

**HOUSE JOURNAL**  
**SIXTY-EIGHTH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**First Regular Session**

Thirty-fourth Legislative Day

Monday, February 14, 2011

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Patrice, Seriah, Noah, and Eyan Dwyer,  
6 Home Schooled, Aurora.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Coram, the reading of the journal of  
16 February 11, 2011, was declared dispensed with and approved as  
17 corrected by the Chief Clerk.

18

19

20

21 On motion of Representative Stephens, **HB11-1030, 1058, 1083, 1159,**  
22 **1069, 1109, 1148, 1053, 1073, 1118, 1002, 1033, 1202, 1177, 1187,**  
23 **1027, 1117, 1176** were made Special Orders on Monday, February 14,  
24 2011, at 10:18 a.m.

25

26

27 The hour of 10:18 a.m., having arrived, on motion of Representative  
28 Massey, the House resolved itself into Committee of the Whole for  
29 consideration of Special Orders and he was called to the Chair to act as  
30 Chairman.

31

32

33

**SPECIAL ORDERS--SECOND READING OF BILLS**

34

35 The Committee of the Whole having risen, the Chairman reported the  
36 titles of the following bills had been read (reading at length had been  
37 dispensed with by unanimous consent), the bills considered and action  
38 taken thereon as follows:

39

40

41 (Amendments to the committee amendment are to the printed committee  
42 report which was printed and placed in the members' bill file.)

43

1 **HB11-1030** by Representative(s) Gardner B.; also Senator(s) Boyd--  
2 Concerning modifications to the set aside program that  
3 requires a state agency to first solicit bids for certain  
4 services from nonprofit agencies that employ persons with  
5 severe disabilities.

6  
7 Amendment No. 1, by Representative(s) Gardner B.

8  
9 Amend printed bill, page 3, line 8, strike "HAS AWARDED" and substitute  
10 "AWARDS".

11  
12 Page 3, line 9, strike "SHALL, USING" and substitute "SHALL".

13  
14 Page 3, strike lines 10 through 13 and substitute "INCLUDE IN THE  
15 CONTRACT WITH SUCH SELF-CERTIFIED VENDOR THE REQUIREMENT THAT  
16 THE VENDOR MUST MAINTAIN THE REQUIREMENTS TO BE A  
17 SELF-CERTIFIED VENDOR PURSUANT TO SECTION 24-103-803 (2) FOR THE  
18 ENTIRE TERM OF THE CONTRACT.".

19  
20 As amended, ordered engrossed and placed on the Calendar for Third  
21 Reading and Final Passage.

22  
23 **HB11-1058** by Representative(s) Pabon; also Senator Jahn--  
24 Concerning a requirement that the entity that administers  
25 the electronic public assistance benefits transfer service  
26 prohibit recipients from accessing cash benefits at  
27 specified locations.

28  
29 Amendment No. 1, Health & Environment Report, dated  
30 January 27, 2011, and placed in member's bill file; Report also printed in  
31 House Journal, January 28, pages 115-116.

32  
33 Amendment No. 2, by Representative(s) Pabon.

34  
35 Amend printed bill, page 3, line 24, strike "2012," and substitute "2013,"  
36 and strike "ENTITY" and substitute "STATE DEPARTMENT".

37  
38 Amendment No. 3, by Representative(s) Riesberg.

39  
40 Amend printed bill, page 4, strike lines 9 through 11 and substitute:

41  
42 **"SECTION 3. Act subject to petition - effective date.** This act  
43 shall take effect at 12:01 a.m. on the day following the expiration of the  
44 ninety-day period after final adjournment of the general assembly (August  
45 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
46 referendum petition is filed pursuant to section 1 (3) of article V of the  
47 state constitution against this act or an item, section, or part of this act  
48 within such period, then the act, item, section, or part shall not take effect  
49 unless approved by the people at the general election to be held in  
50 November 2012 and shall take effect on the date of the official  
51 declaration of the vote thereon by the governor.".

52  
53 As amended, ordered engrossed and placed on the Calendar for Third  
54 Reading and Final Passage.

55

- 1 **HB11-1083** by Representative(s) Swerdfeger, Brown, Coram,  
2 Gardner B., Joshi, Liston, Looper, Massey, Ramirez,  
3 Sonnenberg, Soper, Szabo; also Senator(s) Giron and  
4 Grantham--Concerning the consideration of new  
5 hydroelectricity projects, and, in connection therewith,  
6 allowing the public utilities commission to consider  
7 hydroelectricity and pumped hydroelectricity for the  
8 generation of electricity.  
9
- 10 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
11 dated February 7, 2011, and placed in member's bill file; Report also  
12 printed in House Journal, February 8, pages 190-191.  
13
- 14 As amended, ordered engrossed and placed on the Calendar for Third  
15 Reading and Final Passage.  
16
- 17 **HB11-1159** by Representative(s) Coram; also Senator(s) Schwartz--  
18 Concerning a requirement that the commissioner of  
19 agriculture license grain protein analyzers prior to  
20 commercial use, and, in connection therewith, exempting  
21 grain protein analyzers from the requirement that a  
22 certificate of conformance be issued prior to use for  
23 commercial or law enforcement purposes.  
24
- 25 Ordered engrossed and placed on the Calendar for Third Reading and  
26 Final Passage.  
27
- 28 **HB11-1069** by Representative(s) Massey and Fields--Concerning  
29 measures to increase physical activity in public schools.  
30
- 31 Amendment No. 1, Education Report, dated February 7, 2011, and placed  
32 in member's bill file; Report also printed in House Journal, February 8,  
33 pages 192-193.  
34
- 35 As amended, ordered engrossed and placed on the Calendar for Third  
36 Reading and Final Passage.  
37
- 38 **HB11-1109** by Representative(s) Liston, Balmer, Bradford, DelGrosso,  
39 Holbert, Kerr J., Looper, Nikkel, Priola, Ramirez, Schafer  
40 S., Stephens; also Senator(s) Giron--Concerning the  
41 authority for a local government to create an exemption  
42 from local sales tax for the sale of equipment used directly  
43 in the provision of telecommunications services.  
44
- 45 Amendment No. 1, Local Government Report, dated February 7, 2011,  
46 and placed in member's bill file; Report also printed in House Journal,  
47 February 8, pages 193-194.  
48
- 49 As amended, ordered engrossed and placed on the Calendar for Third  
50 Reading and Final Passage.  
51
- 52 **HB11-1148** by Representative(s) Labuda and Nikkel, Summers, Acree,  
53 Kagan; also Senator(s) Boyd--Concerning the disclosure  
54 of employment information to an employer regarding a  
55 health care worker, and, in connection therewith, granting  
56 immunity from civil liability for the disclosure of

1 information and creating an exception from the prohibition  
2 against blacklisting for the disclosure of information.  
3  
4 Amendment No. 1, Health & Environment Report, dated  
5 February 8, 2011, and placed in member's bill file; Report also printed in  
6 House Journal, February 9, page 209.  
7  
8 As amended, ordered engrossed and placed on the Calendar for Third  
9 Reading and Final Passage.  
10  
11 **HB11-1053** by Representative(s) Solano, Massey; also Senator(s)  
12 Steadman--Concerning court proceedings initiated to  
13 compel a minor to attend school.  
14  
15 Amendment No. 1, Education Report, dated February 2, 2011, and placed  
16 in member's bill file; Report also printed in House Journal, February 3,  
17 pages 148-150.  
18  
19 As amended, ordered engrossed and placed on the Calendar for Third  
20 Reading and Final Passage.  
21  
22 **HB11-1073** by Representative(s) Barker; also Senator(s) Morse--  
23 Concerning peace officer designation for United States  
24 marshals.  
25  
26 Ordered engrossed and placed on the Calendar for Third Reading and  
27 Final Passage.  
28  
29 **HB11-1118** by Representative(s) Kerr J., Acree, Gardner D., Miklosi;  
30 also Senator(s) Carroll, Tochtrop--Concerning  
31 authorization for the state auditor to conduct a  
32 performance audit of a public highway authority.  
33  
34 Amendment No. 1, by Representative(s) Ramirez.  
35  
36 Amend printed bill, page 2, line 9, strike "C.R.S." and substitute "C.R.S.;  
37 EXCEPT THAT THE LEGISLATIVE AUDIT COMMITTEE MAY NOT REQUIRE THE  
38 STATE AUDITOR TO CONDUCT SUCH A PERFORMANCE AUDIT DURING ANY  
39 YEAR IN WHICH THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE  
40 CREATED IN SECTION 43-2-145 (1), C.R.S., IS REQUIRED OR AUTHORIZED  
41 TO MEET."  
42  
43 As amended, ordered engrossed and placed on the Calendar for Third  
44 Reading and Final Passage.  
45  
46 **HB11-1002** by Representative(s) Nikkel; also Senator(s) Kopp--  
47 Concerning the creation of an on-line database for the  
48 department of transportation's financial information.  
49  
50 Amendment No. 1, Appropriations Report, dated February 11, 2011, and  
51 placed in member's bill file; Report also printed in House Journal,  
52 February 12, pages 223-224.  
53  
54 As amended, ordered engrossed and placed on the Calendar for Third  
55 Reading and Final Passage.  
56

1 **HB11-1033** by Representative(s) Williams A.; also Senator(s) Jahn--  
2 Concerning the elimination of the requirement that certain  
3 insurers file Colorado-specific financial information with  
4 the commissioner of insurance.  
5

6 Amendment No. 1, Appropriations Report, dated February 11, 2011, and  
7 placed in member's bill file; Report also printed in House Journal,  
8 February 12, page 224.  
9

10 As amended, ordered engrossed and placed on the Calendar for Third  
11 Reading and Final Passage.  
12

13 **HB11-1202** by Representative(s) Labuda, Casso, Soper; also  
14 Senator(s) Tochtrop--Concerning a requirement that a  
15 public entity have appropriations available to it prior to the  
16 performance of any work conducted by a contractor  
17 pursuant to a change order.  
18

19 Ordered engrossed and placed on the Calendar for Third Reading and  
20 Final Passage.  
21

22 **HB11-1177** by Representative(s) Sonnenberg and Jones; also  
23 Senator(s) Schwartz and White--Concerning an extension  
24 of the ability to make voluntary contributions via income  
25 tax to the Colorado healthy rivers fund.  
26

27 Amendment No. 1, Finance Report, dated February 10, 2011, and placed  
28 in member's bill file; Report also printed in House Journal, February 11,  
29 page 228.  
30

31 As amended, ordered engrossed and placed on the Calendar for Third  
32 Reading and Final Passage.  
33

34 **HB11-1187** by Representative(s) Sonnenberg; also Senator(s) Brophy--  
35 Concerning personnel employed to operate the public  
36 golfing club at Northeastern junior college.  
37

38 Amendment No. 1, Finance Report, dated February 10, 2011, and placed  
39 in member's bill file; Report also printed in House Journal, February 11,  
40 pages 228-229.  
41

42 As amended, ordered engrossed and placed on the Calendar for Third  
43 Reading and Final Passage.  
44

45 **HB11-1027** by Representative(s) Looper; also Senator(s) Newell--  
46 Concerning the creation of the department of defense  
47 quality child care standards pilot program.  
48

49 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
50 February 9, 2011, and placed in member's bill file; Report also printed in  
51 House Journal, February 11, pages 229-230.  
52

53 As amended, ordered engrossed and placed on the Calendar for Third  
54 Reading and Final Passage.  
55

1 **HB11-1117** by Representative(s) McCann and Court, Gardner B.,  
 2 Kagan, Kerr A., Lee, Liston, Looper, Ryden, Waller; also  
 3 Senator(s) King S.--Concerning subpoenas issued by  
 4 administrative law judges in campaign finance  
 5 proceedings.  
 6

7 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
 8 February 10, 2011, and placed in member's bill file; Report also printed  
 9 in House Journal, February 11, pages 230-231.  
 10

11 As amended, ordered engrossed and placed on the Calendar for Third  
 12 Reading and Final Passage.  
 13

14 **HB11-1176** by Representative(s) Ramirez; also Senator(s) Renfroe--  
 15 Concerning an exemption of crude oil from designated  
 16 routes set by the state patrol for the transportation of  
 17 hazardous substances by motor vehicle.  
 18

19 Ordered engrossed and placed on the Calendar for Third Reading and  
 20 Final Passage.  
 21

---

22  
 23  
 24 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**  
 25

26 Passed Second Reading: **HB11-1030 amended, 1058 amended, 1083**  
 27 **amended, 1159, 1069 amended, 1109 amended, 1148 amended, 1053**  
 28 **amended, 1073, 1118 amended, 1002 amended, 1033 amended, 1202,**  
 29 **1177 amended, 1187 amended, 1027 amended, 1117 amended, 1176.**  
 30

31 The Chairman moved the adoption of the Committee of the Whole  
 32 Report. As shown by the following roll call vote, a majority of those  
 33 elected to the House voted in the affirmative, and the Report was  
 34 **adopted.**  
 35

	YES	65	NO	0	EXCUSED	0	ABSENT	0
37	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
38	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
39	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
40	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
41	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
44	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
45	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
46	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
47	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
48	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
49	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
50	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
51	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
52	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
53							Speaker	Y

1 House in recess. House reconvened.  
2  
3  
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6  
7 **APPROPRIATIONS**

8 After consideration on the merits, the Committee recommends the  
9 following:

10  
11 **HB11-1004** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:  
14

15 Amend the House Agriculture, Livestock and Natural Resources  
16 Committee Report dated January 24, 2011, page 1, before line 1, insert:

17  
18 "Amend printed bill, page 2, after line 1 insert:  
19

20 **"SECTION 1. Legislative declaration.** The general assembly  
21 declares that nothing in this act authorizes a person to use a license plate  
22 on a motor vehicle to which the plate has not been assigned in violation  
23 of section 42-3-124 or 42-3-202, Colorado Revised Statutes."."  
24

25 Renumber succeeding sections accordingly."  
26

27 Page 1 of the committee report, strike "Amend printed bill, page" and  
28 substitute Page".  
29

30 Page 1 of the committee report, after line 2, insert:  
31

32 "Page 3 of the bill, after line 2, insert:  
33

34 **"SECTION 4. Appropriation.** (1) In addition to any other  
35 appropriation, there is hereby appropriated, out of any moneys in the  
36 Colorado state titling and registration account of the highway users tax  
37 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
38 otherwise appropriated, to the department of revenue, for allocation to the  
39 information technology division, for the fiscal year beginning July 1,  
40 2011, the sum of twenty-two thousand two hundred dollars (\$22,200)  
41 cash funds, or so much thereof as may be necessary, for the  
42 implementation of this act.  
43

44 (2) In addition to any other appropriation, there is hereby  
45 appropriated to the governor - lieutenant governor - state planning and  
46 budgeting, for allocation to the office of information technology, for the  
47 fiscal year beginning July 1, 2011, the sum of twenty-two thousand two  
48 hundred dollars (\$22,200), or so much thereof as may be necessary, for  
49 the programming services to the department of revenue related to the  
50 implementation of this act. Said sum shall be from reappropriated funds  
51 received from the department of revenue out of the appropriation made  
52 in subsection (1) of this section."."  
53

54 Page 1 of the Committee Report, strike lines 4 through 15 and substitute:  
55

56 **"SECTION 5. Act subject to petition - effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day

1 following the expiration of the ninety-day period after final adjournment  
2 of the general assembly (August 10, 2011, if adjournment sine die is on  
3 May 11, 2011); except that, if a referendum petition is filed pursuant to  
4 section 1 (3) of article V of the state constitution against this act or an  
5 item, section, or part of this act within such period, then the act, item,  
6 section, or part shall not take effect unless approved by the people at the  
7 general election to be held in November 2012 and shall take effect on the  
8 date of the official declaration of the vote thereon by the governor.  
9

10 (2) The provisions of this act shall apply to applications for  
11 registration filed on or after January 1, 2012."  
12

13 Page 1 of the Committee Report, after line 15, insert:  
14

15 "Page 1 of the bill, line 102, strike "**PRODUCTION.**" and substitute  
16 "**PRODUCTION, AND MAKING AN APPROPRIATION IN CONNECTION**  
17 **THEREWITH.**".".  
18  
19  
20  
21

## 22 FINANCE

23 After consideration on the merits, the Committee recommends the  
24 following:  
25

26 **HB11-1052** be postponed indefinitely.  
27  
28  
29  
30

## 31 HEALTH & ENVIRONMENT

32 After consideration on the merits, the Committee recommends the  
33 following:  
34

35 **HB11-1144** be amended as follows, and as so amended, be referred to  
36 the Committee of the Whole with favorable  
37 recommendation:  
38

39 Amend printed bill, page 5, line 15, strike "and".  
40

41 Page 5, strike lines 16 through 19 and substitute:  
42

43 "(e) The diagnostic and evaluation clinics of the Colorado health  
44 care program for children with special health care needs in the prevention  
45 services division in the department of public health and environment are  
46 effective methods for providing information and support to local  
47 communities and families in need of diagnostic and evaluation services;  
48 and

49 (f) Multidisciplinary diagnostic evaluations will result in:"  
50

51 Page 5, line 22, strike "cost savings to insurance companies" and  
52 substitute "savings".  
53

54 Page 6, line 3, strike "section;" and substitute "section regarding  
55 representation on the FASD commission;"  
56

56 Page 10, strike lines 18 through 27.



1 Strike pages 11 through 13.

2

3 Renumber succeeding section accordingly.

4

5 Page 1, line 104, strike "COMMISSION," and substitute "COMMISSION  
6 AND".

7

8 Page 1, strike lines 105 through 108 and substitute "OF HEALTH  
9 WARNING INFORMATION".

10

11

12

13 **HB11-1151** be amended as follows, and as so amended, be referred to  
14 the Committee of the Whole with favorable  
15 recommendation:

16

17 Amend printed bill, page 2, line 11, strike "MEANS:" and substitute  
18 "MEANS AN ANIMAL USED BY A PEACE OFFICER, WHICH ANIMAL IS".

19

20 Page 2, strike line 12.

21

22 Page 2, line 14, after "TO" insert "MOUNTED PATROL HORSES,".

23

24 Page 2, strike lines 18 and 19.

25

26 Page 2, line 26, strike "DUTY, OR IF HE OR" and substitute "DUTY".

27

28 Page 3, strike lines 1 through 21.

29

30 Page 4, line 2, strike "OR THE PERSON WITH A DISABILITY".

31

32 Page 4, strike lines 8 through 11 and substitute "- **cruelty to a service**  
33 **animal - restitution.** (4) IF, IN THE OPINION OF A LICENSED  
34 VETERINARIAN OR A PET ANIMAL FACILITY LICENSED PURSUANT TO  
35 ARTICLE 80 OF TITLE 35, C.R.S., A SERVICE ANIMAL IS EXPERIENCING  
36 EXTREME PAIN OR SUFFERING, IS SEVERELY INJURED PAST RECOVERY, OR  
37 SEVERELY DISABLED PAST RECOVERY, THE ANIMAL MAY BE EUTHANIZED  
38 BY A PEACE OFFICER OR LICENSED VETERINARIAN WITHOUT A COURT  
39 ORDER.".

40

41 Page 1, line 101, strike "ANIMALS." and substitute "ANIMALS IN LAW  
42 ENFORCEMENT".

43

44

45

46

#### 47 **JUDICIARY**

48 After consideration on the merits, the Committee recommends the  
49 following:

50

51 **HB11-1043** be amended as follows, and as so amended, be referred to  
52 the Committee on Appropriations with favorable  
53 recommendation:

54

55 Amend printed bill, strike everything below the enacting clause and  
56 substitute:

1           **SECTION 1.** 12-43.3-103 (2) (c), Colorado Revised Statutes,  
2 is amended, and the said 12-43.3-103 (2) is further amended BY THE  
3 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:  
4

5           **12-43.3-103. Applicability.** (2) (c) On and after July 1, 2011,  
6 all businesses for the purpose of cultivation, manufacture, or sale of  
7 medical marijuana or medical marijuana-infused products, as defined in  
8 this article, shall be subject to the terms and conditions of this article and  
9 any rules promulgated pursuant to this article; EXCEPT THAT A PERSON  
10 THAT HAS MET THE DEADLINES SET FORTH IN PARAGRAPHS (a) AND (b) OF  
11 SUBSECTION (1) OF THIS SECTION THAT HAS NOT HAD ITS APPLICATION  
12 ACTED UPON BY THE STATE LICENSING AUTHORITY MAY CONTINUE TO  
13 OPERATE UNTIL ACTION IS TAKEN ON THE APPLICATION. WHILE  
14 CONTINUING TO OPERATE PRIOR TO THE LICENSING AUTHORITY ACTING ON  
15 THE APPLICATION, THE PERSON SHALL OTHERWISE BE SUBJECT TO THE  
16 TERMS AND CONDITIONS OF THIS ARTICLE AND ALL RULES PROMULGATED  
17 PURSUANT TO THIS ARTICLE.  
18

19           (d) (I) ON AND AFTER JULY 1, 2012, PERSONS WHO DID NOT MEET  
20 ALL REQUIREMENTS OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS  
21 SECTION AS OF JULY 1, 2010, MAY BEGIN TO APPLY FOR A LICENSE  
22 PURSUANT TO THIS ARTICLE. A BUSINESS OR OPERATION THAT APPLIES  
23 AND IS APPROVED FOR ITS LICENSE AFTER JULY 1, 2012, SHALL CERTIFY TO  
24 THE STATE LICENSING AUTHORITY THAT IT IS CULTIVATING AT LEAST  
25 SEVENTY PERCENT OF THE MEDICAL MARIJUANA NECESSARY FOR ITS  
26 OPERATION WITHIN NINETY DAYS AFTER BEING LICENSED.  
27

28           (II) FOR THOSE PERSONS THAT ARE LICENSED PRIOR TO JULY 1,  
29 2012, THE PERSON MAY APPLY TO THE LOCAL AND STATE LICENSING  
30 AUTHORITIES REGARDING CHANGES TO ITS LICENSE AND MAY APPLY FOR  
31 A NEW LICENSE IF THE LICENSE IS FOR A BUSINESS THAT HAS BEEN  
32 LICENSED AND THE PERSON IS PURCHASING THAT BUSINESS.  
33

34           (e) THIS ARTICLE SETS FORTH THE EXCLUSIVE MEANS BY WHICH  
35 MANUFACTURE, SALE, DISTRIBUTION, AND DISPENSING OF MEDICAL  
36 MARIJUANA MAY OCCUR IN THE STATE OF COLORADO. LICENSEES SHALL  
37 NOT BE SUBJECT TO THE TERMS OF SECTION 14 OF ARTICLE XVIII OF THE  
38 STATE CONSTITUTION, EXCEPT WHERE SPECIFICALLY REFERENCED IN THIS  
39 ARTICLE.  
40

41           **SECTION 2.** 12-43.3-202 (1) (c), (1) (d), and (2) (a) (IV),  
42 Colorado Revised Statutes, are amended to read:  
43

44           **12-43.3-202. Powers and duties of state licensing authority -**  
45 **repeal.** (1) The state licensing authority shall:  
46

47           (c) Hear and determine at a public hearing any ~~appeals of a~~  
48 ~~CONTESTED~~ state license denial and any complaints against a licensee and  
49 administer oaths and issue subpoenas to require the presence of persons  
50 and the production of papers, books, and records necessary to the  
51 determination of any hearing so held, all in accordance with article 4 of  
52 title 24, C.R.S. The state licensing authority may, at its discretion,  
53 delegate to the department of revenue hearing officers the authority to  
54 conduct licensing, disciplinary, and rule-making hearings under section  
55 24-4-105, C.R.S. When conducting such hearings, the hearing officers  
56 shall be employees of the state licensing authority under the direction and

1 supervision of the executive director and the state licensing authority.

2

3 (d) Maintain the confidentiality of reports OR OTHER INFORMATION  
4 obtained from a licensee showing the sales volume or quantity of medical  
5 marijuana sold, OR REVEALING ANY PATIENT INFORMATION, or any other  
6 records that are exempt from public inspection pursuant to state law.  
7 SUCH REPORTS OR OTHER INFORMATION MAY BE USED ONLY FOR A  
8 PURPOSE AUTHORIZED BY THIS ARTICLE OR FOR ANY OTHER STATE OR  
9 LOCAL LAW ENFORCEMENT PURPOSE.

10

11 (2) (a) Rules promulgated pursuant to paragraph (b) of subsection  
12 (1) of this section may include, but need not be limited to, the following  
13 subjects:

14

15 (IV) Requirements for inspections, investigations, searches,  
16 seizures, FORFEITURES, and such additional activities as may become  
17 necessary from time to time;

18

19 **SECTION 3.** 12-43.3-302 (1) and (4), Colorado Revised Statutes,  
20 are amended to read:

21

22 **12-43.3-302. Public hearing notice - posting and publication.**

23 (1) Upon receipt of an application for a local license, except an  
24 application for renewal or for transfer of ownership, a local licensing  
25 authority may schedule a public hearing upon the application to be held  
26 not less than thirty days after the date of the application. If the local  
27 licensing authority schedules a hearing for a ~~medical marijuana center~~  
28 LICENSE application, it shall post and publish public notice thereof not  
29 less than ten days prior to the hearing. The local licensing authority shall  
30 give public notice by the posting of a sign in a conspicuous place on the  
31 ~~medical marijuana center~~ LICENSE APPLICANT'S premises for which  
32 LICENSE application has been made and by publication in a newspaper of  
33 general circulation in the county in which the ~~medical marijuana center~~  
34 APPLICANT'S premises are located.

35

36 (4) If the building in which medical marijuana is to be ~~sold~~  
37 CULTIVATED, MANUFACTURED, OR DISTRIBUTED is in existence at the time  
38 of the application, a sign posted as required in subsections (1) and (2) of  
39 this section shall be placed so as to be conspicuous and plainly visible to  
40 the general public. If the building is not constructed at the time of the  
41 application, the applicant shall post a sign at the premises upon which the  
42 building is to be constructed in such a manner that the notice shall be  
43 conspicuous and plainly visible to the general public.

44

45 **SECTION 4.** 12-43.3-303 (2), Colorado Revised Statutes, is  
46 amended to read:

47

48 **12-43.3-303. Results of investigation - decision of authorities.**

49 (2) Before entering a decision approving or denying the application for  
50 a local license, the local licensing authority may consider, except where  
51 this article specifically provides otherwise, the facts and evidence  
52 adduced as a result of its investigation, as well as any other facts pertinent  
53 to the type of license for which application has been made, including the  
54 number, type, and availability of medical marijuana ~~outlets~~ CENTERS,  
55 OPTIONAL PREMISES CULTIVATION OPERATIONS, OR MEDICAL  
56 MARIJUANA-INFUSED PRODUCTS MANUFACTURERS located in or near the

1 premises under consideration, and any other pertinent matters affecting  
2 the qualifications of the applicant for the conduct of the type of business  
3 proposed.

4  
5 **SECTION 5.** 12-43.3-306, Colorado Revised Statutes, is  
6 amended to read:

7  
8 **12-43.3-306. Denial of application.** (1) The state licensing  
9 authority shall deny a state license if the premises on which the applicant  
10 proposes to conduct its business do not meet the requirements of this  
11 article or for reasons set forth in section 12-43.3-104 (1) (c) or  
12 12-43.3-305, AND THE STATE LICENSING AUTHORITY MAY DENY A LICENSE  
13 FOR GOOD CAUSE AS DEFINED BY SECTION 12-43.3-104 (1.5) (a) OR (1.5)  
14 (b).

15  
16 (2) If the state licensing authority denies a state license pursuant  
17 to subsection (1) of this section, the applicant shall be entitled to a  
18 hearing pursuant to ~~article 4 of title 24, C.R.S.~~ SECTION 24-4-104 (9),  
19 C.R.S., AND PURSUANT TO SECTION 24-4-106, C.R.S. The state licensing  
20 authority shall provide written notice of the grounds for denial of the state  
21 license to the applicant and to the local licensing authority at least fifteen  
22 days prior to the hearing.

23  
24 **SECTION 6.** 12-43.3-307 (1) (h), (1) (m), (2) (a), and (2) (c),  
25 Colorado Revised Statutes, are amended to read:

26  
27 **12-43.3-307. Persons prohibited as licensees - repeal.** (1) A  
28 license provided by this article shall not be issued to or held by:

29  
30 (h) A person who has discharged a sentence in the five years  
31 immediately preceding the application date for a conviction of a felony  
32 or a person who at any time has been convicted of a felony pursuant to  
33 any state or federal law regarding the possession, distribution,  
34 MANUFACTURING, CULTIVATION, or use of a controlled substance;

35  
36 (m) ~~A person~~ AN OWNER, AS DEFINED BY RULE OF THE STATE  
37 LICENSING AUTHORITY, who has not been a resident of Colorado for at  
38 least two years prior to the date of the ~~person's~~ OWNER'S application;  
39 except that:

40  
41 (I) (A) For ~~a person~~ AN OWNER who submits an application for  
42 licensure pursuant to this article by December 15, 2010, this requirement  
43 shall not apply to that ~~person~~ OWNER if ~~the person~~ HE OR SHE was a  
44 resident of the state of Colorado on December 15, 2009.

45  
46 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2012.

47  
48 (2) (a) In investigating the qualifications of an applicant or a  
49 licensee, the state AND LOCAL licensing ~~authority~~ AUTHORITIES may have  
50 access to criminal history record information furnished by a criminal  
51 justice agency subject to any restrictions imposed by such agency. In the  
52 event the state OR LOCAL licensing authority considers the applicant's  
53 criminal history record, the state OR LOCAL licensing authority shall also  
54 consider any information provided by the applicant regarding such  
55 criminal history record, including but not limited to evidence of  
56 rehabilitation, character references, and educational achievements,

1 especially those items pertaining to the period of time between the  
2 applicant's last criminal conviction and the consideration of the  
3 application for a state license.

4  
5 (c) At the time of filing an application for issuance or renewal of  
6 a state medical marijuana center license, medical marijuana-infused  
7 product manufacturer license, or optional premises cultivation license, an  
8 applicant shall submit a set of his or her fingerprints and file personal  
9 history information concerning the applicant's qualifications for a state  
10 license on forms prepared by the state licensing authority. The state OR  
11 LOCAL licensing authority shall submit the fingerprints to the Colorado  
12 bureau of investigation for the purpose of conducting fingerprint-based  
13 criminal history record checks. The Colorado bureau of investigation  
14 shall forward the fingerprints to the federal bureau of investigation for the  
15 purpose of conducting fingerprint-based criminal history record checks.  
16 The state OR LOCAL licensing authority may acquire a name-based  
17 criminal history record check for an applicant or a license holder who has  
18 twice submitted to a fingerprint-based criminal history record check and  
19 whose fingerprints are unclassifiable. An applicant who has previously  
20 submitted fingerprints for state licensing purposes may request that the  
21 fingerprints on file be used. The state OR LOCAL licensing authority shall  
22 use the information resulting from the fingerprint-based criminal history  
23 record check to investigate and determine whether an applicant is  
24 qualified to hold a state license pursuant to this article. The state OR  
25 LOCAL licensing authority may verify any of the information an applicant  
26 is required to submit.

27  
28 **SECTION 7.** 12-43.3-310 (6), Colorado Revised Statutes, is  
29 amended to read:

30  
31 **12-43.3-310. Licensing in general.** (6) All owners, officers,  
32 managers, and employees of a medical marijuana center, optional  
33 premises cultivation operation, or medical marijuana-infused products  
34 manufacturer shall be residents of Colorado UPON THE DATE OF THEIR  
35 LICENSE APPLICATION. AN OWNER SHALL MEET THE RESIDENCY  
36 REQUIREMENTS IN SECTION 12-43.3-307 (1) (m). A local licensing  
37 authority shall not issue a license provided for in this article until that  
38 share of the license application fee due to the state has been received by  
39 the department of revenue. All licenses granted pursuant to this article  
40 shall be valid for a period not to exceed two years from the date of  
41 issuance unless revoked or suspended pursuant to this article or the rules  
42 promulgated pursuant to this article.

43  
44 **SECTION 8. Repeal.** 12-43.3-310 (14), Colorado Revised  
45 Statutes, is repealed as follows:

46  
47 **12-43.3-310. Licensing in general.** (14) ~~The location of an~~  
48 ~~optional premises cultivation operation as described in section~~  
49 ~~12-43.3-403 shall be a confidential record and shall be exempt from the~~  
50 ~~"Colorado Open Records Act". State and local licensing authorities shall~~  
51 ~~keep the location of an optional premises cultivation operation~~  
52 ~~confidential and shall redact the location from all public records.~~  
53 ~~Notwithstanding any provision of law to the contrary, a state or local~~  
54 ~~licensing agency may share information regarding the location of an~~  
55 ~~optional premises cultivation operation with a peace officer or a law~~  
56 ~~enforcement agency.~~

1           **SECTION 9.** 12-43.3-313 (2), Colorado Revised Statutes, is  
2 amended to read:

3  
4           **12-43.3-313. Unlawful financial assistance.** (2) A person shall  
5 not have an unreported financial interest in a license pursuant to this  
6 article unless that person has undergone a fingerprint-based criminal  
7 history record check as provided for by the state licensing authority in its  
8 rules; except that this subsection (2) shall not apply to PERSONS WHO ARE:

9  
10           (a) Banks, savings and loan associations, or industrial banks  
11 supervised and regulated by an agency of the state or federal government;  
12 ~~or to~~

13  
14           (b) FHA-approved mortgagees; ~~or to stockholders, directors, or~~  
15 ~~officers thereof.~~

16  
17           (c) INVESTMENT FUNDS ORGANIZED UNDER THE LAWS OF THIS  
18 STATE WHICH ARE MANAGED BY PERSONS WHO ARE LICENSED PURSUANT  
19 TO THIS ARTICLE AND WHOSE INVESTORS DO NOT HAVE THE POWER TO  
20 DIRECT OR CONTROL THE ACTIONS OF THE FUND OR ITS INVESTMENTS.

21  
22           **SECTION 10.** 12-43.3-402 (3), (4), and (6), Colorado Revised  
23 Statutes, are amended, and the said 12-43.3-402 is further amended BY  
24 THE ADDITION OF A NEW SUBSECTION, to read:

25  
26           **12-43.3-402. Medical marijuana center license.** (3) Every  
27 person selling medical marijuana as provided for in this article shall sell  
28 only medical marijuana grown in its medical marijuana optional premises  
29 licensed pursuant to this article. IN ADDITION TO MEDICAL MARIJUANA, A  
30 MEDICAL MARIJUANA CENTER MAY SELL NO MORE THAN SIX  
31 NONFLOWERING MARIJUANA PLANTS TO A PATIENT WITHIN THREE MONTHS  
32 OF A PRIOR SALE OF NONFLOWERING PLANTS. The provisions of this  
33 subsection (3) shall not apply to medical marijuana-infused products.

34  
35           (4) Notwithstanding the requirements of subsection (3) of this  
36 section to the contrary, a medical marijuana licensee may purchase not  
37 more than thirty percent of its total on-hand inventory of medical  
38 marijuana from another licensed medical marijuana center in Colorado.  
39 A medical marijuana center may sell no more than thirty percent of its  
40 total on-hand inventory to another Colorado licensed medical marijuana  
41 licensee; EXCEPT THAT THE DIRECTOR OF THE DIVISION THAT REGULATES  
42 MEDICAL MARIJUANA MAY GRANT A TEMPORARY WAIVER:

43  
44           (a) TO A MEDICAL MARIJUANA CENTER OR APPLICANT IF THE  
45 MEDICAL MARIJUANA CENTER OR APPLICANT SUFFERS A CATASTROPHIC  
46 EVENT RELATED TO ITS INVENTORY; OR

47  
48           (b) TO A NEW MEDICAL MARIJUANA CENTER LICENSEE FOR A  
49 PERIOD NOT TO EXCEED NINETY DAYS SO THE NEW LICENSEE CAN  
50 CULTIVATE THE NECESSARY MEDICAL MARIJUANA TO COMPLY WITH THIS  
51 SUBSECTION (4).

52  
53           ~~(6) A licensed medical marijuana center may provide a small~~  
54 ~~amount of its medical marijuana for testing to a laboratory that is licensed~~  
55 ~~pursuant to the occupational licensing rules promulgated pursuant to~~  
56 ~~section 12-43.3-202 (2) (a) (IV) A MEDICAL MARIJUANA CENTER MAY~~

1 PROVIDE A SAMPLE OF ITS PRODUCTS TO A LABORATORY THAT HAS A  
2 OCCUPATIONAL LICENSE FROM THE STATE LICENSING AUTHORITY FOR  
3 TESTING AND RESEARCH PURPOSES. THE LABORATORY MAY DEVELOP,  
4 TEST, AND PRODUCE MEDICAL MARIJUANA-BASED PRODUCTS. THE  
5 LABORATORY MAY CONTRACT METHOD OR PRODUCT DEVELOPMENT WITH  
6 A LICENSED MEDICAL MARIJUANA CENTER OR LICENSED MEDICAL  
7 MARIJUANA INFUSED-PRODUCT MANUFACTURER. THE STATE LICENSING  
8 AUTHORITY SHALL PROMULGATE RULES PURSUANT TO ITS AUTHORITY IN  
9 SECTION 12-43.3-202 (1) (b), C.R.S., RELATED TO ACCEPTABLE TESTING  
10 AND RESEARCH PRACTICES; INCLUDING BUT NOT LIMITED TO TESTING,  
11 STANDARDS, QUALITY CONTROL ANALYSIS, EQUIPMENT CERTIFICATION  
12 AND CALIBRATION, AND CHEMICAL IDENTIFICATION AND OTHER  
13 SUBSTANCES USED IN BONA-FIDE RESEARCH METHODS.  
14

15 (9) NOTWITHSTANDING THE PROVISIONS OF SECTION 12-43.3-901  
16 (4) (m), A MEDICAL MARIJUANA CENTER MAY SELL BELOW COST OR  
17 DONATE MEDICAL MARIJUANA, NO MORE THAN SIX NONFLOWERING  
18 MARIJUANA PLANTS TO A PATIENT WITHIN THREE MONTHS OF A PRIOR SALE  
19 OF NONFLOWERING PLANTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS  
20 TO PATIENTS WHO ARE DESIGNATED AS INDIGENT BY THE STATE HEALTH  
21 AGENCY.  
22

23 **SECTION 11.** 12-43.3-403, Colorado Revised Statutes, is  
24 amended to read:  
25

26 **12-43.3-403. Optional premises cultivation license.** An optional  
27 premises cultivation license may be issued only to a person licensed  
28 pursuant to section 12-43.3-402 (1) or 12-43.3-404 (1) who grows and  
29 cultivates medical marijuana at an additional Colorado licensed premises  
30 contiguous or not contiguous with the licensed premises of the person's  
31 medical marijuana center license or the person's medical  
32 marijuana-infused products manufacturing license. THE LICENSE MAY BE  
33 USED TO PROVIDE MEDICAL MARIJUANA TO MORE THAN ONE LICENSED  
34 MEDICAL MARIJUANA CENTER OR LICENSED MEDICAL MARIJUANA  
35 INFUSED-PRODUCTS MANUFACTURER SO LONG AS THE HOLDER OF THE  
36 OPTIONAL PREMISE CULTIVATION LICENSE IS ALSO A HOLDER OF EACH  
37 LICENSED MEDICAL MARIJUANA CENTER OR LICENSED MEDICAL  
38 MARIJUANA INFUSED-PRODUCTS MANUFACTURER TO WHICH MEDICAL  
39 MARIJUANA IS PROVIDED.  
40

41 **SECTION 12.** 12-43.3-404 (5) and (8), Colorado Revised  
42 Statutes, are amended, and the said 12-43.3-404 is further amended BY  
43 THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to  
44 read:  
45

46 **12-43.3-404. Medical marijuana-infused products**  
47 **manufacturing license - repeal.** (5) The medical marijuana-infused  
48 product shall be sealed and conspicuously labeled in compliance with this  
49 article and any rules promulgated pursuant to this article. THE LABELING  
50 OF MEDICAL MARIJUANA-INFUSED PRODUCTS IS A MATTER OF STATEWIDE  
51 CONCERN.  
52

53 (8) A medical marijuana-infused products licensee that has an  
54 optional premises cultivation license shall not sell any of the medical  
55 marijuana that it cultivates EXCEPT FOR THE MEDICAL MARIJUANA THAT  
56 IS CONTAINED IN MEDICAL MARIJUANA-INFUSED PRODUCTS.

1 (9) (a) A MEDICAL MARIJUANA-INFUSED PRODUCTS LICENSEE MAY  
2 NOT HAVE MORE THAN FIVE HUNDRED MEDICAL MARIJUANA PLANTS ON ITS  
3 PREMISES OR AT ITS OPTIONAL PREMISES CULTIVATION OPERATION;  
4 EXCEPT THAT THE DIRECTOR OF THE DIVISION THAT REGULATES MEDICAL  
5 MARIJUANA MAY GRANT A WAIVER IN EXCESS OF FIVE HUNDRED  
6 MARIJUANA PLANTS BASED ON THE CONSIDERATION OF THE FACTORS IN  
7 PARAGRAPH (b) OF THIS SUBSECTION (9).

8  
9 (b) THE DIRECTOR OF THE DIVISION THAT REGULATES MEDICAL  
10 MARIJUANA SHALL CONSIDER THE FOLLOWING FACTORS IN DETERMINING  
11 WHETHER TO GRANT THE WAIVER DESCRIBED IN PARAGRAPH (a) OF THIS  
12 SUBSECTION (9):

13  
14 (I) THE NATURE OF THE PRODUCTS MANUFACTURED;

15  
16 (II) THE BUSINESS NEED;

17  
18 (III) EXISTING BUSINESS CONTRACTS WITH LICENSED MEDICAL  
19 MARIJUANA CENTERS FOR THE PRODUCTION OF MEDICAL  
20 MARIJUANA-INFUSED PRODUCTS; AND

21  
22 (IV) THE ABILITY TO CONTRACT WITH LICENSED MEDICAL  
23 MARIJUANA CENTERS FOR THE PRODUCTION OF MEDICAL  
24 MARIJUANA-INFUSED PRODUCTS.

25  
26 (c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2012.

27  
28 (10) A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER  
29 MAY PROVIDE A SAMPLE OF ITS PRODUCTS TO A LABORATORY THAT HAS A  
30 OCCUPATIONAL LICENSE FROM THE STATE LICENSING AUTHORITY FOR  
31 TESTING AND RESEARCH PURPOSES. THE STATE LICENSING AUTHORITY  
32 SHALL PROMULGATE RULES PURSUANT TO ITS AUTHORITY IN SECTION  
33 12-43.3-202 (1) (b), C.R.S., RELATED TO ACCEPTABLE TESTING AND  
34 RESEARCH PRACTICES.

35  
36 **SECTION 13.** Part 6 of article 43.3 of title 12, Colorado Revised  
37 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
38 read:

39  
40 **12-43.3-602. Disposition of unauthorized marijuana or**  
41 **marijuana-infused products and related materials.** (1) THE  
42 PROVISIONS OF THIS SECTION SHALL APPLY IN ADDITION TO ANY CRIMINAL,  
43 CIVIL, OR ADMINISTRATIVE PENALTIES AND IN ADDITION TO ANY OTHER  
44 PENALTIES PRESCRIBED BY THIS ARTICLE OR ANY RULES PROMULGATED  
45 PURSUANT TO THIS ARTICLE. ANY PROVISIONS IN THIS ARTICLE RELATED  
46 TO LAW ENFORCEMENT SHALL BE CONSIDERED A CUMULATIVE RIGHT OF  
47 THE PEOPLE IN THE ENFORCEMENT OF THE CRIMINAL LAWS.

48  
49 (2) EVERY LICENSEE LICENSED UNDER THIS ARTICLE SHALL BE  
50 DEEMED, BY VIRTUE OF APPLYING FOR, HOLDING, OR RENEWING SUCH  
51 PERSON'S LICENSE, TO HAVE EXPRESSLY CONSENTED TO THE PROCEDURES  
52 SET FORTH IN THIS SECTION.

53  
54 (3) A STATE OR LOCAL AGENCY SHALL NOT BE REQUIRED TO  
55 CULTIVATE OR CARE FOR ANY MARIJUANA OR MARIJUANA-INFUSED  
56 PRODUCT BELONGING TO OR SEIZED FROM A LICENSEE. A STATE OR LOCAL



1 AGENCY SHALL NOT BE AUTHORIZED TO SELL MARIJUANA, MEDICAL OR  
2 OTHERWISE.

3  
4 (4) IF THE STATE OR LOCAL LICENSING AUTHORITY ISSUES A FINAL  
5 AGENCY ORDER IMPOSING A DISCIPLINARY ACTION AGAINST A LICENSEE  
6 PURSUANT TO SECTION 12-43.3-601, THEN, IN ADDITION TO ANY OTHER  
7 REMEDIES, THE LICENSING AUTHORITY'S FINAL AGENCY ORDER MAY  
8 SPECIFY THAT SOME OR ALL OF THE LICENSEE'S MARIJUANA OR  
9 MARIJUANA-INFUSED PRODUCT IS NOT MEDICAL MARIJUANA OR A MEDICAL  
10 MARIJUANA-INFUSED PRODUCT AND IS AN ILLEGAL CONTROLLED  
11 SUBSTANCE. THE ORDER MAY FURTHER SPECIFY THAT THE LICENSEE  
12 SHALL LOSE ANY INTEREST IN ANY THE MARIJUANA OR  
13 MARIJUANA-INFUSED PRODUCT EVEN IF THE MARIJUANA OR  
14 MARIJUANA-INFUSED PRODUCT PREVIOUSLY QUALIFIED AS MEDICAL  
15 MARIJUANA OR A MEDICAL MARIJUANA-INFUSED PRODUCT. THE FINAL  
16 AGENCY ORDER MAY DIRECT THE DESTRUCTION OF ANY SUCH MARIJUANA  
17 AND MARIJUANA-INFUSED PRODUCTS, EXCEPT AS PROVIDED IN  
18 SUBSECTIONS (5) AND (6) OF THIS SECTION. THE AUTHORIZED  
19 DESTRUCTION MAY INCLUDE THE INCIDENTAL DESTRUCTION OF ANY  
20 CONTAINERS, EQUIPMENT, SUPPLIES, AND OTHER PROPERTY ASSOCIATED  
21 WITH THE MARIJUANA OR MARIJUANA-INFUSED PRODUCT.

22  
23 (5) FOLLOWING THE ISSUANCE OF A FINAL AGENCY ORDER BY THE  
24 LICENSING AUTHORITY IMPOSING A DISCIPLINARY ACTION AGAINST A  
25 LICENSEE AND ORDERING DESTRUCTION AUTHORIZED BY SUBSECTION (4)  
26 OF THIS SECTION, A LICENSEE SHALL HAVE FIFTEEN DAYS WITHIN WHICH  
27 TO FILE A PETITION FOR STAY OF AGENCY ACTION WITH THE DISTRICT  
28 COURT. THE ACTION SHALL BE FILED IN THE CITY AND COUNTY OF  
29 DENVER, WHICH SHALL BE DEEMED TO BE THE RESIDENCE OF THE STATE  
30 LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION. THE LICENSEE  
31 SHALL SERVE THE PETITION IN ACCORDANCE WITH THE RULES OF CIVIL  
32 PROCEDURE. THE DISTRICT COURT SHALL PROMPTLY RULE UPON THE  
33 PETITION AND SHALL DETERMINE WHETHER THE LICENSEE HAS A  
34 SUBSTANTIAL LIKELIHOOD OF SUCCESS ON JUDICIAL REVIEW SO AS TO  
35 WARRANT DELAY OF THE DESTRUCTION AUTHORIZED BY SUBSECTION (4)  
36 OF THIS SECTION OR WHETHER OTHER CIRCUMSTANCES, INCLUDING BUT  
37 NOT LIMITED TO THE NEED FOR PRESERVATION OF EVIDENCE, WARRANT  
38 DELAY OF SUCH DESTRUCTION. IF DESTRUCTION IS SO DELAYED PURSUANT  
39 TO JUDICIAL ORDER, THE COURT SHALL ISSUE AN ORDER SETTING FORTH  
40 TERMS AND CONDITIONS PURSUANT TO WHICH THE LICENSEE MAY  
41 MAINTAIN THE MARIJUANA AND MARIJUANA-INFUSED PRODUCT PENDING  
42 JUDICIAL REVIEW, AND PROHIBITING THE LICENSEE FROM USING OR  
43 DISTRIBUTING THE MARIJUANA OR MARIJUANA-INFUSED PRODUCT PENDING  
44 THE REVIEW. THE LICENSING AUTHORITY SHALL NOT CARRY OUT THE  
45 DESTRUCTION AUTHORIZED BY SUBSECTION (4) OF THIS SECTION UNTIL  
46 FIFTEEN DAYS HAVE PASSED WITHOUT THE FILING OF A PETITION FOR STAY  
47 OF AGENCY ACTION, OR UNTIL THE COURT HAS ISSUED AN ORDER DENYING  
48 STAY OF AGENCY ACTION PURSUANT TO THIS SUBSECTION (5).

49  
50 (6) THE LICENSING AUTHORITY SHALL NOT CARRY OUT THE  
51 DESTRUCTION AUTHORIZED BY SUBSECTION (4) OF THIS SECTION UNTIL IT  
52 HAS NOTIFIED THE DISTRICT ATTORNEY FOR THE JUDICIAL DISTRICT IN  
53 WHICH THE MARIJUANA IS LOCATED TO DETERMINE WHETHER THE  
54 MARIJUANA OR PRODUCT CONSTITUTES EVIDENCE IN A CRIMINAL  
55 PROCEEDING SUCH THAT IT SHOULD NOT BE DESTROYED, AND UNTIL  
56 FIFTEEN DAYS HAVE PASSED FROM THE DATE OF THE ISSUANCE OF SUCH

1 NOTICE.

2

3 (7) ON OR BEFORE JANUARY 1, 2012, THE STATE LICENSING  
4 AUTHORITY SHALL PROMULGATE RULES GOVERNING THE IMPLEMENTATION  
5 OF THIS SECTION.

6

7 **SECTION 14.** 12-43.3-901 (1) (c), (1) (d), (4) (l), and (7),  
8 Colorado Revised Statutes, are amended, and the said 12-43.3-901 (4) is  
9 further amended BY THE ADDITION OF THE FOLLOWING NEW  
10 PARAGRAPHS, to read:

11

12 **12-43.3-901. Unlawful acts - exceptions.** (1) Except as  
13 otherwise provided in this article, it is unlawful for a person:

14

15 (c) ~~To continue operating a business for the purpose of~~  
16 ~~cultivation, manufacture, or sale of medical marijuana or medical~~  
17 ~~marijuana-infused products without filing the forms and paying the fee as~~  
18 ~~described in section 12-43.3-103 (1) (b); or~~

19

20 (d) ~~To continue operating a business for the purpose of~~  
21 ~~cultivation, manufacture, or sale of medical marijuana or medical~~  
22 ~~marijuana-infused products without satisfying the conditions of section~~  
23 ~~12-43.3-103 (2) (b).~~

24

25 (4) It is unlawful for any person licensed to sell medical marijuana  
26 pursuant to this article:

27

28 (l) To sell, serve, or distribute medical marijuana at any time other  
29 than between the hours of 8 a.m. and 7 p.m. Monday through Sunday; ~~or~~

30

31 (n) TO BURN OR OTHERWISE DESTROY MARIJUANA OR ANY  
32 SUBSTANCE CONTAINING MARIJUANA FOR THE PURPOSE OF EVADING AN  
33 INVESTIGATION OR PREVENTING SEIZURE; OR

34

35 (o) TO ABANDON A LICENSED PREMISES OR OTHERWISE CEASE  
36 OPERATION WITHOUT NOTIFYING THE STATE AND LOCAL LICENSING  
37 AUTHORITIES AT LEAST FORTY-EIGHT HOURS IN ADVANCE AND WITHOUT  
38 ACCOUNTING FOR AND FORFEITING TO THE STATE LICENSING AUTHORITY  
39 FOR DESTRUCTION ALL MARIJUANA OR PRODUCTS CONTAINING  
40 MARIJUANA.

41

42 (7) A person who commits any acts that are unlawful pursuant to  
43 ~~this section~~ ARTICLE OR THE RULES AUTHORIZED AND ADOPTED PURSUANT  
44 TO THIS ARTICLE commits a class 2 misdemeanor and shall be punished  
45 as provided in section 18-1.3-501, C.R.S., except for violations that  
46 would also constitute a violation of title 18, C.R.S., which violation shall  
47 be charged and prosecuted pursuant to title 18, C.R.S.

48

49 **SECTION 15.** 24-72-202 (6) (b) (XIII), Colorado Revised  
50 Statutes, is amended to read:

51

52 **24-72-202. Definitions.** As used in this part 2, unless the context  
53 otherwise requires:

54

55 (6) (b) "Public records" does not include:

56

1 ~~(XIII) State and local applications and licenses for an optional~~  
2 ~~premises cultivation operation as described in section 12-43.3-403,~~  
3 ~~C.R.S., and the location of the optional premises cultivation operation.~~  
4

5 **SECTION 16.** 25-1.5-106 (2) (c) (II), Colorado Revised Statutes,  
6 is amended, and the said 25-1.5-106 (2) (c) is further amended BY THE  
7 ADDITION OF A NEW SUBPARAGRAPH, to read:  
8

9 **25-1.5-106. Medical marijuana program - powers and duties**  
10 **of the state health agency - medical review board - medical**  
11 **marijuana program cash fund - created - repeal. (2) Definitions.** In  
12 addition to the definitions set forth in section 14 (1) of article XVIII of  
13 the state constitution, as used in this section, unless the context otherwise  
14 requires:  
15

16 (c) "In good standing", with respect to a physician's license,  
17 means:  
18

19 (II) (A) The physician holds a valid, unrestricted and  
20 unconditioned license to practice medicine in Colorado; and  
21

22 (B) THIS SUB-PARAGRAPH (II) OF THIS PARAGRAPH (c) IS REPEALED  
23 EFFECTIVE JULY 1, 2012.  
24

25 (II.5) (A) THE PHYSICIAN HOLDS A VALID LICENSE TO PRACTICE  
26 MEDICINE IN COLORADO THAT DOES NOT CONTAIN A RESTRICTION OR  
27 CONDITION THAT PROHIBITS THE RECOMMENDATION OF MEDICAL  
28 MARIJUANA; EXCEPT THAT A PHYSICIAN WHO HAD A RESTRICTED OR  
29 CONDITIONED LICENSE PRIOR TO JULY 1, 2012, SHALL SEEK AND RECEIVE  
30 CLARIFICATION FROM THE COLORADO MEDICAL BOARD AS TO WHETHER OR  
31 NOT THE RESTRICTION OR CONDITION PROHIBITS THE RECOMMENDATION  
32 OF MEDICAL MARIJUANA PRIOR TO MAKING SUCH RECOMMENDATIONS.  
33

34 (B) THIS SUB-PARAGRAPH (II.5) SHALL TAKE EFFECT JULY 1, 2012.  
35

36 **SECTION 17.** 25-1.5-106 (5) (a), Colorado Revised Statutes, is  
37 amended, and the said 25-1.5-106 (5) is further amended BY THE  
38 ADDITION OF A NEW PARAGRAPH, to read:  
39

40 **25-1.5-106. Medical marijuana program - powers and duties**  
41 **of the state health agency - medical review board - medical**  
42 **marijuana program cash fund - created - repeal. (5) Physicians.** A  
43 physician who certifies a debilitating medical condition for an applicant  
44 to the medical marijuana program shall comply with all of the following  
45 requirements:  
46

47 (a) (I) The physician shall have a valid ~~unrestricted~~ license to  
48 practice medicine, which license is in good standing. IF A PHYSICIAN  
49 RECEIVES CLARIFICATION FROM THE COLORADO MEDICAL BOARD THAT  
50 STATES THE RESTRICTION OR CONDITION DOES NOT LIMIT THE PHYSICIAN'S  
51 AUTHORITY TO RECOMMEND MEDICAL MARIJUANA, A PHYSICIAN MAY  
52 RECOMMEND MEDICAL MARIJUANA.  
53

54 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2012.  
55

56 (a.5) (I) THE PHYSICIAN SHALL HAVE A VALID AND ACTIVE LICENSE

1 TO PRACTICE MEDICINE, WHICH LICENSE IS IN GOOD STANDING.

2

3 (II) THIS PARAGRAPH (a.5) SHALL TAKE EFFECT JULY 1, 2012.

4

5 **SECTION 18.** 25-1.5-106 (7), Colorado Revised Statutes, is  
6 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

7

8 **25-1.5-106. Medical marijuana program - powers and duties**  
9 **of the state health agency - medical review board - medical**  
10 **marijuana program cash fund - created - repeal. (7) Primary**  
11 **caregivers.** (e) A PRIMARY CAREGIVER WHO CULTIVATES MEDICAL  
12 MARIJUANA FOR HIS OR HER PATIENTS SHALL REGISTER THE LOCATION OF  
13 HIS OR HER CULTIVATION OPERATION WITH THE STATE MEDICAL  
14 MARIJUANA LICENSING AUTHORITY AND PROVIDE THE REGISTRATION  
15 IDENTIFICATION NUMBER OF EACH PATIENT TO THE STATE LICENSING  
16 AUTHORITY. THE STATE LICENSING AUTHORITY SHALL PROVIDE THE  
17 LOCATION OF A PRIMARY CAREGIVER CULTIVATION OPERATION TO A  
18 LOCAL GOVERNMENT OR LAW ENFORCEMENT AGENCY UPON REQUEST.  
19 THE LOCATION OF THE CULTIVATION OPERATION SHALL COMPLY WITH ALL  
20 APPLICABLE LOCAL LAWS, RULES, OR REGULATIONS.

21

22 **SECTION 19.** 39-1-102 (1.6), Colorado Revised Statutes, is  
23 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24

25 **39-1-102. Definitions.** As used in articles 1 to 13 of this title,  
26 unless the context otherwise requires:

27

28 (1.6) (d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO  
29 THE CONTRARY, PROPERTY THAT IS USED SOLELY FOR THE CULTIVATION  
30 OF MEDICAL MARIJUANA SHALL NOT BE CLASSIFIED AS AGRICULTURAL  
31 LAND.

32

33 **SECTION 20.** 39-26-123 (1) (a.5) and (6) (a), Colorado Revised  
34 Statutes, are amended to read:

35

36 **39-26-123. Receipts - disposition - transfers of general fund**  
37 **surplus - sales tax holding fund - creation - definitions.** (1) As used  
38 in this section, unless the context otherwise requires:

39

40 (a.5) ~~"Sales taxes attributable to sales of medical marijuana"~~  
41 ~~means the net revenue raised from the state sales taxes imposed pursuant~~  
42 ~~to this article on the sales of medical marijuana.~~

43

44 (6) (a) For any state fiscal year commencing on or after July 1,  
45 2010, the general assembly shall annually appropriate the first ~~two~~ FOUR  
46 million dollars of sales taxes attributable to sales ~~of medical marijuana or~~  
47 ~~equally appropriate the sales taxes attributable to sales of medical~~  
48 ~~marijuana if two million dollars is not generated~~ TAXES REMITTED,  
49 PURSUANT TO SECTION 39-26-105, BY PERSONS OR ENTITIES LICENSED  
50 PURSUANT TO ARTICLE 43.3 OF TITLE 12, C.R.S., OR EQUALLY  
51 APPROPRIATE THE SALES TAXES ATTRIBUTABLE TO SALES TAXES  
52 REMITTED, PURSUANT TO SECTION 39-26-105, BY PERSONS OR ENTITIES  
53 LICENSED PURSUANT TO ARTICLE 43.3 OF TITLE 12, C.R.S., IF LESS THAN  
54 FOUR MILLION DOLLARS IS GENERATED.

55

56 **SECTION 21.** 12-36-118, Colorado Revised Statutes, is amended

1 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to  
2 read:

3  
4 **12-36-118. Disciplinary action by board - immunity - rules.**  
5 (19) (a) IF A PHYSICIAN HAS A RESTRICTION PLACED ON HIS OR HER  
6 LICENSE BEFORE JULY 1, 2011, THE PHYSICIAN MAY NOT MAKE A MEDICAL  
7 MARIJUANA RECOMMENDATION UNLESS HE OR SHE SEEKS AND RECEIVES  
8 CLARIFICATION AS TO WHETHER OR NOT THE RESTRICTION OR CONDITION  
9 PROHIBITS THE RECOMMENDATION OF MEDICAL MARIJUANA PRIOR TO  
10 MAKING SUCH RECOMMENDATION. THE CLARIFICATION REQUEST, IF  
11 PRACTICABLE, SHALL BE HEARD BY THE HEARING PANEL THAT HEARD THE  
12 ORIGINAL MATTER THAT RESULTED IN THE RESTRICTION.

13  
14 (b) THE BOARD MAY ADOPT RULES REGARDING THE  
15 ADMINISTRATION AND DETERMINATION OF THE CLARIFICATION PROCESS.

16  
17 (20) IF A PHYSICIAN HAS A RESTRICTION PLACED ON HIS OR HER  
18 LICENSE, THE RESTRICTION SHALL, IF PRACTICABLE, STATE WHETHER THE  
19 RESTRICTION PROHIBITS THE PHYSICIAN FROM MAKING A MEDICAL  
20 MARIJUANA RECOMMENDATION.

21  
22 **SECTION 22.** 12-43.3-202 (2) (a) (I), Colorado Revised Statutes,  
23 is amended to read:

24  
25 **12-43.3-202. Powers and duties of state licensing authority -**  
26 **repeal.** (2) (a) Rules promulgated pursuant to paragraph (b) of  
27 subsection (1) of this section may include, but need not be limited to, the  
28 following subjects:

29  
30 (I) Compliance with, enforcement of, or violation of any provision  
31 of this article, SECTION 18-18-406.3 (6), C.R.S., or any rule issued  
32 pursuant to this article, including procedures and grounds for denying,  
33 suspending, fining, restricting, or revoking a state license issued pursuant  
34 to this article;

35  
36 **SECTION 23.** 18-4-412 (2) (a), Colorado Revised Statutes, is  
37 amended to read:

38  
39 **18-4-412. Theft of medical records or medical information -**  
40 **penalty.** (2) As used in this section:

41  
42 (a) "Medical record" means the written or graphic documentation,  
43 sound recording, or computer record pertaining to medical, mental health,  
44 and health care services, INCLUDING MEDICAL MARIJUANA SERVICES,  
45 which are performed at the direction of a physician or other licensed  
46 health care provider on behalf of a patient by physicians, dentists, nurses,  
47 technicians, emergency medical technicians, mental health professionals,  
48 prehospital providers, or other health care personnel. "Medical record"  
49 includes such diagnostic documentation as X rays, electrocardiograms,  
50 electroencephalograms, and other test results.

51  
52 **SECTION 24.** 18-18-406.3, Colorado Revised Statutes, is  
53 amended BY THE ADDITION OF A NEW SUBSECTION to read:

54  
55 **18-18-406.3. Medical use of marijuana by persons diagnosed**  
56 **with debilitating medical conditions - unlawful acts - penalty -**

1 **medical marijuana program cash fund.** (6) AN OWNER, OFFICER, OR  
2 EMPLOYEE OF A BUSINESS LICENSED PURSUANT TO ARTICLE 43.3 OF TITLE  
3 12, C.R.S., WHO RELEASES OR MAKES PUBLIC A PATIENT'S MEDICAL  
4 RECORD OR ANY CONFIDENTIAL INFORMATION CONTAINED IN ANY SUCH  
5 RECORD THAT IS PROVIDED TO OR BY THE BUSINESS LICENSED PURSUANT  
6 TO ARTICLE 43.3 OF TITLE 12, C.R.S., WITHOUT THE WRITTEN  
7 AUTHORIZATION OF THE PATIENT COMMITS A CLASS 1 MISDEMEANOR;  
8 EXCEPT THAT THE OWNER, OFFICER, OR EMPLOYEE SHALL RELEASE THE  
9 RECORDS OR INFORMATION UPON REQUEST BY THE STATE OR LOCAL  
10 MEDICAL MARIJUANA LICENSING AUTHORITY. THE RECORDS OR  
11 INFORMATION PRODUCED FOR REVIEW BY THE STATE OR LOCAL LICENSING  
12 AUTHORITY SHALL NOT BECOME PUBLIC RECORDS BY VIRTUE OF THE  
13 DISCLOSURE AND MAY BE USED ONLY FOR A PURPOSE AUTHORIZED BY  
14 ARTICLE 43.3 OF TITLE 12, C.R.S., OR FOR ANOTHER STATE OR LOCAL LAW  
15 ENFORCEMENT PURPOSE. THE RECORDS OR INFORMATION SHALL  
16 CONSTITUTE MEDICAL DATA AS DEFINED BY SECTION 24-72-204 (3) (a) (I),  
17 C.R.S. THE STATE OR LOCAL MEDICAL MARIJUANA LICENSING AUTHORITY  
18 MAY DISCLOSE ANY RECORDS OR INFORMATION SO OBTAINED ONLY TO  
19 THOSE PERSONS DIRECTLY INVOLVED WITH ANY INVESTIGATION OR  
20 PROCEEDING AUTHORIZED BY ARTICLE 43.3 OF TITLE 12, C.R.S., OR FOR  
21 ANY STATE OR LOCAL LAW ENFORCEMENT PURPOSE.

22

23 **SECTION 25.** 25-1-1202 (1), Colorado Revised Statutes, is  
24 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25

26 **25-1-1202. Index of statutory sections regarding medical**  
27 **record confidentiality and health information.** (1) Statutory  
28 provisions concerning policies, procedures, and references to the release,  
29 sharing, and use of medical records and health information include the  
30 following:

31

32 (ee.5) SECTION 18-18-406.3, C.R.S., CONCERNING MEDICAL  
33 MARIJUANA PATIENT RECORDS;

34

35 **SECTION 26. Effective date.** This act shall take effect July 1,  
36 2011.

37

38 **SECTION 27. Safety clause.** The general assembly hereby finds,  
39 determines, and declares that this act is necessary for the immediate  
40 preservation of the public peace, health, and safety."

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#### PRINTING REPORT

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#### SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

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The Speaker has signed: **SJR11-010, 012.**

**MESSAGE(S) FROM THE SENATE**1  
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The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB11-002, SB11-021.

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The Senate has passed on Third Reading and returns herewith: HB11-1009, HB11-1015 and HB11-1023.

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The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB11-086, SB11-104, SB11-093, SB11-163, SB11-161, SB11-160, SB11-154, SB11-153, SB11-152, SB11-151, SB11-150, SB11-149, SB11-148, SB11-147, SB11-146, SB11-145, SB11-143, SB11-142, SB11-140, SB11-139, SB11-138, SB11-135, SB11-157, SB11-081.

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The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

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SB11-155 amended in General Orders as printed in Senate Journal, February 11, 2011, page 149.  
 SB11-062 amended in General Orders as printed in Senate Journal, February 10, 2011, page 136.  
 SB11-164 amended in General Orders as printed in Senate Journal, February 11, 2011, page 151.  
 SB11-136 amended in General Orders as printed in Senate Journal, February 11, 2011, page 151.  
 SB11-137 amended in General Orders as printed in Senate Journal, February 11, 2011, page 152.  
 SB11-141 amended in General Orders as printed in Senate Journal, February 11, 2011, page 152-153.  
 SB11-144 amended in General Orders as printed in Senate Journal, February 11, 2011, page 153.  
 SB11-159 amended in General Orders as printed in Senate Journal, February 11, 2011, page 154, and Senate Journal, February 14, 2011.  
 SB11-156 amended in General Orders as printed in Senate Journal, February 11, 2011, page 154.  
 HB11-1011 amended in General Orders as printed in Senate Journal, February 11, 2011, page 148.

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The Senate has passed on Third Reading and returns herewith: HB11-1001.

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49**MESSAGE(S) FROM THE REVISOR**50  
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We herewith transmit:  
 Without comment, SB11-002 and 021.

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We herewith transmit:  
 Without comment, SB11-081, 086, 093, 104, 135, 138, 139, 140, 142,

1 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 157, 160, 161, and  
2 163.  
3 Without comment, as amended, HB11-1011 and SB 11-062, 136, 137,  
4 141, 144, 155, 156, 159 and 164.

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8 **INTRODUCTION OF BILLS**  
9 **First Reading**

10  
11 The following bills were read by title and referred to the committees  
12 indicated:

13  
14 **HB11-1261** by Representative(s) Waller and Levy--Concerning the  
15 establishment of a THC blood content threshold for the  
16 purpose of charging a person with the criminal offense of  
17 DUI per se.

18 Committee on Judiciary  
19

20 **HB11-1262** by Representative(s) Becker and Levy, Baumgardner,  
21 Bradford, Court, Ferrandino, Fischer, Gardner D.,  
22 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kerr A.,  
23 Labuda, Lee, Looper, Peniston, Solano, Sonnenberg,  
24 Tyler, Waller, Wilson; also Senator(s) Johnston and  
25 Brophy, Cadman, Giron, Grantham, Guzman, Harvey,  
26 King S., Lambert, Mitchell, Nicholson, Renfroe, Scheffel,  
27 Schwartz, Jahn--Concerning procedures to ensure  
28 transparency in the process of bidding by electric utilities  
29 for the acquisition of new generation facilities.

30 Committee on Agriculture, Livestock, & Natural Resources  
31

32 **HB11-1263** by Representative(s) Priola; also Senator(s) Scheffel--  
33 Concerning property tax exemptions for business personal  
34 property.

35 Committee on Finance  
36

37 **HB11-1264** by Representative(s) Priola--Concerning the application of  
38 vehicle laws to powersports vehicles that operate on  
39 roadways.

40 Committee on Transportation  
41

42 **SB11-135** by Senator(s) Hodge, Steadman, Lambert; also  
43 Representative(s) Gerou, Becker, Ferrandino--Concerning  
44 a supplemental appropriation to the department of  
45 agriculture.

46 Committee on Appropriations  
47

48 **SB11-136** by Senator(s) Hodge, Steadman, Lambert; also  
49 Representative(s) Gerou, Becker, Ferrandino--Concerning  
50 a supplemental appropriation to the department of  
51 corrections.

52 Committee on Appropriations  
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- 1 **SB11-137** by Senator(s) Hodge, Steadman, Lambert; also  
2 Representative(s) Gerou, Becker, Ferrandino--Concerning  
3 a supplemental appropriation to the department of  
4 education.  
5 Committee on Appropriations  
6
- 7 **SB11-138** by Senator(s) Hodge, Steadman, Lambert; also  
8 Representative(s) Gerou, Becker, Ferrandino--Concerning  
9 a supplemental appropriation to the offices of the  
10 governor, lieutenant governor, and state planning and  
11 budgeting.  
12 Committee on Appropriations  
13
- 14 **SB11-139** by Senator(s) Hodge, Steadman, Lambert; also  
15 Representative(s) Gerou, Becker, Ferrandino--Concerning  
16 a supplemental appropriation to the department of health  
17 care policy and financing.  
18 Committee on Appropriations  
19
- 20 **SB11-140** by Senator(s) Hodge, Steadman, Lambert; also  
21 Representative(s) Gerou, Becker, Ferrandino--Concerning  
22 a supplemental appropriation to the department of higher  
23 education.  
24 Committee on Appropriations  
25
- 26 **SB11-141** by Senator(s) Hodge, Steadman, Lambert; also  
27 Representative(s) Gerou, Becker, Ferrandino--Concerning  
28 a supplemental appropriation to the department of human  
29 services.  
30 Committee on Appropriations  
31
- 32 **SB11-142** by Senator(s) Hodge, Steadman, Lambert; also  
33 Representative(s) Gerou, Becker, Ferrandino--Concerning  
34 a supplemental appropriation to the judicial department.  
35 Committee on Appropriations  
36
- 37 **SB11-143** by Senator(s) Hodge, Steadman, Lambert; also  
38 Representative(s) Gerou, Becker, Ferrandino--Concerning  
39 a supplemental appropriation to the department of labor  
40 and employment.  
41 Committee on Appropriations  
42
- 43 **SB11-144** by Senator(s) Hodge, Steadman, Lambert; also  
44 Representative(s) Gerou, Becker, Ferrandino--Concerning  
45 a supplemental appropriation to the department of law.  
46 Committee on Appropriations  
47
- 48 **SB11-145** by Senator(s) Hodge, Steadman, Lambert; also  
49 Representative(s) Gerou, Becker, Ferrandino--Concerning  
50 supplemental appropriation to the department of local  
51 affairs.  
52 Committee on Appropriations  
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55

- 1 **SB11-146** by Senator(s) Hodge, Steadman, Lambert; also  
2 Representative(s) Gerou, Becker, Ferrandino--Concerning  
3 a supplemental appropriation to the department of military  
4 and veterans affairs.  
5 Committee on Appropriations  
6
- 7 **SB11-147** by Senator(s) Hodge, Steadman, Lambert; also  
8 Representative(s) Gerou, Becker, Ferrandino--Concerning  
9 a supplemental appropriation to the department of natural  
10 resources.  
11 Committee on Appropriations  
12
- 13 **SB11-148** by Senator(s) Hodge, Steadman, Lambert; also  
14 Representative(s) Gerou, Becker, Ferrandino--Concerning  
15 a supplemental appropriation to the department of  
16 personnel and administration.  
17 Committee on Appropriations  
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19
- 20 **SB11-149** by Senator(s) Hodge, Steadman, Lambert; also  
21 Representative(s) Gerou, Becker, Ferrandino--Concerning  
22 a supplemental appropriation to the department of public  
23 health and environment.  
24 Committee on Appropriations  
25
- 26 **SB11-150** by Senator(s) Hodge, Steadman, Lambert; also  
27 Representative(s) Gerou, Becker, Ferrandino--Concerning  
28 a supplemental appropriation to the department of public  
29 safety.  
30 Committee on Appropriations  
31
- 32 **SB11-151** by Senator(s) Hodge, Steadman, Lambert; also  
33 Representative(s) Gerou, Becker, Ferrandino--Concerning  
34 a supplemental appropriation to the department of  
35 regulatory agencies.  
36 Committee on Appropriations  
37  
38
- 39 **SB11-152** by Senator(s) Hodge, Steadman, Lambert; also  
40 Representative(s) Gerou, Becker, Ferrandino--Concerning  
41 a supplemental appropriation to the department of revenue.  
42 Committee on Appropriations  
43
- 44 **SB11-153** by Senator(s) Hodge, Steadman, Lambert; also  
45 Representative(s) Gerou, Becker, Ferrandino--Concerning  
46 a supplemental appropriation to the department of state.  
47 Committee on Appropriations  
48
- 49 **SB11-154** by Senator(s) Hodge, Steadman, Lambert; also  
50 Representative(s) Gerou, Becker, Ferrandino--Concerning  
51 a supplemental appropriation to the department of the  
52 treasury.  
53 Committee on Appropriations  
54  
55

- 1 **SB11-155** by Senator(s) Hodge, Steadman, Lambert; also  
2 Representative(s) Gerou, Becker, Ferrandino--Concerning  
3 funding for capital construction, and making supplemental  
4 appropriations in connection therewith.  
5 Committee on Appropriations  
6
- 7 **SB11-156** by Senator(s) Lambert, Hodge, Steadman; also  
8 Representative(s) Becker, Gerou, Ferrandino--Concerning  
9 a reduction in the amount of the general fund reserve  
10 required for the 2010-11 state fiscal year.  
11 Committee on Appropriations  
12
- 13 **SB11-157** by Senator(s) Steadman, Hodge, Lambert; also  
14 Representative(s) Ferrandino, Becker, Gerou--Concerning  
15 modifications to the "Public School Finance Act of 1994",  
16 and making an appropriation in connection therewith.  
17 Committee on Appropriations  
18
- 19 **SB11-159** by Senator(s) Steadman, Hodge, Lambert; also  
20 Representative(s) Ferrandino, Becker, Gerou--Concerning  
21 the distribution of fifty percent of the balance remaining in  
22 the limited gaming fund that is allocated to the state  
23 general fund or such other fund as the general assembly  
24 provides as specified in section 9 (5) (b) (II) of article  
25 XVIII of the state constitution, and making an  
26 appropriation in connection therewith.  
27 Committee on Appropriations  
28
- 29 **SB11-160** by Senator(s) Steadman, Hodge, Lambert; also  
30 Representative(s) Gerou, Becker, Ferrandino--Concerning  
31 a clarification regarding the amount of performance-based  
32 incentives available for issuance by the Colorado office of  
33 film, television, and media.  
34 Committee on Appropriations  
35
- 36 **SB11-161** by Senator(s) Lambert, Hodge, Steadman; also  
37 Representative(s) Becker, Gerou, Ferrandino--Concerning  
38 the creation of a cash fund for fees collected in connection  
39 with the department of public health and environment's  
40 laboratories.  
41 Committee on Appropriations  
42
- 43 **SB11-163** by Senator(s) Lambert, Hodge, Steadman; also  
44 Representative(s) Gerou, Becker, Ferrandino--Concerning  
45 the repeal of the alternative fuels rebate program.  
46 Committee on Appropriations  
47
- 48 **SB11-164** by Senator(s) Hodge, Steadman, Lambert; also  
49 Representative(s) Gerou, Becker, Ferrandino--Concerning  
50 the augmentation of the general fund through transfers of  
51 certain moneys.  
52 Committee on Appropriations  
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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until February 15, retaining place on Calendar:

Consideration of Resolution(s)--**HR11-1005**.

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On motion of Representative Stephens, the House adjourned until 9:00 a.m., February 15, 2011.

Approved:  
FRANK McNULTY,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk