

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Mullica

- 1 Amend the Health and Insurance Committee Report, dated February 12,  
2 2020, page 1, strike lines 1 and 2 and substitute:
- 3 "Amend printed bill, page 3, line 19, strike "document" and substitute  
4 "~~document~~ GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION".
- 5 Page 5, line 21, strike "person" and substitute "~~person~~ RETAILER".
- 6 Page 5, line 22, strike "PERSON:" and substitute "RETAILER:".
- 7 Page 5, line 25, strike "PERSON'S" and substitute "RETAILER'S".
- 8 Page 6, line 3, strike "(4)" and substitute "(4); and **repeal** (3)(b)".
- 9 Page 6, strike lines 9 through 14 and substitute:
- 10 "~~(b) It shall not be an offense under paragraph (a) of this~~  
11 ~~subsection (2) if the person under eighteen years of age was acting at the~~  
12 ~~direction of an employee of a governmental agency authorized to enforce~~  
13 ~~or ensure compliance with laws relating to the prohibition of the sale of~~  
14 ~~cigarettes and tobacco products to minors.".~~"
- 15 Page 1 of the report, after line 11 insert:
- 16 "Page 9 of the bill, line 4, strike the second "**prohibited.**" and substitute  
17 "**prohibited - rules.**".
- 18 Page 9, strike line 9 and substitute "upon a VALID GOVERNMENT-ISSUED  
19 photographic identification, AS DETERMINED BY THE EXECUTIVE DIRECTOR  
20 BY RULE, that identified the person purchasing".
- 21 Page 1 of the report, line 14, after the first "in" insert "AN  
22 AGE-RESTRICTED AREA OF".
- 23 Page 2 of the report, line 8, strike ""(4)(c)." and substitute ""(4)(c),".
- 24 Page 2 of the report, after line 8 insert:
- 25 "Page 11 of the bill, strike lines 8 and 9 and substitute "PUBLISH ON THE  
26 DIVISION'S PUBLIC WEBSITE the ~~identification and address~~ BUSINESS

1 NAMES AND ADDRESSES OF STATE-LICENSED RETAILERS THAT SELL CIGARETTES,".

2 Page 11, strike lines 18 through 22 and substitute:

3 "(A) WILL COVER THE DIRECT AND INDIRECT COST OF  
4 ENFORCEMENT AND ADMINISTRATION; AND".

5 Page 2 of the report, line 15, strike "REQUIREMENTS." and substitute  
6 "REQUIREMENTS AND THAT LOCAL AUTHORITIES APPRISE THE DIVISION IN  
7 AN APPROPRIATE FORM AND MANNER OF COMPLIANCE CHECKS  
8 CONDUCTED".

9 Page 2 of the report, strike line 20 and substitute "ON THE COMPLAINTS.  
10 THE RULES MUST ENSURE THAT LOCAL AUTHORITIES APPRISE THE DIVISION  
11 OF COMPLAINTS AND ANY ACTION TAKEN ON THOSE COMPLAINTS.

12 (IV) REGARDING RETAILERS' OBLIGATIONS TO COMPLY WITH THE  
13 DIVISION'S DOCUMENT PRODUCTION REQUESTS RELATED TO  
14 IMPLEMENTATION AND ENFORCEMENT OF THIS ARTICLE 7.".

15 Page 3 of the report, after line 15 insert:

16 "Page 17 of the bill, strike lines 12 and 13 and substitute "(1) (a) UNLESS  
17 A LOCAL AUTHORITY HAS APPROVED AN APPLICATION FOR A NEW RETAIL  
18 LOCATION PURSUANT TO AN ORDINANCE OR RESOLUTION ADOPTED  
19 PURSUANT TO SUBSECTION (1)(d) OF THIS SECTION, THE DIVISION SHALL  
20 NOT APPROVE A STATE LICENSE APPLICATION FOR THE NEW RETAIL  
21 LOCATION IF THE NEW RETAIL LOCATION IS LOCATED WITHIN FIVE  
22 HUNDRED".

23 Page 18, strike line 22 and substitute "CIGARS AND PIPE TOBACCO TO A  
24 CONSUMER WHO IS TWENTY-ONE YEARS OF AGE OR OLDER.".

25 Page 3 of the report, after line 16 insert:

26 "Page 19, line 26, strike "(a)" and substitute "(a)".

27 Page 3 of the report, after line 20 insert:

28 "Page 20 of the bill, strike lines 23 and 24 and substitute "shall be filed  
29 with ~~the Colorado~~ A DISTRICT COURT OF APPEALS PURSUANT TO SECTION  
30 ~~24-4-106 (11)~~ COMPETENT JURISDICTION".

31 Page 23, line 10, strike "PERSON" and substitute "RETAILER".

32 Page 23, line 12, strike "PERSON" as it appears two times and substitute

1 "RETAILER".

2 Page 23, line 14, strike "PERSON" and substitute "RETAILER".

3 Page 4 of the report, strike lines 13 and 14 and substitute:

4 "Page 25 of the bill, strike lines 2 through 9 and substitute:

5 "SECTION 13. In Colorado Revised Statutes, 13-4-102, **repeal**  
6 (2)(gg) as follows:

7 **13-4-102. Jurisdiction.** (2) The court of appeals has initial  
8 jurisdiction to:

9 ~~(gg) Review final actions and orders appropriate for judicial~~  
10 ~~review of the department of revenue relating to penalties for violations of~~  
11 ~~statutes relating to the sale of cigarettes, tobacco products, or nicotine~~  
12 ~~products to minors pursuant to section 44-7-105 (5);".~~

\*\* \*\* \*\* \*\* \*\*