

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB19-224 be amended as follows:

1 Amend reengrossed bill, page 42, line 1 after "vehicles;" insert
2 "REQUIREMENTS FOR DELIVERIES;"

3 Page 44, line 27, strike "AND".

4 Page 45, line 10, strike "TRANSFER." and substitute "TRANSFER; AND".

5 Page 45, after line 10 insert:

6 "(cc) REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL
7 MARIJUANA-INFUSED PRODUCTS DELIVERY AS DESCRIBED IN SECTION
8 44-10-501 (11) AND SECTION 44-10-505 (5) AND RETAIL MARIJUANA AND
9 RETAIL MARIJUANA PRODUCTS DELIVERY AS DESCRIBED IN SECTION
10 44-10-601 (13) AND SECTION 44-10-605 (5), INCLUDING:

11 (A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR
12 LICENSED MEDICAL MARIJUANA STORES AND MEDICAL MARIJUANA
13 TRANSPORTERS APPLYING FOR A MEDICAL MARIJUANA DELIVERY PERMIT;

14 (B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL
15 MARIJUANA STORES, RETAIL MARIJUANA STORES, MEDICAL MARIJUANA
16 TRANSPORTERS, AND RETAIL MARIJUANA TRANSPORTERS THAT HOLD A
17 MEDICAL MARIJUANA OR RETAIL MARIJUANA DELIVERY PERMIT WHO WILL
18 DELIVER MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCTS OR
19 RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS PURSUANT TO THIS
20 ARTICLE 10 AND REQUIREMENTS THAT MEDICAL MARIJUANA STORES,
21 RETAIL MARIJUANA STORES, MEDICAL MARIJUANA TRANSPORTERS, AND
22 RETAIL MARIJUANA TRANSPORTERS OBTAIN A RESPONSIBLE VENDOR
23 DESIGNATION PURSUANT TO SECTION 44-10-1201 PRIOR TO CONDUCTING
24 A DELIVERY;

25 (C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY
26 AND AGE IDENTIFICATION AND VERIFICATION;

27 (D) SECURITY REQUIREMENTS;

28 (E) DELIVERY VEHICLE REQUIREMENTS, INCLUDING
29 REQUIREMENTS FOR SURVEILLANCE;

30 (F) RECORD-KEEPING REQUIREMENTS;

31 (G) LIMITS ON THE AMOUNT OF MEDICAL MARIJUANA AND
32 MEDICAL MARIJUANA PRODUCTS AND RETAIL MARIJUANA AND RETAIL
33 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE
34 AND DELIVERED TO A PATIENT OR PARENT OR GUARDIAN, WHICH CANNOT
35 EXCEED LIMITS PLACED ON SALES AT LICENSED MEDICAL MARIJUANA
36 STORES;

37 (H) LIMITS ON THE AMOUNT OF RETAIL MARIJUANA AND RETAIL
38 MARIJUANA PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE

1 AND DELIVERED TO AN INDIVIDUAL, WHICH CANNOT EXCEED LIMITS
2 PLACED ON SALES AT RETAIL MARIJUANA STORES;

3 (I) INVENTORY TRACKING SYSTEM REQUIREMENTS;

4 (J) HEALTH AND SAFETY REQUIREMENTS FOR MEDICAL MARIJUANA
5 AND MEDICAL MARIJUANA PRODUCTS DELIVERED TO A PATIENT OR PARENT
6 OR GUARDIAN AND FOR RETAIL MARIJUANA AND RETAIL MARIJUANA
7 PRODUCTS DELIVERED TO AN INDIVIDUAL;

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

15 (L) AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE
16 MEDICAL MARIJUANA DELIVERY PERMIT AND THE RETAIL MARIJUANA
17 DELIVERY PERMIT. THE AMOUNT OF THE FEE MUST REFLECT THE EXPECTED
18 COSTS OF ADMINISTERING THE MEDICAL MARIJUANA DELIVERY PERMIT
19 AND THE RETAIL MARIJUANA DELIVERY PERMIT AND MAY BE ADJUSTED BY
20 THE STATE LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL
21 DIRECT AND INDIRECT COSTS.

22 (M) THE PERMITTED HOURS OF DELIVERY OF MEDICAL MARIJUANA
23 AND MEDICAL MARIJUANA-INFUSED PRODUCTS AND RETAIL MARIJUANA
24 AND RETAIL MARIJUANA PRODUCTS;

25 (N) REQUIREMENTS FOR AREAS WHERE MEDICAL MARIJUANA AND
26 MEDICAL MARIJUANA-INFUSED PRODUCTS ORDERS ARE STORED, WEIGHED,
27 PACKAGED, PREPARED, AND TAGGED, INCLUDING REQUIREMENTS THAT
28 MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS
29 CANNOT BE PLACED INTO A DELIVERY VEHICLE UNTIL AFTER AN ORDER
30 HAS BEEN PLACED AND THAT ALL DELIVERY ORDERS MUST BE PACKAGED
31 ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA STORE OR ITS
32 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
33 FACILITY AS DEFINED BY RULE AFTER AN ORDER HAS BEEN RECEIVED; AND

34 (O) PAYMENT METHODS, INCLUDING BUT NOT LIMITED TO THE USE
35 OF GIFT CARDS AND PREPAYMENT ACCOUNTS."

36 Page 53, line 18, strike "AND".

37 Page 53, line 19, strike "license. and" and substitute "license; and".

38 Page 53, after line 20 insert:

39 "(i) A MEDICAL MARIJUANA DELIVERY PERMIT."

1 Page 97, after line 8 insert:

2 (11) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA
3 DELIVERY PERMIT TO A MEDICAL MARIJUANA STORE LICENSE AUTHORIZING
4 THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL
5 MARIJUANA-INFUSED PRODUCTS.

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

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

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

28 (b) A MEDICAL MARIJUANA STORE LICENSEE SHALL NOT MAKE
29 DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
30 PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS WHILE ALSO
31 TRANSPORTING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
32 PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME VEHICLE.

33 (c) A LICENSED MEDICAL MARIJUANA STORE SHALL CHARGE A
34 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED MEDICAL
35 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
36 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED MEDICAL
37 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
38 MEDICAL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
39 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
40 FAILURE TO COMPLY WITH THIS SUBSECTION (11)(c) MAY RESULT IN
41 NONRENEWAL OF THE MEDICAL MARIJUANA DELIVERY PERMIT.

42 (d) A LICENSED MEDICAL MARIJUANA STORE WITH A MEDICAL
43 MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND

1 MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO THE PATIENT OR
2 PARENT OR GUARDIAN WHO PLACED THE ORDER AND WHO:

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

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

9 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

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

19 (f) IN ACCORDANCE WITH THIS SUBSECTION (11) AND RULES
20 ADOPTED TO IMPLEMENT THIS SUBSECTION (11), A LICENSED MEDICAL
21 MARIJUANA STORE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT
22 MAY:

23 (I) RECEIVE AN ORDER BY ELECTRONIC OR OTHER MEANS FROM A
24 PATIENT OR THE PARENT OR GUARDIAN FOR THE PURCHASE AND DELIVERY
25 OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS.
26 WHEN USING AN ONLINE PLATFORM FOR MARIJUANA DELIVERY, THE
27 PLATFORM MUST REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO
28 CHOOSE A MEDICAL MARIJUANA STORE BEFORE VIEWING THE PRICE.

29 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
30 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
31 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

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

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

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

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

42 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
43 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT

1 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
2 TO THIS SECTION AND SECTION 44-10-203 (2)(cc); AND

3 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
4 WITH A MEDICAL MARIJUANA TRANSPORTER THAT HAS A VALID MEDICAL
5 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
6 FROM ITS MEDICAL MARIJUANA STORE OR ITS ASSOCIATED STATE
7 LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY
8 RULE.

9 (g) (I) AT THE TIME OF THE ORDER, THE MEDICAL MARIJUANA
10 STORE SHALL REQUIRE THE PATIENT OR PARENT OR GUARDIAN TO PROVIDE
11 INFORMATION NECESSARY TO VERIFY THE PATIENT IS QUALIFIED TO
12 PURCHASE AND RECEIVE A DELIVERY OF MEDICAL MARIJUANA AND
13 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.
14 THE PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE
15 FOLLOWING:

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

17 (B) THE REGISTRATION NUMBER REFLECTED ON THE PATIENT'S
18 REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO SECTION
19 25-1.5-106;

20 (C) IF THE PATIENT IS UNDER EIGHTEEN YEARS OF AGE, THE NAME
21 AND DATE OF BIRTH OF THE PARENT OR GUARDIAN DESIGNATED AS THE
22 PATIENT'S PRIMARY CAREGIVER, AND IF APPLICABLE, THE REGISTRATION
23 NUMBER OF THE PRIMARY CAREGIVER;

24 (D) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE
25 DELIVERED; AND

26 (E) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
27 AUTHORITY RULE.

28 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A
29 PATIENT OR A PARENT OR GUARDIAN, THE PERSON DELIVERING THE ORDER
30 SHALL INSPECT THE PATIENT'S OR PARENT'S OR GUARDIAN'S
31 IDENTIFICATION AND REGISTRY IDENTIFICATION CARD ISSUED PURSUANT
32 TO SECTION 25-1.5-106, VERIFY THE POSSESSION OF A VALID REGISTRY
33 IDENTIFICATION CARD ISSUED PURSUANT TO SECTION 25-1.5-106, AND
34 VERIFY THAT THE INFORMATION PROVIDED AT THE TIME OF THE ORDER
35 MATCH THE NAME AND AGE ON THE PATIENT'S OR PARENT'S OR
36 GUARDIAN'S IDENTIFICATION.

37 (h) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
38 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
39 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
40 THIS ARTICLE 10 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
41 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
42 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
43 LABELING REQUIREMENTS.

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

4 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
5 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA STORE OR MEDICAL
6 MARIJUANA TRANSPORTER LICENSEE WITH A VALID MEDICAL MARIJUANA
7 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
8 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
9 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA
10 AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A MEDICAL
11 MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED
12 AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

13 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
14 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
15 ACTIONS, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
16 ACTIVITY MATERIALLY RELATED TO MEDICAL MARIJUANA DELIVERY IN
17 THE LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE
18 LICENSING AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS
19 POSSESSION FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

20 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
21 DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED
22 PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY
23 AND COUNTY UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY,
24 BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE
25 MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR
26 ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE
27 "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE
28 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF
29 TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE
30 GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND
31 COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR
32 MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

33 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (11)(k)(I)
34 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
35 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
36 STORE THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND
37 COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
38 JURISDICTIONAL BOUNDARIES.

39 (l) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
40 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
41 PERMITTED AT ANY SCHOOL OR ON THE CAMPUS OF ANY INSTITUTION OF
42 HIGHER EDUCATION.

43 (m) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING

1 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
2 MARIJUANA STORE APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2,
3 2020.

4 (II) NO LATER THAN JANUARY 2, 2021, THE STATE LICENSING
5 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
6 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
7 COMMITTEES, REGARDING THE NUMBER OF MEDICAL MARIJUANA
8 DELIVERY APPLICATIONS SUBMITTED, THE NUMBER OF MEDICAL
9 MARIJUANA DELIVERY PERMITS ISSUED, ANY FINDINGS BY THE STATE
10 LICENSING AUTHORITY OF CRIMINAL ACTIVITY MATERIALLY RELATED TO
11 MEDICAL MARIJUANA DELIVERY, AND ANY INCIDENT REPORTS THAT
12 INCLUDE FELONY CHARGES MATERIALLY RELATED TO MEDICAL
13 MARIJUANA DELIVERY, WHICH WERE FILED AND REPORTED TO THE STATE
14 LICENSING AUTHORITY BY THE LAW ENFORCEMENT AGENCY, DISTRICT
15 ATTORNEY, OR OTHER AGENCY RESPONSIBLE FOR FILING THE FELONY
16 CHARGES. THE STATE LICENSING AUTHORITY MAY CONSULT WITH THE
17 DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY IN
18 THE COLLECTION AND ANALYSIS OF ADDITIONAL CRIME DATA MATERIALLY
19 RELATED TO MEDICAL MARIJUANA DELIVERY."

20 Page 111, line 19, after "distribution," insert "DELIVERY,".

21 Page 113, after line 1 insert:

22 "(5) (a) (I) THERE IS AUTHORIZED A MEDICAL MARIJUANA
23 DELIVERY PERMIT TO A MEDICAL MARIJUANA TRANSPORTER LICENSE
24 AUTHORIZING THE PERMIT HOLDER TO DELIVER MEDICAL MARIJUANA AND
25 MEDICAL MARIJUANA-INFUSED PRODUCTS.

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

29 (III) A MEDICAL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT
30 TO THIS SECTION APPLIES TO ONLY ONE MEDICAL MARIJUANA
31 TRANSPORTER; EXCEPT THAT, A SINGLE MEDICAL MARIJUANA DELIVERY
32 PERMIT MAY APPLY TO MULTIPLE MEDICAL MARIJUANA TRANSPORTERS
33 PROVIDED THAT THE MEDICAL MARIJUANA TRANSPORTERS ARE IN THE
34 SAME LOCAL JURISDICTION AND ARE IDENTICALLY OWNED, AS DEFINED BY
35 THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION.

36 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A MEDICAL
37 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
38 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A
39 MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS
40 ARTICLE 10. THE STATE LICENSING AUTHORITY HAS DISCRETION IN
41 DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A

1 MEDICAL MARIJUANA DELIVERY PERMIT. A MEDICAL MARIJUANA
2 DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED
3 A REVOCABLE PRIVILEGE OF A LICENSED MEDICAL MARIJUANA
4 TRANSPORTER. A VIOLATION RELATED TO A MEDICAL MARIJUANA
5 DELIVERY PERMIT IS GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION
6 OF THE DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER LICENSE.

7 (b) A MEDICAL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
8 MAKE DELIVERIES OF MEDICAL MARIJUANA OR MEDICAL
9 MARIJUANA-INFUSED PRODUCTS TO PATIENTS OR PARENTS OR GUARDIANS
10 WHILE ALSO TRANSPORTING MEDICAL MARIJUANA OR MEDICAL
11 MARIJUANA-INFUSED PRODUCTS BETWEEN LICENSED PREMISES IN THE
12 SAME VEHICLE.

13 (c) A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A
14 MEDICAL MARIJUANA DELIVERY PERMIT MAY DELIVER MEDICAL
15 MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ON BEHALF OF
16 A MEDICAL MARIJUANA STORE ONLY TO THE PATIENT OR PARENT OR
17 GUARDIAN WHO PLACED THE ORDER WITH A MEDICAL MARIJUANA STORE
18 AND WHO:

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

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

25 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

26 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
27 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED MEDICAL
28 MARIJUANA TRANSPORTER WITH A VALID MEDICAL MARIJUANA DELIVERY
29 PERMIT MAY:

30 (I) NOT ACCEPT ORDERS ON BEHALF OF A MEDICAL MARIJUANA
31 STORE AND MAY ONLY PICK UP ALREADY PACKAGED MEDICAL MARIJUANA
32 DELIVERY ORDERS FROM A MEDICAL MARIJUANA STORE OR ITS
33 ASSOCIATED STATE LICENSING AUTHORITY-AUTHORIZED STORAGE
34 FACILITY AS DEFINED BY RULE AND DELIVER THOSE ORDERS TO THE
35 APPROPRIATE PATIENT, PARENT, OR GUARDIAN;

36 (II) DELIVER MEDICAL MARIJUANA AND MEDICAL
37 MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS
38 ESTABLISHED BY THE STATE LICENSING AUTHORITY;

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

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

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

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

6 (VI) DELIVER MEDICAL MARIJUANA OR MEDICAL
7 MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT
8 COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT
9 TO THIS SECTION AND SECTION 44-10-203 (2)(cc); AND

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

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

24 (f) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL
25 MARIJUANA-INFUSED PRODUCTS FOR A MEDICAL MARIJUANA
26 TRANSPORTER MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A
27 CURRENT EMPLOYEE OF THE MEDICAL MARIJUANA TRANSPORTER LICENSEE
28 WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT; MUST HAVE
29 UNDERGONE TRAINING REGARDING PROOF-OF-AGE IDENTIFICATION AND
30 VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE
31 DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST
32 HAVE ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING
33 AUTHORITY.

34 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING
35 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL
36 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO
37 THIS ARTICLE 10 APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND
38 MEDICAL MARIJUANA-INFUSED PRODUCTS, INCLUDING BUT NOT LIMITED
39 TO INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND
40 LABELING REQUIREMENTS.

41 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
42 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO MEDICAL MARIJUANA
43 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).

1 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
2 CRIMINAL LAW FOR A LICENSED MEDICAL MARIJUANA TRANSPORTER
3 LICENSEE WITH A VALID MEDICAL MARIJUANA DELIVERY PERMIT, OR SUCH
4 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
5 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
6 DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED
7 PRODUCTS PURSUANT TO A MEDICAL MARIJUANA DELIVERY PERMIT IN
8 AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE
9 LICENSING AUTHORITY.

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

23 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
24 OF THIS SECTION MAY PROHIBIT DELIVERY OF MEDICAL MARIJUANA OR
25 MEDICAL MARIJUANA-INFUSED PRODUCTS FROM A MEDICAL MARIJUANA
26 STORE THAT IS OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND
27 COUNTY'S JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS
28 JURISDICTIONAL BOUNDARIES.

29 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING
30 MEDICAL MARIJUANA DELIVERY PERMITS TO QUALIFIED MEDICAL
31 MARIJUANA TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN,
32 JANUARY 2, 2021."

33 Page 121, after line 7 insert:

34 "(13) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA
35 DELIVERY PERMIT TO A RETAIL MARIJUANA STORE LICENSE AUTHORIZING
36 THE PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL
37 MARIJUANA PRODUCTS.

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

41 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
42 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA STORE; EXCEPT

1 THAT, A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY TO
2 MULTIPLE RETAIL MARIJUANA STORES PROVIDED THAT THE RETAIL
3 MARIJUANA STORES ARE IN THE SAME LOCAL JURISDICTION AND ARE
4 IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY
5 FOR PURPOSES OF THIS SECTION.

6 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
7 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
8 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
9 MARIJUANA STORE LICENSE ISSUED PURSUANT TO THIS ARTICLE 10. A
10 PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
11 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
12 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
13 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
14 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
15 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
16 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
17 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
18 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
19 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
20 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
21 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA STORE OR
22 RETAIL MARIJUANA TRANSPORTER LICENSEE. A VIOLATION RELATED TO A
23 RETAIL MARIJUANA DELIVERY PERMIT IS GROUNDS FOR A FINE OR
24 SUSPENSION OR REVOCATION OF THE DELIVERY PERMIT OR RETAIL
25 MARIJUANA STORE LICENSE.

26 (b) A RETAIL MARIJUANA STORE LICENSEE SHALL NOT MAKE
27 DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO
28 INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL MARIJUANA OR RETAIL
29 MARIJUANA PRODUCTS BETWEEN LICENSED PREMISES IN THE SAME
30 VEHICLE.

31 (c) THE LICENSED RETAIL MARIJUANA STORE SHALL CHARGE A
32 ONE-DOLLAR SURCHARGE ON EACH DELIVERY. THE LICENSED RETAIL
33 MARIJUANA STORE SHALL REMIT THE SURCHARGES COLLECTED ON A
34 MONTHLY BASIS TO THE MUNICIPALITY WHERE THE LICENSED RETAIL
35 MARIJUANA STORE IS LOCATED, OR TO THE COUNTY IF THE LICENSED
36 RETAIL MARIJUANA STORE IS IN AN UNINCORPORATED AREA, FOR LOCAL
37 LAW ENFORCEMENT COSTS RELATED TO MARIJUANA ENFORCEMENT.
38 FAILURE TO COMPLY WITH THIS SUBSECTION (13)(c) MAY RESULT IN
39 NONRENEWAL OF THE RETAIL MARIJUANA DELIVERY PERMIT.

40 (d) A LICENSED RETAIL MARIJUANA STORE WITH A RETAIL
41 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
42 RETAIL MARIJUANA PRODUCTS ONLY TO THE INDIVIDUAL WHO PLACED THE
43 ORDER AND WHO:

1 (I) IS TWENTY-ONE YEARS OF AGE OR OLDER;
2 (II) RECEIVES THE DELIVERY OF RETAIL MARIJUANA OR RETAIL
3 MARIJUANA PRODUCTS PURSUANT TO RULES; AND
4 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.
5 (e) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL
6 MARIJUANA PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE
7 AND BE A CURRENT EMPLOYEE OF THE LICENSED RETAIL MARIJUANA STORE
8 OR 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 (f) IN ACCORDANCE WITH THIS SUBSECTION (13) AND RULES
15 ADOPTED TO IMPLEMENT THIS SUBSECTION (13), A LICENSED RETAIL
16 MARIJUANA STORE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT
17 MAY:
18 (I) RECEIVE AN ORDER THROUGH ELECTRONIC OR OTHER MEANS
19 FOR THE PURCHASE AND DELIVERY OF RETAIL MARIJUANA OR RETAIL
20 MARIJUANA PRODUCTS. WHEN USING AN ONLINE PLATFORM FOR
21 MARIJUANA DELIVERY, THE PLATFORM MUST REQUIRE THE INDIVIDUAL TO
22 CHOOSE A RETAIL MARIJUANA STORE BEFORE VIEWING THE PRICE.
23 (II) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
24 NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING
25 AUTHORITY;
26 (III) DELIVER ONLY TO AN INDIVIDUAL AT THE ADDRESS PROVIDED
27 IN THE ORDER;
28 (IV) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME
29 INDIVIDUAL OR RESIDENCE;
30 (V) (A) DELIVER ONLY TO PRIVATE RESIDENCES;
31 (B) FOR PURPOSES OF THIS SECTION, "PRIVATE RESIDENCES"
32 MEANS PRIVATE PREMISES WHERE A PERSON LIVES, SUCH AS A PRIVATE
33 DWELLING PLACE OR PLACE OF HABITATION, AND SPECIFICALLY EXCLUDES
34 ANY PREMISES LOCATED AT A SCHOOL OR ON THE CAMPUS OF AN
35 INSTITUTION OF HIGHER EDUCATION, OR ANY OTHER PUBLIC PROPERTY.
36 (VI) DELIVER RETAIL MARIJUANA OR RETAIL MARIJUANA
37 PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION
38 AND THE RULES PROMULGATED PURSUANT TO THIS SECTION AND SECTION
39 44-10-203 (2)(cc); AND
40 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES, OR CONTRACT
41 WITH A RETAIL MARIJUANA TRANSPORTER THAT HAS A VALID RETAIL
42 MARIJUANA DELIVERY PERMIT TO CONDUCT DELIVERIES ON ITS BEHALF,
43 FROM ITS RETAIL MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING

1 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

2 (g) (I) AT THE TIME OF THE ORDER, THE RETAIL MARIJUANA STORE
3 SHALL REQUIRE THE INDIVIDUAL TO PROVIDE INFORMATION NECESSARY TO
4 VERIFY THE INDIVIDUAL IS AT LEAST TWENTY-ONE YEARS OF AGE. THE
5 PROVIDED INFORMATION MUST, AT A MINIMUM, INCLUDE THE FOLLOWING:
6 (A) THE PATIENT'S NAME AND DATE OF BIRTH;
7 (B) THE ADDRESS OF THE RESIDENCE WHERE THE ORDER WILL BE
8 DELIVERED; AND
9 (C) ANY OTHER INFORMATION REQUIRED BY STATE LICENSING
10 AUTHORITY RULE.

11 (II) PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO AN
12 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE
13 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION
14 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE
15 INDIVIDUAL'S IDENTIFICATION.

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

23 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED
24 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO RETAIL MARIJUANA
25 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (13).

26 (i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
27 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA STORE OR RETAIL
28 MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL MARIJUANA
29 DELIVERY PERMIT, OR SUCH PERSON WHO HAS MADE TIMELY AND
30 SUFFICIENT APPLICATION FOR THE RENEWAL OF THE PERMIT, OR ITS
31 LICENSEES TO POSSESS, TRANSPORT, AND DELIVER RETAIL MARIJUANA OR
32 RETAIL MARIJUANA PRODUCTS PURSUANT TO A RETAIL MARIJUANA
33 DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS
34 ESTABLISHED BY THE STATE LICENSING AUTHORITY.

35 (j) A LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST STATE
36 LICENSING AUTHORITY REPORTS, INCLUDING COMPLAINTS, INVESTIGATIVE
37 ACTION, AND FINAL AGENCY ACTION ORDERS, RELATED TO CRIMINAL
38 ACTIVITY MATERIALLY RELATED TO RETAIL MARIJUANA DELIVERY IN THE
39 LAW ENFORCEMENT AGENCY'S JURISDICTION, AND THE STATE LICENSING
40 AUTHORITY SHALL PROMPTLY PROVIDE ANY REPORTS IN ITS POSSESSION
41 FOR THE LAW ENFORCEMENT AGENCY'S JURISDICTION.

42 (k) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
43 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT

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

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

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

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

25 Page 135, line 13, after "distribution," insert "DELIVERY,".

26 Page 136, after line 17 insert:

27 "(5) (a) (I) THERE IS AUTHORIZED A RETAIL MARIJUANA DELIVERY
28 PERMIT TO A RETAIL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE
29 PERMIT HOLDER TO DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
30 PRODUCTS.

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

34 (III) A RETAIL MARIJUANA DELIVERY PERMIT ISSUED PURSUANT TO
35 THIS SECTION APPLIES TO ONLY ONE RETAIL MARIJUANA TRANSPORTER;
36 EXCEPT THAT A SINGLE RETAIL MARIJUANA DELIVERY PERMIT MAY APPLY
37 TO MULTIPLE RETAIL MARIJUANA TRANSPORTERS PROVIDED THAT THE
38 RETAIL MARIJUANA TRANSPORTERS ARE IN THE SAME LOCAL JURISDICTION
39 AND ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING
40 AUTHORITY FOR PURPOSES OF THIS SECTION.

41 (IV) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL

1 MARIJUANA DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS
2 DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A RETAIL
3 MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 10.
4 A PERMIT APPLICANT IS PROHIBITED FROM DELIVERING RETAIL MARIJUANA
5 AND RETAIL MARIJUANA PRODUCTS WITHOUT STATE AND LOCAL
6 JURISDICTION APPROVAL. IF THE APPLICANT DOES NOT RECEIVE LOCAL
7 JURISDICTION APPROVAL WITHIN ONE YEAR FROM THE DATE OF THE STATE
8 LICENSING AUTHORITY APPROVAL, THE STATE PERMIT EXPIRES AND MAY
9 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING
10 AUTHORITY, THE STATE LICENSING AUTHORITY SHALL REVOKE THE
11 STATE-ISSUED PERMIT. THE STATE LICENSING AUTHORITY HAS DISCRETION
12 IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A
13 RETAIL MARIJUANA DELIVERY PERMIT. A RETAIL MARIJUANA DELIVERY
14 PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A
15 REVOCABLE PRIVILEGE OF A LICENSED RETAIL MARIJUANA TRANSPORTER.
16 A VIOLATION RELATED TO A RETAIL MARIJUANA DELIVERY PERMIT IS
17 GROUNDS FOR A FINE OR SUSPENSION OR REVOCATION OF THE DELIVERY
18 PERMIT OR RETAIL MARIJUANA TRANSPORTER LICENSE.

19 (b) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT
20 MAKE DELIVERIES OF RETAIL MARIJUANA OR RETAIL MARIJUANA
21 PRODUCTS TO INDIVIDUALS WHILE ALSO TRANSPORTING RETAIL
22 MARIJUANA OR RETAIL MARIJUANA PRODUCTS BETWEEN LICENSED
23 PREMISES IN THE SAME VEHICLE.

24 (c) A LICENSED RETAIL MARIJUANA TRANSPORTER WITH A RETAIL
25 MARIJUANA DELIVERY PERMIT MAY DELIVER RETAIL MARIJUANA AND
26 RETAIL MARIJUANA PRODUCTS ON BEHALF OF A RETAIL MARIJUANA STORE
27 ONLY TO THE INDIVIDUAL WHO PLACED THE ORDER WITH A RETAIL
28 MARIJUANA STORE AND WHO:

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

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

32 (III) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

33 (d) IN ACCORDANCE WITH THIS SUBSECTION (5) AND RULES
34 ADOPTED TO IMPLEMENT THIS SUBSECTION (5), A LICENSED RETAIL
35 MARIJUANA TRANSPORTER WITH A VALID RETAIL MARIJUANA DELIVERY
36 PERMIT MAY:

37 (I) NOT ACCEPT ORDERS ON BEHALF OF A RETAIL MARIJUANA
38 STORE AND MAY ONLY PICK UP ALREADY PACKAGED RETAIL MARIJUANA
39 DELIVERY ORDERS FROM A RETAIL MARIJUANA STORE OR ITS ASSOCIATED
40 STATE LICENSING AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED
41 BY RULE AND DELIVER THOSE ORDERS TO THE APPROPRIATE INDIVIDUAL;

42 (II) DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA
43 PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE

1 LICENSING 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 A PRIVATE RESIDENCE;

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 44-10-203 (2)(cc); AND

16 (VII) USE AN EMPLOYEE TO CONDUCT DELIVERIES ON BEHALF OF,

17 AND PURSUANT TO A CONTRACT WITH, A RETAIL MARIJUANA STORE THAT

18 HAS A VALID RETAIL MARIJUANA DELIVERY PERMIT FROM ITS RETAIL

19 MARIJUANA STORE OR ITS ASSOCIATED STATE LICENSING

20 AUTHORITY-AUTHORIZED STORAGE FACILITY AS DEFINED BY RULE.

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

22 INDIVIDUAL, THE PERSON DELIVERING THE ORDER SHALL INSPECT THE

23 INDIVIDUAL'S IDENTIFICATION AND VERIFY THAT THE INFORMATION

24 PROVIDED AT THE TIME OF THE ORDER MATCH THE NAME AND AGE ON THE

25 INDIVIDUAL'S IDENTIFICATION.

26 (f) ANY PERSON DELIVERING RETAIL MARIJUANA OR RETAIL

27 MARIJUANA PRODUCTS FOR A RETAIL MARIJUANA TRANSPORTER MUST

28 POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE

29 OF THE RETAIL MARIJUANA TRANSPORTER LICENSEE WITH A VALID RETAIL

30 MARIJUANA DELIVERY PERMIT; MUST HAVE UNDERGONE TRAINING

31 REGARDING PROOF-OF-AGE IDENTIFICATION AND VERIFICATION,

32 INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED

33 ACCEPTABLE BY THE STATE LICENSING AUTHORITY; AND MUST HAVE ANY

34 OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

35 (g) (I) UNLESS OTHERWISE PROVIDED BY THE STATE LICENSING

36 AUTHORITY BY RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, ALL

37 REQUIREMENTS APPLICABLE TO OTHER LICENSES ISSUED PURSUANT TO

38 THIS ARTICLE 10 APPLY TO THE DELIVERY OF RETAIL MARIJUANA AND

39 RETAIL MARIJUANA PRODUCTS, INCLUDING BUT NOT LIMITED TO

40 INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING

41 REQUIREMENTS.

42 (II) THE ADVERTISING REGULATIONS AND PROHIBITIONS ADOPTED

43 PURSUANT TO SECTION 44-10-203 (3)(a) APPLY TO RETAIL MARIJUANA

1 DELIVERY OPERATIONS PURSUANT TO THIS SUBSECTION (5).
2 (h) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR
3 CRIMINAL LAW FOR A LICENSED RETAIL MARIJUANA TRANSPORTER
4 LICENSEE WITH A VALID RETAIL MARIJUANA DELIVERY PERMIT, OR SUCH
5 PERSON WHO HAS MADE TIMELY AND SUFFICIENT APPLICATION FOR THE
6 RENEWAL OF THE PERMIT, OR ITS LICENSEES TO POSSESS, TRANSPORT, AND
7 DELIVER RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS
8 PURSUANT TO A RETAIL MARIJUANA DELIVERY PERMIT IN AMOUNTS THAT
9 DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING
10 AUTHORITY.
11 (i) (I) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION,
12 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IS NOT
13 PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY UNLESS
14 THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A
15 MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY,
16 OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL
17 ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL
18 ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM
19 ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, AS APPLICABLE,
20 OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE
21 MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE
22 DELIVERY OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
23 PURSUANT TO THIS SECTION.
24 (II) AN ORDINANCE ADOPTED PURSUANT TO SUBSECTION (5)(i)(I)
25 OF THIS SECTION MAY PROHIBIT DELIVERY OF RETAIL MARIJUANA AND
26 RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA STORE THAT IS
27 OUTSIDE A MUNICIPALITY'S, COUNTY'S, CITY'S, OR CITY AND COUNTY'S
28 JURISDICTIONAL BOUNDARIES TO AN ADDRESS WITHIN ITS JURISDICTIONAL
29 BOUNDARIES.
30 (j) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING RETAIL
31 MARIJUANA DELIVERY PERMITS TO QUALIFIED RETAIL MARIJUANA
32 TRANSPORTER APPLICANTS ON, BUT NOT EARLIER THAN, JANUARY 2,
33 2021."

34 Page 156, after line 25 insert:
35 "(III.5) STATUTORY AND REGULATORY REQUIREMENTS RELATED
36 TO MARIJUANA DELIVERY;"

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