1.5-106;

25 (C) IF THE PATIENT IS UNDER EIGHTEEN YEARS OF AGE, THE NAME
26 AND DATE OF BIRTH OF THE PARENT OR GUARDIAN DESIGNATED AS THE
27 PATIENT'S PRIMARY CAREGIVER, AND IF APPLICABLE, THE REGISTRATION

1 NUMBER OF THE PRIMARY CAREGIVER;

2 (D) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE
3 DELIVERED; AND

4 (E) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
5 AUTHORITY RULE.

6 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A
7 PATIENT OR A PARENT OR GUARDIAN, THE PERSON DELIVERING THE ORDER
8 SHALL INSPECT THE PATIENT'S OR PARENT'S OR GUARDIAN'S
9 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
10 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
11 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106, AND
12 VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
13 MATCH THE NAME AND AGE ON THE PATIENT'S OR PARENT'S OR
14 GUARDIAN'S IDENTIFICATION.

15 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
16 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
17 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
18 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
19 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
20 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
21 LABELING REQUIREMENTS.

22 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
23 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL
24 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (11).

25 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
26 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA CENTER OR MEDICAL
27 MARIJUANA TRANSPORTER LICENSEE WITH A VALID MEDICAL MARIJUANA

1 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
2 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
3 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA
4 AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A MEDICAL
5 MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED
6 AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

7 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
8 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
9 ACTIONS, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
10 ACTIVITY MATERIALLY RELATED TO MEDICAL MARIJUANA DELIVERY IN
11 THE LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE
12 LICENSING AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS
13 POSSESSION FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

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

27 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (11)(k)(I)

1 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
2 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
3 CENTER THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY
4 AND COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
5 JURISDICTIONAL BOUNDARIES.

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

10 (m) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
11 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
12 MARIJUANA CENTER APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY
13 2, 2020.

14 (II) NO LATER THAN JANUARY 2, 2021, THE STATE LICENSING
15 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
16 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
17 COMMITTEES, REGARDING THE NUMBER OF MEDICAL MARIJUANA
18 DELIVERY APPLICATIONS SUBMITTED, THE NUMBER OF MEDICAL
19 MARIJUANA DELIVERY PERMITS ISSUED, ANY FINDINGS BY THE STATE
20 LICENSING AUTHORITY OF CRIMINAL ACTIVITY MATERIALLY RELATED TO
21 MEDICAL MARIJUANA DELIVERY, AND ANY INCIDENT REPORTS THAT
22 INCLUDE FELONY CHARGES MATERIALLY RELATED TO MEDICAL
23 MARIJUANA DELIVERY, WHICH WERE FILED AND REPORTED TO THE STATE
24 LICENSING AUTHORITY BY THE LAW ENFORCEMENT AGENCY, DISTRICT
25 ATTORNEY, OR OTHER AGENCY RESPONSIBLE FOR FILING THE FELONY
26 CHARGES. THE STATE LICENSING AUTHORITY MAY CONSULT WITH THE
27 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IN

1 THE COLLECTION AND ANALYSIS OF ADDITIONAL CRIME DATA MATERIALLY
2 RELATED TO MEDICAL MARIJUANA DELIVERY.

3 **SECTION 6.** In Colorado Revised Statutes, 44-12-402, **add** (12)
4 as follows:

5 **44-12-402. Retail marijuana store license - retail marijuana**
6 **delivery permit - report - rules - repeal.** (12) (a) (I) THERE IS
7 AUTHORIZED A RETAIL MARIJUANA DELIVERY PERMIT TO A RETAIL
8 MARIJUANA STORE LICENSE AUTHORIZING THE PERMIT HOLDER TO DELIVER
9 RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS.

10 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
11 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
12 MARIJUANA STORE LICENSE OR RETAIL MARIJUANA TRANSPORTER LICENSE.

13 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
14 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA STORE; EXCEPT
15 THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY TO
16 MULTIPLE RETAIL MARIJUANA STORES PROVIDED THAT THE RETAIL
17 MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND ARE
18 IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY
19 FOR PURPOSES OF THIS SECTION.

20 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
21 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
22 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
23 MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE 12. A
24 PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
25 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
26 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
27 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE

1 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
2 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
3 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
4 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
5 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
6 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
7 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
8 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA STORE OR
9 RETAIL MARIJUANA TRANSPORTER LICENSEE. A VIOLATION RELATED TO A
10 RETAIL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
11 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR RETAIL
12 MARIJUANA STORE LICENSE.

13 (b) A RETAIL MARIJUANA STORE LICENSEE SHALL NOT MAKE
14 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO
15 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL
16 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME
17 VEHICLE.

18 (c) THE LICENSED RETAIL MARIJUANA STORE SHALL CHARGE A
19 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED RETAIL
20 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
21 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED RETAIL
22 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
23 RETAIL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
24 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
25 FAILURE TO COMPLY WITH THIS SUBSECTION (12)(c) MAY RESULT IN
26 NONRENEWAL OF THE RETAIL MARIJUANA DELIVERY PERMIT.

27 (d) A LICENSED RETAIL MARIJUANA STORE WITH A RETAIL

1 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
2 RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED THE
3 ORDER AND WHO:

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

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

7 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

8 (e) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
9 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
10 AND BE A CURRENT EMPLOYEE OF THE LICENSED RETAIL MARIJUANA STORE
11 OR RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
12 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
13 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
14 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
15 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
16 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

17 (f) IN ACCORDANCE WITH THIS SUBSECTION (12) AND RULES
18 ADOPTED TO IMPLEMENT THIS SUBSECTION (12), A LICENSED RETAIL
19 MARIJUANA STORE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT
20 MAY:

21 (I) RECEIVE AN ORDER THROUGH ELECTRONIC OR OTHER MEANS
22 FOR THE PURCHASE AND DELIVERY OF RETAIL MARIJUANA OR RETAIL
23 MARIJUANA PRODUCTS. WHEN USING AN ONLINE PLATFORM FOR
24 MARIJUANA DELIVERY, THE PLATFORM MUST REQUIRE THE INDIVIDUAL TO
25 CHOOSE A RETAIL MARIJUANA STORE BEFORE VIEWING THE PRICE.

26 (II) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
27 NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING

1 AUTHORITY;

2 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED

3 IN THE ORDER;

4 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME

5 INDIVIDUAL OR RESIDENCE;

6 (V) (A) DELIVER ONLY TO PRIVATE RESIDENCES;

7 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"

8 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE

9 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES

10 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN

11 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

12 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA

13 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION

14 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION

15 44-12-202 (3)(a)(XXV); AND

16 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT

17 WITH A RETAIL MARIJUANA TRANSPORTER THAT HAS A VALID RETAIL

18 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,

19 FROM ITS RETAIL MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING

20 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

21 (g) (I) AT THE TIME OF THE ORDER, THE RETAIL MARIJUANA STORE

22 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO

23 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE

24 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:

25 (A) THE PATIENT'S NAME AND DATE OF BIRTH;

26 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE

27 DELIVERED; AND

1 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
2 AUTHORITY RULE.

3 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
4 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
5 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
6 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE
7 INDIVIDUAL'S IDENTIFICATION.

8 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
9 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
10 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
11 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
12 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
13 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
14 REQUIREMENTS.

15 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
16 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
17 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (12).

18 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
19 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA STORE OR RETAIL
20 MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL MARIJUANA
21 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
22 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
23 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER RETAIL MARIJUANA OR
24 RETAIL MARIJUANA PRODUCTS PURSUANT TO A RETAIL MARIJUANA
25 DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS
26 ESTABLISHED BY THE STATE LICENSING AUTHORITY.

27 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE

1 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
2 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
3 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
4 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING
5 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
6 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

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

20 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (12)(k)(I)
21 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
22 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE THAT IS
23 OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
24 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
25 BOUNDARIES.

26 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
27 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT

1 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
2 HIGHER EDUCATION.

3 (m) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
4 RETAIL MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
5 STORE APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2, 2021.

6 **SECTION 7.** In Colorado Revised Statutes, 44-11-406, **amend**
7 (1)(a); and **add** (5) as follows:

8 **44-11-406. Medical marijuana transporter license.** (1) (a) A
9 medical marijuana transporter license may be issued to a person to
10 provide logistics, distribution, DELIVERY, and storage of medical
11 marijuana and medical marijuana-infused products. Notwithstanding any
12 other provisions of law, a medical marijuana transporter license is valid
13 for two years but cannot be transferred with a change of ownership. A
14 licensed medical marijuana transporter is responsible for the medical
15 marijuana and medical marijuana-infused products once it takes control
16 of the product.

17 (5) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY
18 PERMIT TO A MEDICAL MARIJUANA TRANSPORTER LICENSE AUTHORIZING
19 THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL
20 MARIJUANA-INFUSED PRODUCTS.

21 (II) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
22 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL
23 MARIJUANA TRANSPORTER LICENSE.

24 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
25 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA
26 TRANSPORTER; EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY
27 PERMIT MAY APPLY TO MULTIPLE MEDICAL MARIJUANA TRANSPORTERS

1 PROVIDED THAT THE MEDICAL MARIJUANA TRANSPORTERS ARE IN THE
2 SAME LOCAL JURISDICTION AND ARE IDENTICALLY OWNED, AS DEFINED BY
3 THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION.

4 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
5 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
6 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
7 MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS
8 ARTICLE 11. THE STATE LICENSING AUTHORITY HAS DISCRETION IN
9 DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
10 MEDICAL MARIJUANA DELIVERY PERMIT. A MEDICAL MARIJUANA
11 DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED
12 A REVOCABLE PRIVILEGE OF A LICENSED MEDICAL MARIJUANA
13 TRANSPORTER. A VIOLATION RELATED TO A MEDICAL MARIJUANA
14 DELIVERY PERMIT IS GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION
15 OF THE DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER LICENSE.

16 (b) A MEDICAL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
17 MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL
18 MARIJUANA-INFUSED PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS
19 WHILE ALSO TRANSPORTING MEDICAL MARIJUANA OR MEDICAL
20 MARIJUANA-INFUSED PRODUCTS BETWEEN LICENSED PREMISES IN THE
21 SAME VEHICLE.

22 (c) A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A
23 MEDICAL MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL
24 MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ON BEHALF OF
25 A MEDICAL MARIJUANA CENTER ONLY TO THE PATIENT OR PARENT OR
26 GUARDIAN WHO PLACED THE ORDER WITH A MEDICAL MARIJUANA CENTER
27 AND WHO:

1 (I) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA
2 PATIENT REGISTRY AND IS TWENTY-ONE YEARS OF AGE OR OLDER OR THE
3 PARENT OR GUARDIAN OF A PATIENT WHO IS ALSO THE PATIENT'S PRIMARY
4 CAREGIVER;

5 (II) RECEIVES THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL
6 MARIJUANA-INFUSED PRODUCTS PURSUANT TO RULES; AND

7 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

8 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
9 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED MEDICAL
10 MARIJUANA TRANSPORTER WITH A VALID MEDICAL MARIJUANA DELIVERY
11 PERMIT MAY:

12 (I) NOT ACCEPT ORDERS ON BEHALF OF A MEDICAL MARIJUANA
13 CENTER AND MAY ONLY PICK UP ALREADY PACKAGED MEDICAL
14 MARIJUANA DELIVERY ORDERS FROM A MEDICAL MARIJUANA CENTER OR
15 ITS ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
16 FACILITY AS DEFINED BY RULE AND DELIVER THOSE ORDERS TO THE
17 APPROPRIATE PATIENT, PARENT, OR GUARDIAN;

18 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
19 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
20 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

21 (III) DELIVER ONLY TO A PATIENT OR PARENT OR GUARDIAN AT
22 THE ADDRESS PROVIDED IN THE ORDER;

23 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
24 PATIENT OR RESIDENCE;

25 (V) (A) DELIVER ONLY TO A PRIVATE RESIDENCE;

26 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
27 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE

1 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
2 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
3 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

4 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
5 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
6 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
7 TO THIS SECTION AND SECTION 44-11-202 (2)(a)(XXX); AND

8 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
9 AND PURSUANT TO A CONTRACT WITH, A MEDICAL MARIJUANA CENTER
10 THAT HAS A VALID MEDICAL MARIJUANA DELIVERY PERMIT FROM ITS
11 MEDICAL MARIJUANA CENTER OR ITS ASSOCIATED STATE LICENSING
12 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

13 (e) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A
14 PATIENT OR A PARENT OR GUARDIAN, THE PERSON DELIVERING THE ORDER
15 SHALL INSPECT THE PATIENT'S OR PARENT'S OR GUARDIAN'S
16 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
17 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
18 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106, AND
19 VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
20 MATCH THE NAME AND AGE ON THE PATIENT'S OR PARENT'S OR
21 GUARDIAN'S IDENTIFICATION.

22 (f) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
23 MARIJUANA-INFUSED PRODUCTS FOR A MEDICAL MARIJUANA
24 TRANSPORTER MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A
25 CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA TRANSPORTER LICENSEE
26 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
27 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND

1 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
2 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
3 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
4 AUTHORITY.

5 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
6 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 11, ALL
7 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
8 THIS ARTICLE 11 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
9 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
10 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
11 LABELING REQUIREMENTS.

12 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
13 PURSUANT TO SECTION 44-11-202 (3)(a)(II) APPLY TO MEDICAL
14 MARIJUANA DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

15 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
16 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA TRANSPORTER
17 LICENSEE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT, OR SUCH
18 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
19 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
20 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
21 PRODUCTS PURSUANT TO A MEDICAL MARIJUANA DELIVERY PERMIT IN
22 AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE
23 LICENSING AUTHORITY.

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

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

10 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
11 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
12 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
13 CENTER THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY
14 AND COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
15 JURISDICTIONAL BOUNDARIES.

16 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
17 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
18 MARIJUANA TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN,
19 JANUARY 2, 2021.

20 **SECTION 8.** In Colorado Revised Statutes, 44-12-406, **amend**
21 (1)(a); and **add** (5) as follows:

22 **44-12-406. Retail marijuana transporter license.** (1) (a) A
23 retail marijuana transporter license may be issued to a person to provide
24 logistics, distribution, DELIVERY, and storage of retail marijuana and retail
25 marijuana products. Notwithstanding any other provisions of law, a retail
26 marijuana transporter license is valid for two years but cannot be
27 transferred with a change of ownership. A licensed retail marijuana

1 transporter is responsible for the retail marijuana and retail marijuana
2 products once it takes control of the product.

3 (5) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA DELIVERY
4 PERMIT TO A RETAIL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE
5 PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
6 PRODUCTS.

7 (II) A RETAIL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE
8 YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE RETAIL
9 MARIJUANA TRANSPORTER LICENSE.

10 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
11 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA TRANSPORTER;
12 EXCEPT THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY
13 TO MULTIPLE RETAIL MARIJUANA TRANSPORTERS PROVIDED THAT THE
14 RETAIL MARIJUANA TRANSPORTERS ARE IN THE SAME LOCAL JURISDICTION
15 AND ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
16 AUTHORITY FOR PURPOSES OF THIS SECTION.

17 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
18 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
19 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
20 MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 12.
21 A PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
22 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
23 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
24 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
25 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
26 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
27 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE

1 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
2 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
3 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
4 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
5 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA TRANSPORTER.
6 A VIOLATION RELATED TO A RETAIL MARIJUANA DELIVERY PERMIT IS
7 GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION OF THE DELIVERY
8 PERMIT OR RETAIL MARIJUANA TRANSPORTER LICENSE.

9 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
10 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
11 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
12 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
13 PREMISES IN THE SAME VEHICLE.

14 (c) A LICENSED RETAIL MARIJUANA TRANSPORTER WITH A RETAIL
15 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
16 RETAIL MARIJUANA PRODUCTS ON BEHALF OF A RETAIL MARIJUANA STORE
17 ONLY TO THE INDIVIDUAL WHO PLACED THE ORDER WITH A RETAIL
18 MARIJUANA STORE AND WHO:

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

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

22 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

23 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
24 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED RETAIL
25 MARIJUANA TRANSPORTER WITH A VALID RETAIL MARIJUANA DELIVERY
26 PERMIT MAY:

27 (I) NOT ACCEPT ORDERS ON BEHALF OF A RETAIL MARIJUANA

1 STORE AND MAY ONLY PICK UP ALREADY PACKAGED RETAIL MARIJUANA
2 DELIVERY ORDERS FROM A RETAIL MARIJUANA STORE OR ITS ASSOCIATED
3 STATE LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED
4 BY RULE AND DELIVER THOSE ORDERS TO THE APPROPRIATE INDIVIDUAL;

5 (II) DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
6 PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE
7 LICENSING AUTHORITY;

8 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
9 IN THE ORDER;

10 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
11 INDIVIDUAL OR RESIDENCE;

12 (V) (A) DELIVER ONLY TO A PRIVATE RESIDENCE;

13 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
14 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
15 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
16 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
17 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.

18 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
19 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
20 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
21 44-12-202 (3)(a)(XXV); AND

22 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,
23 AND PURSUANT TO A CONTRACT WITH, A RETAIL MARIJUANA STORE THAT
24 HAS A VALID RETAIL MARIJUANA DELIVERY PERMIT FROM ITS RETAIL
25 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING
26 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

27 (e) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN

1 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
2 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
3 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE
4 INDIVIDUAL'S IDENTIFICATION.

5 (f) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
6 MARIJUANA PRODUCTS FOR A RETAIL MARIJUANA TRANSPORTER MUST
7 POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE
8 OF THE RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL
9 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING
10 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,
11 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED
12 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY
13 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

14 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
15 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, ALL
16 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
17 THIS ARTICLE 12 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND
18 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO
19 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING
20 REQUIREMENTS.

21 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
22 PURSUANT TO SECTION 44-12-202 (3)(d)(I) APPLY TO RETAIL MARIJUANA
23 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

24 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
25 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA TRANSPORTER
26 LICENSEE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT, OR SUCH
27 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE

1 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
2 DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
3 PURSUANT TO A RETAIL MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT
4 DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING
5 AUTHORITY.

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

19 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
20 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
21 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE THAT IS
22 OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
23 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
24 BOUNDARIES.

25 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
26 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
27 TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2, 2021.

1 **SECTION 9.** In Colorado Revised Statutes, 44-11-1101, add
2 (2)(b)(III.5) as follows:

3 **44-11-1101. Responsible vendor program - standards -**
4 **designation.** (2) An approved training program shall MUST contain, at a
5 minimum, the following standards and shall MUST be taught in a
6 classroom setting in a minimum of a two-hour period:

7 (b) A core curriculum of pertinent statutory and regulatory
8 provisions, which curriculum includes, but need not be limited to:

9 (III.5) STATUTORY AND REGULATORY REQUIREMENTS RELATED TO
10 MARIJUANA DELIVERY;

11 **SECTION 10. Appropriation.** (1) For the 2019-20 state fiscal
12 year, \$390,152 is appropriated to the department of revenue. This
13 appropriation is from the marijuana cash fund created in section
14 44-11-501 (1)(a), C.R.S. To implement this act, the department may use
15 this appropriation as follows:

16 (a) \$349,450 for marijuana enforcement, which amount is based
17 on an assumption that the department will require an additional 3.6 FTE;

18 (b) \$35,752 for the purchase of legal services; and

19 (c) \$4,950 for vehicle lease payments.

20 (2) For the 2019-20 state fiscal year, \$35,752 is appropriated to
21 the department of law. This appropriation is from reappropriated funds
22 received from the department of revenue under subsection (1)(b) of this
23 section and is based on an assumption that the department of law will
24 require an additional 0.2 FTE. To implement this act, the department of
25 law may use this appropriation to provide legal services for the
26 department of revenue.

27 (3) For the 2019-20 state fiscal year, \$4,950 is appropriated to the

1 department of personnel. This appropriation is from reappropriated funds
2 received from the department of revenue under subsection (1)(c) of this
3 section. To implement this act, the department of personnel may use this
4 appropriation to provide vehicles for the department of revenue.

5 **SECTION 11. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2020 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.