

SB196_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Natural Resources, & Energy.SB15-196 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 12-43.4-405, amend
4 (1) as follows:

5 **12-43.4-405. Retail marijuana testing facility license - rules.**
6 (1) A retail marijuana testing facility license may be issued to a person
7 who performs testing and research on retail marijuana AND INDUSTRIAL
8 HEMP AS REGULATED BY ARTICLE 61 OF TITLE 35, C.R.S. The facility may
9 develop and test retail marijuana products AND INDUSTRIAL HEMP AS
10 REGULATED BY ARTICLE 61 OF TITLE 35, C.R.S. PRIOR TO PERFORMING
11 TESTING ON INDUSTRIAL HEMP, A FACILITY SHALL VERIFY THAT THE
12 PERSON REQUESTING THE TESTING HAS RECEIVED A REGISTRATION FROM
13 THE COMMISSIONER AS REQUIRED BY SECTION 35-61-104, C.R.S.

14 **SECTION 2.** In Colorado Revised Statutes, 35-61-103, amend
15 (1) (a) introductory portion and (1) (a) (VIII); and add (1) (a) (X) and (1)
16 (a) (XI) as follows:

17 **35-61-103. Industrial hemp committee - appointments - duties**
18 **- coordination with department.** (1)(a) The industrial hemp committee
19 is hereby established. The chair of the agriculture, livestock, and natural
20 resources committee in the house of representatives and the chair of the
21 agriculture, natural resources, and energy committee in the senate shall
22 jointly appoint ~~nine~~ ELEVEN members to the industrial hemp committee
23 as follows:

24 (VIII) One member who is a citizen advocate for industrial hemp;
25 and

26 (X) ONE MEMBER WHO IS A REPRESENTATIVE FROM THE
27 CANNABINOID INDUSTRY; AND

28 (XI) ONE MEMBER WHO REPRESENTS CERTIFIED SEED GROWERS.

29 **SECTION 3.** In Colorado Revised Statutes, 35-61-104.5, add
30 (1.5) as follows:

31 **35-61-104.5. Research - certified seed program - fees.**
32 (1.5) THE DEPARTMENT SHALL ADMINISTER A CERTIFIED SEED PROGRAM
33 THAT IDENTIFIES SEEDS THAT PRODUCE INDUSTRIAL HEMP. IN
34 ACCORDANCE WITH ALL FEDERAL AND STATE LAWS AND REGULATIONS,
35 THE DEPARTMENT MAY IMPORT SEEDS TO DEVELOP THE CERTIFIED SEED
36 PROGRAM.

37 **SECTION 4.** In Colorado Revised Statutes, add 35-61-105.5 as
38 follows:

39 **35-61-105.5. Testing laboratories.** IF A PERSON REGISTERED



1 PURSUANT TO THIS ARTICLE WANTS A LICENSED RETAIL MARIJUANA
2 TESTING FACILITY TO PERFORM TESTING ON THE INDUSTRIAL HEMP THAT
3 THE REGISTRANT IS CULTIVATING, THAT PERSON SHALL USE AN INVENTORY
4 TRACKING SYSTEM APPROVED BY THE COMMISSIONER. THE COMMISSIONER
5 SHALL ONLY APPROVE AN INVENTORY TRACKING SYSTEM IF THAT SYSTEM
6 IS COMPATIBLE WITH THE STATE LICENSING AUTHORITY'S SEED-TO-SALE
7 TRACKING SYSTEM REQUIRED PURSUANT TO SECTION 12-43.4-202 (1),
8 C.R.S. A LICENSED RETAIL TESTING FACILITY SHALL PROVIDE THE TEST
9 RESULTS TO THE REGISTRANT AND THE COMMISSIONER. ALL TEST RESULTS
10 SHALL BE CONSIDERED CONFIDENTIAL BUSINESS INFORMATION. THIS
11 SECTION SHALL NOT BE CONSTRUED TO PREVENT THE USE OF THE
12 TRACKING SYSTEM FOR OTHER PURPOSES.

13 **SECTION 5.** In Colorado Revised Statutes, 35-61-106, amend
14 (2) as follows:

15 **35-61-106. Industrial hemp registration program cash fund -**
16 **industrial hemp research grant cash fund - fees.** (2) The commissioner
17 shall collect a fee from persons applying for a registration pursuant to this
18 article. The commissioner shall set ~~the fee~~ A FEE SCHEDULE based on the
19 size AND USE of the land area on which the person will conduct industrial
20 hemp operations and shall set the fee SCHEDULE at a level sufficient to
21 generate the amount of moneys necessary to cover the department's direct
22 and indirect costs in implementing this article. The commissioner shall
23 transmit the fees collected pursuant to this section to the state treasurer
24 for deposit in the fund.

25 **SECTION 6.** In Colorado Revised Statutes, 35-61-108, amend
26 (2) as follows:

27 **35-61-108. Exportation of industrial hemp - processing, sale,**
28 **and distribution.** (2) Notwithstanding any other provision of law, a
29 person engaged in processing, selling, TRANSPORTING, POSSESSING, or
30 otherwise distributing industrial hemp cultivated by a person registered
31 under this article, or selling industrial hemp products produced therefrom,
32 is not subject to any civil or criminal actions under Colorado law for
33 engaging in such activities.

34 **SECTION 7. Act subject to petition - effective date.** This act
35 takes effect at 12:01 a.m. on the day following the expiration of the
36 ninety-day period after final adjournment of the general assembly (August
37 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
38 referendum petition is filed pursuant to section 1 (3) of article V of the
39 state constitution against this act or an item, section, or part of this act
40 within such period, then the act, item, section, or part will not take effect
41 unless approved by the people at the general election to be held in



- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.".

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