

**UPDATED SUMMARY
SENATE BILL 15-014**

First Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

Marijuana Revenues Interim Committee. The bill requires the Colorado medical board *in consultation with the department of public health and environment and physicians who specialize in medical marijuana* to ~~adopt rules regarding~~ establish guidelines for physicians who make medical marijuana recommendations. ~~for patients suffering from severe pain.~~

The bill creates four different types of primary caregiver relationships - a parent-child primary caregiver, an advising primary caregiver, a transporting primary caregiver, and a cultivating primary caregiver. The bill defines "significant responsibility for managing the well-being of a patient" for purposes of a patient-primary caregiver relationship as the caregiver is involved in basic or instrumental activities of daily living. Cultivating or transporting marijuana and the act of advising a patient on which medical marijuana products to use and how to dose them constitutes a "significant responsibility".

The bill requires the state health agency to adopt rules regarding guidelines for primary caregivers to give informed consent to patients that the products they cultivate or produce may contain contaminants and that the THC levels are not verified. *The bill requires the state health agency to convene a group of interested parties including representatives from the state licensing authority, primary caregivers, patients, marijuana testing laboratory licensees, and any other interested persons to explore laboratory testing options for unlicensed medical marijuana.*

The bill requires all *transporting and cultivating* primary caregivers to register with ~~the state health agency and~~ the state medical marijuana licensing authority (licensing authority). *A cultivating primary caregiver must register the cultivation operation location, the registration number of each patient, and any extended plant count numbers and their corresponding patient registry numbers. A transporting primary caregiver must register the registration number of each homebound patient; the total number of plants and ounces that the caregiver is authorized to transport, if applicable; and the location of each patient's registered medical marijuana center or cultivating primary caregiver, as applicable. The state licensing authority may verify patient registration numbers and extended plant count numbers with the state health agency to confirm that a patient does not have more than one primary caregiver, or does not have both a designated caregiver and medical marijuana center, cultivating medical marijuana on his or her behalf at any given time. The bill prohibits any registering as a primary caregiver if the person is licensed as medical or retail marijuana business. A cultivating or transporting primary caregiver shall maintain a list of his or her patients including the registry identification card number of each patient and a recommended total plant count at all times. Any primary caregiver who is not registered*

~~shall register within 10 days of being informed of the duty to register. If a person fails to register after such 10 days, the state health agency and licensing authority shall prohibit the person from ever registering and acting as a primary caregiver. The bill requires the licensing authority and the state health agency to share the minimum amount of information necessary to ensure that a medical marijuana patient has only one caregiver and is not using a primary caregiver and a medical marijuana center. *The bill encourages patients cultivating more than 6 medical marijuana plants for their own medical use to register with the state licensing authority. If a patient registers, he or she shall register the location of his or her cultivation operation, his or her patient registration identification, and the total number of plants that the patient is authorized to cultivate. The state licensing authority shall verify the location of a patient medical marijuana cultivation site to a local government or law enforcement agency upon receiving a request for verification. The location of the cultivation operation shall comply with all applicable local laws, rules, or regulations. The bill prohibits a patient and primary caregiver from cultivating more than 99 plants. A cultivating primary caregiver who grows more than 36 plants must register with the state licensing authority including the location of his or her cultivation operation, the patient registration identification number for each of the primary caregiver's patients, and any extended plant count numbers and their corresponding patient registry numbers. The state licensing authority shall verify the location of extended plant counts for primary caregiver cultivation operations and homebound patient registration for transporting caregivers to a local government or law enforcement agency upon receiving a request for verification. The location of the cultivation operation shall comply with all applicable local laws, rules, or regulations.*~~

The bill sunsets the medical marijuana program on September 1, 2019.

The bill permits moneys in the marijuana tax fund to be used to fund the implementation of any ~~bills approved by the marijuana revenues interim committee~~ *costs for law enforcement audits.*