

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

February 26, 2015  
Date

Committee on Health & Human Services.

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

SB15-014 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:
- 3 **"SECTION 1. Legislative declaration.** (1) The general  
4 assembly hereby finds and declares that:
- 5 (a) Colorado authorizes the sale and use of small amounts of  
6 medical and retail marijuana;
- 7 (b) The United States department of justice expects a state that has  
8 enacted laws regarding regulated marijuana use and sales to put measures  
9 in place to prevent the diversion of marijuana from the regulated system  
10 and prevent illicit marijuana trade that funds criminal enterprises;
- 11 (c) If Colorado creates a robust regulatory environment that is  
12 strongly enforced, the federal government will not interfere except in  
13 those individual cases where the department of justice's enforcement  
14 priorities are at risk;
- 15 (d) Large medical and recreational marijuana grows should be  
16 subject to enhanced oversight to augment health and safety and decrease  
17 trafficking;
- 18 (e) The sale and use of medical marijuana is limited to those  
19 Colorado residents who have a physician's recommendation that they  
20 have a debilitating medical condition that could benefit from the use of  
21 medical marijuana; and
- 22 (f) It is necessary to ensure that there is broad and appropriate  
23 access to medical marijuana while maintaining the safety and security of  
24 the regulated medical marijuana market.

1 (2) Now, therefore, the general assembly hereby enacts the  
2 following protections to ensure that access to the medical marijuana  
3 market is limited to Colorado residents who have a physician's  
4 recommendation that they have a debilitating medical condition that  
5 could benefit from the use of medical marijuana and to ensure that the  
6 medical marijuana that is grown, processed, and sold in the regulated  
7 market does not enter the retail market or cross state borders.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 12-36-141 as  
9 follows:

10 **12-36-141. Medical marijuana recommendations - guidelines.**

11 THE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH  
12 AND ENVIRONMENT AND PHYSICIANS SPECIALIZING IN MEDICAL  
13 MARIJUANA, SHALL ESTABLISH GUIDELINES FOR PHYSICIANS MAKING  
14 MEDICAL MARIJUANA RECOMMENDATIONS.

15 **SECTION 3.** In Colorado Revised Statutes, 25-1.5-106, **amend**  
16 (2) (d.5), (3) (a) (VII), (3) (a) (VIII), (7) (a), (7) (c), (7) (e), (8) (a), and  
17 (18); **repeal** (3) (b) (I) and (13); and **add** (1) (c), (1) (d), (2) (e.5), (3) (a)  
18 (IX), (3.5), (7) (f), (8.5), (8.6), and (13.5) as follows:

19 **25-1.5-106. Medical marijuana program - powers and duties**  
20 **of state health agency - rules - medical review board - medical**  
21 **marijuana program cash fund - subaccount - created - repeal.**

22 (1) (c) THE GENERAL ASSEMBLY HEREBY DECLARES THAT IT IS  
23 NECESSARY TO IMPLEMENT RULES TO PROVIDE GUIDANCE FOR  
24 CAREGIVERS AS DEFINED IN SECTION 14 OF ARTICLE XVIII OF THE STATE  
25 CONSTITUTION.

26 (d) THE GENERAL ASSEMBLY HEREBY DECLARES THAT IT IS  
27 IMPERATIVE TO PREVENT THE DIVERSION OF MEDICAL MARIJUANA TO  
28 OTHER STATES. IN ORDER TO DO THIS THE GENERAL ASSEMBLY NEEDS TO  
29 PROVIDE CLEAR GUIDANCE FOR LAW ENFORCEMENT.

30 (2) **Definitions.** In addition to the definitions set forth in section  
31 14 (1) of article XVIII of the state constitution, as used in this section,  
32 unless the context otherwise requires:

33 (d.5) "Primary caregiver" means a natural person, other than the  
34 patient or the patient's physician, who is eighteen years of age or older  
35 and has significant responsibility for managing the well-being of a patient  
36 who has a debilitating medical condition. A PRIMARY CAREGIVER MAY  
37 HAVE ONE OR MORE OF THE FOLLOWING RELATIONSHIPS:

38 (I) A PARENT OF A CHILD AS DESCRIBED BY SECTION (6) (e) OF  
39 SECTION 14 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION AND  
40 ANYONE WHO ASSISTS THAT PARENT WITH CAREGIVER RESPONSIBILITIES,  
41 INCLUDING CULTIVATION AND TRANSPORTATION;

1 (II) AN ADVISING CAREGIVER WHO ADVISES A PATIENT ON WHICH  
2 MEDICAL MARIJUANA PRODUCTS TO USE AND HOW TO DOSE THEM AND  
3 DOES NOT POSSESS, PROVIDE, CULTIVATE, OR TRANSPORT MARIJUANA ON  
4 BEHALF OF THE PATIENT;

5 (III) A TRANSPORTING CAREGIVER WHO PURCHASES AND  
6 TRANSPORTS MARIJUANA TO A PATIENT WHO IS HOMEBOUND; AND

7 (IV) A CULTIVATING CAREGIVER WHO GROWS MARIJUANA FOR A  
8 PATIENT.

9 (e.5) "SIGNIFICANT RESPONSIBILITY FOR MANAGING THE  
10 WELL-BEING OF A PATIENT" MEANS THAT THE CAREGIVER IS INVOLVED IN  
11 BASIC OR INSTRUMENTAL ACTIVITIES OF DAILY LIVING. CULTIVATING OR  
12 TRANSPORTING MARIJUANA AND THE ACT OF ADVISING A PATIENT ON  
13 WHICH MEDICAL MARIJUANA PRODUCTS TO USE AND HOW TO DOSE THEM  
14 CONSTITUTES A "SIGNIFICANT RESPONSIBILITY".

15 (3) **Rule-making.** (a) The state health agency shall, pursuant to  
16 section 14 of article XVIII of the state constitution, promulgate rules of  
17 administration concerning the implementation of the medical marijuana  
18 program that specifically govern the following:

19 (VII) The manner in which the state health agency may consider  
20 adding debilitating medical conditions to the list of debilitating medical  
21 conditions contained in section 14 of article XVIII of the state  
22 constitution; and

23 (VIII) A waiver process to allow a homebound patient who is on  
24 the registry to have a primary caregiver transport the patient's medical  
25 marijuana from a licensed medical marijuana center to the patient; AND

26 (IX) GUIDELINES FOR PRIMARY CAREGIVERS TO GIVE INFORMED  
27 CONSENT TO PATIENTS THAT THE PRODUCTS THEY CULTIVATE OR PRODUCE  
28 MAY CONTAIN CONTAMINANTS AND THAT THE CANNABINOID LEVELS MAY  
29 NOT BE VERIFIED.

30 (b) The state health agency may promulgate rules regarding the  
31 following:

32 (I) ~~What constitutes "significant responsibility for managing the~~  
33 ~~well-being of a patient"; except that the act of supplying medical~~  
34 ~~marijuana or marijuana paraphernalia, by itself, is insufficient to~~  
35 ~~constitute "significant responsibility for managing the well-being of a~~  
36 ~~patient";~~

37 (3.5) THE STATE HEALTH AGENCY SHALL CONVENE A GROUP OF  
38 INTERESTED PARTIES INCLUDING REPRESENTATIVES FROM THE STATE  
39 LICENSING AUTHORITY, PRIMARY CAREGIVERS, PATIENTS, MARIJUANA  
40 TESTING LABORATORY LICENSEES, AND ANY OTHER INTERESTED PERSONS  
41 TO EXPLORE LABORATORY TESTING OPTIONS FOR MEDICAL MARIJUANA

1 NOT PRODUCED BY SOMEONE LICENSED PURSUANT TO ARTICLE 43.3 OF  
2 TITLE 12, C.R.S.

3 (7) **Primary caregivers.** (a) A primary caregiver may not  
4 delegate to any other person his or her authority to provide medical  
5 marijuana to a patient; nor may a primary caregiver engage others to  
6 assist in providing medical marijuana to a patient; EXCEPT THAT A PARENT  
7 PRIMARY CAREGIVER MAY USE THE SERVICES OF AN ASSISTANT FOR  
8 ADVISEMENT, CULTIVATION, OR TRANSPORTATION.

9 (c) Only a medical marijuana center with an optional premises  
10 cultivation license, a medical marijuana-infused products manufacturing  
11 operation with an optional premises cultivation license, or a primary  
12 caregiver for his or her patients or a patient for himself or herself may  
13 cultivate or provide MEDICAL marijuana. ~~and only for medical use.~~

14 (e) (I) (A) IN ORDER TO BE a primary caregiver who cultivates  
15 medical marijuana for his or her patients OR TRANSPORTS MEDICAL  
16 MARIJUANA FOR HIS OR HER PATIENTS, HE OR SHE shall also register ~~the~~  
17 ~~location of his or her cultivation operation~~ with the state medical  
18 ~~marijuana~~ licensing authority. ~~and provide the registration identification~~  
19 ~~number of each patient to the state licensing authority.~~ A PERSON MAY  
20 NOT REGISTER AS A PRIMARY CAREGIVER IF HE OR SHE IS LICENSED AS A  
21 MEDICAL MARIJUANA BUSINESS AS DESCRIBED IN PART 4 OF ARTICLE 43.3  
22 OF TITLE 12, C.R.S., OR A RETAIL MARIJUANA BUSINESS AS DESCRIBED IN  
23 PART 4 OF ARTICLE 43.4 OF TITLE 12, C.R.S.

24 (B) A CULTIVATING PRIMARY CAREGIVER, WHEN REGISTERING,  
25 SHALL PROVIDE THE CULTIVATION OPERATION LOCATION, THE  
26 REGISTRATION NUMBER OF EACH PATIENT, AND ANY EXTENDED PLANT  
27 COUNT NUMBERS AND THEIR CORRESPONDING PATIENT REGISTRY  
28 NUMBERS.

29 (C) A TRANSPORTING PRIMARY CAREGIVER, WHEN REGISTERING,  
30 SHALL PROVIDE THE REGISTRATION NUMBER OF EACH HOMEBOUND  
31 PATIENT, THE TOTAL NUMBER OF PLANTS AND OUNCES THAT THE  
32 CAREGIVER IS AUTHORIZED TO TRANSPORT, IF APPLICABLE, AND THE  
33 LOCATION OF EACH PATIENT'S REGISTERED MEDICAL MARIJUANA CENTER  
34 OR CULTIVATING PRIMARY CAREGIVER, AS APPLICABLE. A TRANSPORTING  
35 CAREGIVER SHALL HAVE ON HIS OR HER PERSON A RECEIPT FROM THE  
36 MEDICAL MARIJUANA CENTER OR PRIMARY CAREGIVER WHEN  
37 TRANSPORTING MEDICAL MARIJUANA THAT SHOWS THE QUANTITY OF  
38 MEDICAL MARIJUANA PURCHASED BY OR PROVIDED TO THE TRANSPORTING  
39 CAREGIVER.

40 (D) THE STATE LICENSING AUTHORITY MAY VERIFY PATIENT  
41 REGISTRATION NUMBERS AND EXTENDED PLANT COUNT NUMBERS WITH

1 THE STATE HEALTH AGENCY TO CONFIRM THAT A PATIENT DOES NOT HAVE  
2 MORE THAN ONE PRIMARY CAREGIVER, OR DOES NOT HAVE BOTH A  
3 DESIGNATED CAREGIVER AND MEDICAL MARIJUANA CENTER, CULTIVATING  
4 MEDICAL MARIJUANA ON HIS OR HER BEHALF AT ANY GIVEN TIME.

5 (E) IF A PEACE OFFICER MAKES A LAW ENFORCEMENT CONTACT  
6 WITH A PRIMARY CAREGIVER WHO DOES NOT HAVE PROPER  
7 DOCUMENTATION SHOWING REGISTRATION WITH THE STATE LICENSING  
8 AUTHORITY, THE PEACE OFFICER MAY REPORT THAT INDIVIDUAL TO THE  
9 STATE LICENSING AUTHORITY OR MAY TAKE APPROPRIATE LAW  
10 ENFORCEMENT ACTION. THE PERSON MAY BE SUBJECT TO ANY  
11 CHARGEABLE CRIMINAL OFFENSES.

12 (II) THE STATE LICENSING AUTHORITY SHALL SHARE THE MINIMUM  
13 NECESSARY INFORMATION IN ACCORDANCE WITH APPLICABLE FEDERAL  
14 AND STATE LAWS SUCH AS PATIENT AND CAREGIVER IDENTIFICATION  
15 NUMBERS, TO VERIFY THAT A PATIENT HAS ONLY ONE ENTITY  
16 CULTIVATING MEDICAL MARIJUANA ON HIS OR HER BEHALF AT ANY GIVEN  
17 TIME.

18 (III) The information provided to the state ~~medical marijuana~~  
19 licensing authority pursuant to this paragraph (e) shall not be provided to  
20 the public and ~~shall be~~ IS confidential. The state licensing authority shall  
21 verify the location of a primary caregiver cultivation operation to a local  
22 government or law enforcement agency upon receiving an  
23 address-specific request for verification. The location of the cultivation  
24 operation ~~shall~~ MUST comply with all applicable local laws, rules, or  
25 regulations.

26 (f) A CULTIVATING PRIMARY CAREGIVER SHALL ONLY CULTIVATE  
27 PLANTS AT THE REGISTERED CULTIVATION LOCATION AS REQUIRED  
28 PURSUANT TO SECTION 25-1.5-106 (7) (e) AND AS PERMITTED PURSUANT  
29 TO SECTIONS 25-1.5-106 (8.6) (a) (I) AND 25-1.5-106 (8.6) (a) (II) (B).  
30 NOTHING IN THIS PARAGRAPH (f) SHALL BE CONSTRUED TO LIMIT THE  
31 ABILITY OF THE CAREGIVER OR PERSON TWENTY-ONE YEARS OF AGE OR  
32 OLDER WHO MAKES PERMANENT RESIDENCE AT THE REGISTERED  
33 CULTIVATION LOCATION FROM CULTIVATING OR POSSESSING UP TO SIX  
34 PLANTS PURSUANT TO ARTICLE XVIII, SECTION 16 OF THE COLORADO  
35 CONSTITUTION. NOTWITHSTANDING THESE PROVISIONS, ADDITIONAL  
36 CULTIVATION IS NOT LAWFUL AT THE PREMISES REGISTERED BY A  
37 CAREGIVER TO CULTIVATE ON BEHALF OF PATIENTS.

38 (8) **Patient - primary caregiver relationship.** (a) (I) A person  
39 shall be listed as a CULTIVATING OR TRANSPORTING primary caregiver for  
40 no more than five patients on the medical marijuana program registry at  
41 any given time; except that the state health agency may allow a primary

1 caregiver to serve more than five patients in exceptional circumstances.  
2 In determining whether exceptional circumstances exist, the state health  
3 agency may consider the proximity of medical marijuana centers to the  
4 patient, AS WELL AS OTHER FACTORS.

5 (II) A CULTIVATING OR TRANSPORTING primary caregiver shall  
6 maintain a list of his or her patients including the registry identification  
7 card number of each patient AND AN AUTHORIZED TOTAL PLANT COUNT  
8 at all times.

9 (8.5) **Encourage patient voluntary registration.** (a) (I) ALL  
10 PATIENTS CULTIVATING MORE THAN SIX MEDICAL MARIJUANA PLANTS FOR  
11 THEIR OWN MEDICAL USE ARE ENCOURAGED TO REGISTER WITH THE STATE  
12 LICENSING AUTHORITY'S REGISTRY CREATED PURSUANT TO SUBSECTION  
13 (7) OF THIS SECTION. A PATIENT WHO CHOOSES TO REGISTER SHALL  
14 UPDATE HIS OR HER REGISTRATION INFORMATION UPON RENEWAL OF HIS  
15 OR HER MEDICAL MARIJUANA REGISTRY CARD.

16 (II) A PATIENT WHO CHOOSES TO REGISTER SHALL REGISTER THE  
17 FOLLOWING INFORMATION WITH THE STATE LICENSING AUTHORITY: THE  
18 LOCATION OF HIS OR HER CULTIVATION OPERATION; HIS OR HER PATIENT  
19 REGISTRATION IDENTIFICATION; AND THE TOTAL NUMBER OF PLANTS THAT  
20 THE PATIENT IS AUTHORIZED TO CULTIVATE.

21 (b) A PATIENT SHALL NOT CULTIVATE MORE THAN NINETY-NINE  
22 PLANTS. ONLY A MEDICAL MARIJUANA BUSINESS LICENSED AND PROPERLY  
23 AUTHORIZED PURSUANT TO ARTICLE 43.3 OF TITLE 12, C.R.S., MAY  
24 CULTIVATE MORE THAN NINETY-NINE PLANTS.

25 (c) THE INFORMATION PROVIDED TO THE STATE LICENSING  
26 AUTHORITY PURSUANT TO THIS SUBSECTION (8.5) SHALL NOT BE PROVIDED  
27 TO THE PUBLIC AND IS CONFIDENTIAL. THE STATE LICENSING AUTHORITY  
28 SHALL VERIFY THE LOCATION OF A MEDICAL MARIJUANA CULTIVATION  
29 SITE FOR PATIENT CULTIVATION OPERATIONS TO A LOCAL GOVERNMENT  
30 OR LAW ENFORCEMENT AGENCY UPON RECEIVING A REQUEST FOR  
31 VERIFICATION. THE LOCATION OF THE CULTIVATION OPERATION SHALL  
32 COMPLY WITH ALL APPLICABLE LOCAL LAWS, RULES, OR REGULATIONS.

33 (d) THE STATE LICENSING AUTHORITY SHALL PROVIDE  
34 CULTIVATION INFORMATION FOR PATIENTS WHO CHOOSE TO REGISTER TO  
35 STATE AND LOCAL LAW ENFORCEMENT THROUGH THE COLORADO CRIME  
36 INFORMATION CENTER. THE COLORADO BUREAU OF INVESTIGATION SHALL  
37 INCLUDE PROPER USE OF MEDICAL MARIJUANA INFORMATION IN AUDITS OF  
38 STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

39 (8.6) **Primary caregivers plant limits - exceptional**  
40 **circumstances.** (a) (I) A PRIMARY CAREGIVER SHALL NOT CULTIVATE,  
41 TRANSPORT, OR POSSESS MORE THAN THIRTY-SIX PLANTS UNLESS THE

1 PRIMARY CAREGIVER HAS ONE OR MORE PATIENTS WHO, BASED ON  
2 MEDICAL NECESSITY, HAVE AN EXTENDED PLANT COUNT.

3 (II) (A) A PRIMARY CAREGIVER WHO CULTIVATES MORE THAN  
4 THIRTY-SIX PLANTS SHALL REGISTER THE INFORMATION REQUIRED IN  
5 SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH (II) WITH THE STATE  
6 LICENSING AUTHORITY'S REGISTRY CREATED PURSUANT TO PARAGRAPH (e)  
7 OF SUBSECTION (7) OF THIS SECTION. A PRIMARY CAREGIVER SHALL  
8 UPDATE HIS OR HER REGISTRATION INFORMATION UPON RENEWAL OF HIS  
9 OR HER PRIMARY CAREGIVER REGISTRATION.

10 (B) A PRIMARY CAREGIVER SUBJECT TO THE REGISTRY IN THIS  
11 SUBPARAGRAPH (II) SHALL REGISTER THE FOLLOWING INFORMATION WITH  
12 THE STATE LICENSING AUTHORITY: THE LOCATION OF HIS OR HER  
13 CULTIVATION OPERATION; THE PATIENT REGISTRATION IDENTIFICATION  
14 NUMBER FOR EACH OF THE PRIMARY CAREGIVER'S PATIENTS; AND ANY  
15 EXTENDED PLANT COUNT NUMBERS AND THEIR CORRESPONDING PATIENT  
16 REGISTRY NUMBERS. THE PRIMARY CAREGIVER SHALL UPDATE THE  
17 REGISTRATION INFORMATION WITHIN TEN DAYS AFTER ANY OF THE  
18 INFORMATION CHANGES.

19 (b) A CULTIVATING CAREGIVER SHALL NOT CULTIVATE MORE  
20 THAN NINETY-NINE PLANTS. ONLY A MEDICAL MARIJUANA BUSINESS  
21 LICENSED AND PROPERLY AUTHORIZED PURSUANT TO ARTICLE 43.3 OF  
22 TITLE 12, C.R.S., MAY CULTIVATE MORE THAN NINETY-NINE PLANTS. THE  
23 PRIMARY CAREGIVER IS NOT ALLOWED TO GROW ADDITIONAL PLANTS  
24 UNTIL HE OR SHE IS LICENSED BY THE STATE LICENSING AUTHORITY.

25 (c) THE INFORMATION PROVIDED TO THE STATE LICENSING  
26 AUTHORITY PURSUANT TO THIS SUBSECTION (8.6) SHALL NOT BE PROVIDED  
27 TO THE PUBLIC AND IS CONFIDENTIAL. THE STATE LICENSING AUTHORITY  
28 SHALL VERIFY THE LOCATION OF EXTENDED PLANT COUNTS FOR PRIMARY  
29 CAREGIVER CULTIVATION OPERATIONS AND HOMEBOUND PATIENT  
30 REGISTRATION FOR TRANSPORTING CAREGIVERS TO A LOCAL GOVERNMENT  
31 OR LAW ENFORCEMENT AGENCY UPON RECEIVING A REQUEST FOR  
32 VERIFICATION. THE LOCATION OF THE CULTIVATION OPERATION SHALL  
33 COMPLY WITH ALL APPLICABLE LOCAL LAWS, RULES, OR REGULATIONS.

34 (d) THE STATE LICENSING AUTHORITY SHALL PROVIDE  
35 CULTIVATION INFORMATION FOR CULTIVATING CAREGIVERS AND  
36 TRANSPORTING CAREGIVERS TO STATE AND LOCAL LAW ENFORCEMENT  
37 THROUGH THE COLORADO CRIME INFORMATION CENTER. THE COLORADO  
38 BUREAU OF INVESTIGATION SHALL INCLUDE PROPER USE OF MEDICAL  
39 MARIJUANA INFORMATION IN AUDITS OF STATE AND LOCAL LAW  
40 ENFORCEMENT AGENCIES.

41 (13) ~~Limit on cultivation of medical marijuana. Only registered~~

1 patients, licensed primary caregivers, medical marijuana-infused products  
2 manufacturing operations with an optional premises cultivation license,  
3 and licensed medical marijuana centers with optional premises cultivation  
4 licenses may cultivate medical marijuana.

5 (13.5) NOTHING HEREIN SHALL REDUCE OR ELIMINATE THE  
6 EXISTING POWER OF A STATUTORY MUNICIPALITY OR COUNTY THROUGH  
7 THE "LOCAL GOVERNMENT LAND USE CONTROL ENABLING ACT OF  
8 1974", ARTICLE 20 OF TITLE 29, C.R.S., TO REGULATE THE GROWING OF  
9 MARIJUANA, COMMERCIALY OR OTHERWISE.

10 (18) (a) This section is repealed, effective ~~July~~ SEPTEMBER 1,  
11 2019.

12 (b) PRIOR TO THE REPEAL OF THIS SECTION, THE DEPARTMENT OF  
13 REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW AS DESCRIBED  
14 IN SECTION 24-34-104 (8), C.R.S.

15 **SECTION 4.** In Colorado Revised Statutes, 24-34-104, **add**  
16 (50.5) (m) as follows:

17 **24-34-104. General assembly review of regulatory agencies and**  
18 **functions for termination, continuation, or reestablishment.**  
19 (50.5) The following agencies, functions, or both, terminate on  
20 September 1, 2019:

21 (m) THE MEDICAL MARIJUANA PROGRAM CREATED IN SECTION  
22 25-1.5-106, C.R.S.

23 **SECTION 5.** In Colorado Revised Statutes, 39-28.8-501, **amend**  
24 (2) (b) (XIV) and (2) (b) (XV); and **add** (2) (b) (XVI) as follows:

25 **39-28.8-501. Marijuana tax cash fund - creation - distribution**  
26 **- repeal.** (2) (b) Subject to the limitations in subsection (5) of this  
27 section, any moneys in the fund that are not appropriated to the  
28 department of revenue pursuant to paragraph (a) of this subsection (2) are  
29 subject to annual appropriation by the general assembly for any fiscal  
30 year following the fiscal year in which they were received by the state.  
31 The general assembly shall initially appropriate moneys in the fund based  
32 on the most recent estimate of revenue prepared by the staff of the  
33 legislative council or the department of revenue for the applicable fiscal  
34 year. The general assembly may appropriate moneys in the fund for the  
35 following purposes:

36 (XIV) The industrial hemp grant research program created in  
37 section 35-61-104.5, C.R.S.; and

38 (XV) For the start-up expenses of the division of financial  
39 services related to the regulation of marijuana financial services  
40 cooperatives pursuant to article 33 of title 11, C.R.S., and until the state  
41 commissioner of financial services first collects assessments on such



1 cooperatives; AND  
2 (XVI) FOR THE IMPLEMENTATION OF LEGISLATION APPROVED BY  
3 THE MARIJUANA REVENUES INTERIM COMMITTEE DURING THE 2014  
4 INTERIM.

5 **SECTION 6.** In Colorado Revised Statutes, 18-18-406.3, **amend**  
6 (5) as follows:

7 **18-18-406.3. Medical use of marijuana by persons diagnosed**  
8 **with debilitating medical conditions - unlawful acts - penalty -**  
9 **medical marijuana program cash fund.** (5) Any person including, but  
10 not limited to, any officer, employee, or agent of the department, or any  
11 officer, employee, or agent of any state or local law enforcement agency,  
12 who releases or makes public any confidential record or any confidential  
13 information contained in any such record that is provided to or by the  
14 marijuana registry OR PRIMARY CAREGIVER REGISTRY of the department  
15 without the written authorization of the marijuana registry patient  
16 commits a class 1 misdemeanor.

17 **SECTION 7. Effective date.** This act takes effect upon passage;  
18 except that sections 25-1.5-106 (7), (8.5), and (8.6) of section 3 take  
19 effect January 1, 2017.

20 **SECTION 8. 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."

\*\* \*\* \*\* \*\* \*\*