

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 30, 2013  
Date

Committee on Health & Human Services.

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

SB13-278 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 19, strike "and".
- 2 Page 2, line 26, strike "risk." and substitute "risk; and
- 3 (g) Nothing in this bill shall be construed to provide an
- 4 affirmative basis for investigation solely on the use, possession,
- 5 cultivation, or manufacture of marijuana, marijuana concentrate, or
- 6 marijuana products pursuant to the provisions of section 12 of article
- 7 XVIII or section 16 of article XVIII of the Colorado constitution or an
- 8 ordinance of a county, city or county, or municipality."
- 9 Page 3, line 20, after "(44.7)" insert "(a)".
- 10 Page 3, line 21, strike "(a)" and substitute "(I)".
- 11 Page 3, strike lines 22 and 23 and substitute "AS A RESULT OF THE USE
- 12 AND ABUSE, POSSESSION, DISTRIBUTION, PRODUCTION, OR MANUFACTURE,
- 13 OR THE ATTEMPTED USE AND ABUSE, POSSESSION, DISTRIBUTION,
- 14 PRODUCTION, OR MANUFACTURE,".
- 15 Page 3, line 27, strike "ACCESSIBILITY" and substitute "UNRESTRICTED
- 16 ACCESS".
- 17 Page 4, line 4, strike "ACTIVITY; OR" and substitute "ACTIVITY. FOR
- 18 PURPOSES OF THIS PARAGRAPH (a), "USE AND ABUSE" MEANS THE

1 CONTINUED USE OR ABUSE, AS THAT TERM IS USED IN SECTION 27-82-102  
2 (8), BY A PERSON OF A CONTROLLED SUBSTANCE OR OF MARIJUANA IN  
3 VIOLATION OF THE PROVISIONS OF SECTION 12 OF ARTICLE XVIII OR  
4 SECTION 16 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION IN A  
5 MANNER THAT WOULD THREATEN THE HEALTH OR WELFARE OF A CHILD.  
6 IF A COURT ORDER PROHIBITS THE USE OF MARIJUANA OR OTHER  
7 CONTROLLED SUBSTANCE, THE PROVISIONS OF THIS SUBSECTION (44.7)  
8 SHALL APPLY. THIS SUBSECTION (44.7) ONLY APPLIES IN THOSE  
9 SITUATIONS WHERE THE HEALTH OR WELFARE OF A CHILD IS ENDANGERED  
10 OR THREATENED;"

11 Page 4, line 5, strike "(b)" and substitute "(II)".

12 Page 4, after line 10 insert:

13 "(b) FOR PURPOSES OF THIS SUBSECTION (44.7), "CONTROLLED  
14 SUBSTANCE" DOES NOT INCLUDE INDUSTRIAL HEMP, AS DEFINED IN  
15 SECTION 35-61-101 (5), C.R.S."

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