

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0809.01 Michael Dohr x4347

HOUSE BILL 14-1209

HOUSE SPONSORSHIP

Stephens, Coram, Landgraf, McNulty, Navarro, Priola, Waller, Wilson

SENATE SPONSORSHIP

(None),

House Committees

Health, Insurance, & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF THE MARIJUANA DIVERSION PREVENTION**
102 **GRANT PROGRAM.**

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 bill permits the general assembly to appropriate surplus funds in the marijuana cash fund to the marijuana diversion prevention grant program. The bill creates the marijuana diversion prevention grant program (grant program) that is administered by the state controller. The grant program will provide grants to the state patrol and other state law

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.*

enforcement agencies that share a border with Colorado to prevent diversion of retail marijuana from Colorado and apprehend those attempting to divert retail marijuana from Colorado. The grant program includes a grant review committee consisting of:

- ! The state controller;
- ! The executive director of the department of public safety, or his or her designee;
- ! The executive director of the statewide organization representing sheriffs, or his or her designee; and
- ! The executive director of the statewide organization representing the chiefs of police, or his or her designee.

In a fiscal year in which the general assembly appropriates money to the grant program, a law enforcement agency seeking a grant must apply by August 1. The application must include a description of how the money will be used, a description of law enforcement cooperation in using the money, and the amount requested itemized by personnel costs, equipment costs, and other costs, plus any other information required.


The grant review committee shall award grants based on need and effectiveness. The Colorado state patrol must receive priority in receiving grants.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-501, **amend**
3 (1) (b) introductory portion and (1) (b) (IV); and **add** (1) (b) (VI) and (1)
4 (b) (VII) as follows:

5 **12-43.3-501. Marijuana cash fund - repeal.** (1) (b) Moneys in
6 the fund ~~shall be~~ ARE subject to annual appropriation by the general
7 assembly to:

8 (IV) The department of law for the training described in section
9 24-31-313, C.R.S.; and

10 
11 (VI) (A) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT
12 OF PUBLIC SAFETY TO ADMINISTER THE MARIJUANA DIVERSION
13 PREVENTION GRANT PROGRAM CREATED IN SECTION 24-30-201 (3), C.R.S.,
14 IF THE FUND HAS A SURPLUS.

1 (B) THE APPROPRIATION UNDER THIS SUBPARAGRAPH (VI) MUST
2 NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS DURING THE 2014-15
3 AND 2015-16 FISCAL YEARS. THIS SUB-SUBPARAGRAPH (B) IS REPEALED,
4 EFFECTIVE JULY 1, 2016.

5 (VII) (A) THE CORRECTIONAL TREATMENT CASH FUND CREATED
6 IN SECTION 18-19-103 (4) (a), C.R.S., FOR DRUG AND ALCOHOL
7 TREATMENT PROGRAMS AND ORGANIZATIONS THAT PROVIDE RECOVERY
8 SUPPORT SERVICES, IF THE FUND HAS A SURPLUS.

9 (B) THE APPROPRIATION UNDER THIS SUBPARAGRAPH (VII) MUST
10 NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS DURING EITHER THE
11 2014-15 OR 2015-16 FISCAL YEARS. THIS SUB-SUBPARAGRAPH (B) IS
12 REPEALED, EFFECTIVE JULY 1, 2016.

13 **SECTION 2.** In Colorado Revised Statutes, **add 24-33.5-517** as
14 follows:

15 **24-33.5-517. Marijuana diversion prevention grants -**
16 **committee.** (1) (a) THERE IS CREATED A MARIJUANA DIVERSION
17 PREVENTION GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE
18 "GRANT PROGRAM", TO BE ADMINISTERED BY THE DIVISION OF CRIMINAL
19 JUSTICE. THE GRANT PROGRAM SHALL PROVIDE GRANTS TO THE
20 COLORADO STATE PATROL, LOCAL LAW ENFORCEMENT AGENCIES, AND
21 OTHER STATE LAW ENFORCEMENT AGENCIES IN STATES THAT SHARE A
22 BORDER WITH COLORADO THAT ARE COORDINATING WITH THE COLORADO
23 STATE PATROL OR A LOCAL LAW ENFORCEMENT AGENCY TO ASSIST
24 EFFORTS THAT PREVENT RETAIL MARIJUANA DIVERSION OUTSIDE OF THE
25 STATE OF COLORADO.

26 (b) THERE IS CREATED A GRANT REVIEW COMMITTEE. THE
27 MEMBERS OF THE GRANT REVIEW COMMITTEE ARE:

1 (I) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE, WHO
2 SHALL SERVE AS THE CHAIR;

3 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
4 SAFETY, OR HIS OR HER DESIGNEE;

5 (III) THE EXECUTIVE DIRECTOR OF A STATEWIDE ORGANIZATION
6 REPRESENTING SHERIFFS, OR HIS OR HER DESIGNEE; AND

7 (IV) THE EXECUTIVE DIRECTOR OF A STATEWIDE ORGANIZATION
8 REPRESENTING CHIEFS OF POLICE, OR HIS OR HER DESIGNEE.

9 (c) (I) THE DIVISION OF CRIMINAL JUSTICE SHALL DEVELOP AN
10 APPLICATION FORM THAT MUST INCLUDE AT A MINIMUM:

11 (A) A DESCRIPTION OF HOW THE MONEY WILL BE USED TO PREVENT
12 DIVERSION OF █ MARIJUANA FROM OR INTO COLORADO OR HOW IT WILL
13 BE USED TO APPREHEND THOSE WHO DIVERT █ MARIJUANA OUT OF OR
14 INTO THE STATE;

15 (B) A DESCRIPTION OF HOW THE LAW ENFORCEMENT ENTITY WILL
16 COORDINATE WITH OTHER LAW ENFORCEMENT ENTITIES AND
17 GOVERNMENT AGENCIES IN ITS EFFORT; AND

18 (C) THE GRANT AMOUNT REQUESTED ITEMIZED BY PERSONNEL
19 COSTS, EQUIPMENT COSTS, AND OTHER COSTS.

20 (II) AN ENTITY THAT WISHES TO APPLY FOR A GRANT SHALL APPLY
21 BY AUGUST 1 OF ANY YEAR IN WHICH THE GENERAL ASSEMBLY
22 APPROPRIATES MONEY TO THE GRANT PROGRAM.

23 (III) AFTER AUGUST 1 OF ANY YEAR IN WHICH THE GENERAL
24 ASSEMBLY APPROPRIATES MONEY TO THE GRANT PROGRAM, THE DIRECTOR
25 OF THE DIVISION OF CRIMINAL JUSTICE SHALL CONVENE THE GRANT
26 REVIEW COMMITTEE CREATED IN PARAGRAPH (b) OF THIS SUBSECTION (3).

27 (IV) THE GRANT REVIEW COMMITTEE SHALL REVIEW THE

1 APPLICATIONS AND MAKE AWARDS BASED ON THE NEED AND
2 EFFECTIVENESS OF THE PROPOSALS. THE GRANT REVIEW COMMITTEE
3 SHALL GIVE PRIORITY TO A GRANT APPLICATION FROM THE COLORADO
4 STATE PATROL.

5 **SECTION 3. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.