

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 15-0885.01 Michael Dohr x4347

HOUSE BILL 15-1298

HOUSE SPONSORSHIP

Singer and Tate,

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING POSTING WARNING INFORMATION FOR PREGNANT**
102 **WOMEN ABOUT THE POTENTIAL RISKS OF MARIJUANA AT**
103 **MARIJUANA BUSINESSES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill requires the department of revenue to promulgate rules regarding a requirement that a licensed medical marijuana center and a licensed retail marijuana store display in a conspicuous location a sign that warns pregnant women about the potential risks caused by marijuana. The rules shall include the specific language developed in consultation

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

HOUSE
2nd Reading Unamended
April 6, 2015

with the department of public health and environment regarding the warning that must be included on the sign. The bill prohibits a medical marijuana center and a retail marijuana store from knowingly directing marijuana advertising to pregnant women.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-202, **add** (4)
3 as follows:

4 **12-43.3-202. Powers and duties of state licensing authority.**

5 (4) (a) RULES PROMULGATED PURSUANT TO PARAGRAPH (b) OF
6 SUBSECTION (1) OF THIS SECTION MUST INCLUDE A REQUIREMENT THAT A
7 LICENSED MEDICAL MARIJUANA CENTER DISPLAY IN A CONSPICUOUS
8 LOCATION A SIGN THAT WARNS PREGNANT WOMEN ABOUT THE POTENTIAL
9 RISKS CAUSED BY SMOKING, INGESTING, OR USING ANY OTHER DELIVERY
10 METHOD TO CONSUME MARIJUANA. THE RULES SHALL INCLUDE THE
11 SPECIFIC LANGUAGE DEVELOPED IN CONSULTATION WITH THE
12 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT REGARDING THE
13 WARNING THAT MUST BE INCLUDED ON THE SIGN. THE SIGN MUST BE NO
14 MORE THAN SEVENTEEN INCHES IN LENGTH AND ELEVEN INCHES IN WIDTH.

15 (b) THE COST OF THE SIGN AND DISPLAY OF THE SIGN REQUIRED BY
16 THE RULE DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (4) SHALL BE
17 BORNE BY THE MEDICAL MARIJUANA CENTER.

18 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-402, **add**
19 (10) as follows:

20 **12-43.3-402. Medical marijuana center license.** (10) A
21 MEDICAL MARIJUANA CENTER SHALL NOT KNOWINGLY DIRECT MEDICAL
22 MARIJUANA ADVERTISING TO PREGNANT WOMEN.

23 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-202, **amend**

1 (3) (a) (XV) and (3) (a) (XVI); and **add** (3) (a) (XVII) as follows:

2 **12-43.4-202. Powers and duties of state licensing authority -**
3 **rules.** (3) (a) Rules promulgated pursuant to paragraph (b) of subsection
4 (2) of this section must include, but need not be limited to, the following
5 subjects:

6 (XV) Compliance with, enforcement of, or violation of any
7 provision of this article, section 18-18-406.3 (7), C.R.S., or any rule
8 issued pursuant to this article, including procedures and grounds for
9 denying, suspending, fining, restricting, or revoking a state license issued
10 pursuant to this article; ~~and~~

11 (XVI) Establishing a schedule of penalties and procedures for
12 issuing and appealing citations for violation of statutes and rules and
13 issuing administrative citations; AND

14 (XVII) (A) A REQUIREMENT THAT A LICENSED RETAIL MARIJUANA
15 STORE DISPLAY IN A CONSPICUOUS LOCATION A SIGN THAT WARNS
16 PREGNANT WOMEN ABOUT THE POTENTIAL RISKS CAUSED BY SMOKING,
17 INGESTING, OR USING ANY OTHER DELIVERY METHOD TO CONSUME
18 MARIJUANA. THE RULES SHALL INCLUDE THE SPECIFIC LANGUAGE
19 DEVELOPED IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH
20 AND ENVIRONMENT REGARDING THE WARNING THAT MUST BE INCLUDED
21 ON THE SIGN. THE SIGN MUST BE NO MORE THAN SEVENTEEN INCHES IN
22 LENGTH AND ELEVEN INCHES IN WIDTH.

23 (B) THE COST OF THE SIGN AND DISPLAY OF THE SIGN REQUIRED BY
24 THE RULE DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH
25 (XVII) SHALL BE BORNE BY THE RETAIL MARIJUANA STORE.

26 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-402, **add**
27 (11) as follows:

1 **12-43.4-402. Retail marijuana store license - definitions.**

2 (11) A RETAIL MARIJUANA STORE SHALL NOT KNOWINGLY DIRECT RETAIL
3 MARIJUANA ADVERTISING TO PREGNANT WOMEN.

4 **SECTION 5. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.