

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 14-0988.01 Jerry Barry x4341

HOUSE BILL 14-1366

HOUSE SPONSORSHIP

Singer and McNulty, Dore, Becker, Gardner, Ginal, Lawrence, McCann, Melton, Murray,
Rankin, Ryden, Stephens, Szabo

SENATE SPONSORSHIP

Johnston and King,

House Committees

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Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REASONABLE RESTRICTIONS ON THE SALE OF EDIBLE**
102 **RETAIL MARIJUANA PRODUCTS.**

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/billsummaries>.)

The department of revenue (department) rules currently require all retail marijuana and retail marijuana products to be in packaging meeting requirements similar to the federal "Poison Prevention Packaging Act of 1970". The bill limits this provision to edible retail marijuana products.

The bill requires the department, on or before January 1, 2016, to

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
3rd Reading Unamended
April 21, 2014

HOUSE
Amended 2nd Reading
April 17, 2014

adopt rules requiring edible retail marijuana products to be shaped, stamped, colored, or otherwise marked with a standard symbol indicating that it contains marijuana and is not for consumption by children.

Current law prohibits a retail marijuana products licensee (manufacturer) from adding marijuana to a trademarked food product unless the trademarked food product is part of a recipe and the manufacturer does not represent that the final product contains a trademarked food product. The bill expands this prohibition to knowingly adding marijuana to food products that a reasonable consumer would confuse with a trademarked food product. It also prohibits knowingly adding marijuana to a product that is primarily marketed to children.

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

2 **SECTION 1. Legislative Declaration.** It is the intent of the
3 Colorado General Assembly that any person engaged in sale of retail
4 marijuana or its derivatives shall not explicitly or implicitly market or
5 offer for sale these products to anyone under the age of 21.

6 **SECTION 2.** In Colorado Revised Statutes, 12-43.4-202, **add**
7 (3) (c.5) as follows:

8 **12-43.4-202. Powers and duties of state licensing authority -**
9 **rules - repeal.** (3) (c.5) (I) PURSUANT TO THE AUTHORITY GRANTED IN
10 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION, ON OR BEFORE
11 JANUARY 1, 2016, THE STATE LICENSING AUTHORITY SHALL PROMULGATE
12 RULES REQUIRING THAT EDIBLE RETAIL MARIJUANA PRODUCTS BE SHAPED,
13 STAMPED, COLORED, OR OTHERWISE MARKED, WHEN PRACTICABLE, WITH
14 A STANDARD SYMBOL INDICATING THAT IT CONTAINS MARIJUANA AND IS
15 NOT FOR CONSUMPTION BY CHILDREN.

16 (II) (A) WHEN THE RULES ARE PROMULGATED PURSUANT TO THIS
17 PARAGRAPH (c.5), THE STATE LICENSING AUTHORITY SHALL SEND WRITTEN
18 NOTICE OF THEIR PROMULGATION TO THE REVISOR OF STATUTES.

19 (B) THIS SUBPARAGRAPH (II) IS REPEALED UPON RECEIPT BY THE

1 REVISOR OF STATUTES OF THE NOTICE REQUIRED BY SUB-SUBPARAGRAPH
2 (A) OF THIS SUBPARAGRAPH (II).

3 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add** (1) (fff)
4 as follows:

5 **6-1-105. Deceptive trade practices - repeal.** (1) A person
6 engages in a deceptive trade practice when, in the course of the person's
7 business, vocation, or occupation, the person:

8 (fff) (I) FAILS, IN CONNECTION WITH THE SALE OF A RETAIL
9 MARIJUANA PRODUCT PURSUANT TO THE PROVISIONS OF ARTICLE 43.4 OF
10 TITLE 12, C.R.S., TO DISCLOSE TO A PURCHASER THAT MARIJUANA HAS
11 BEEN ADDED TO A PRODUCT MANUFACTURED BY SOMEONE OTHER THAN
12 A RETAIL MARIJUANA MANUFACTURER AND THE IDENTITY OF THE OTHER
13 MANUFACTURER.

14 (II) THIS PARAGRAPH (fff) IS REPEALED UPON RECEIPT BY THE
15 REVISOR OF STATUTES OF THE WRITTEN NOTICE REQUIRED BY SECTION
16 12-43.4-202 (3) (c.5) (II) (A), C.R.S.

17 **SECTION 4. Effective date - applicability.** This act takes effect
18 upon passage; except that section 2 of this act takes effect July 1, 2014,
19 and applies to actions taken on or after July 1, 2014.

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