

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 28, 2015  
Date

Committee on Business Affairs and Labor.

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

HB15-1379 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 2 through 25 and substitute:  
2 "SECTION 1. In Colorado Revised Statutes, 12-43.3-104, **add**  
3 (12.3) and (12.4) as follows:  
4 **12-43.3-104. Definitions.** As used in this article, unless the  
5 context otherwise requires:  
6 (12.3) "OWNER" MEANS ANY PERSON HAVING A BENEFICIAL  
7 INTEREST, AS DEFINED BY THE STATE LICENSING AUTHORITY, IN A MEDICAL  
8 MARIJUANA BUSINESS OTHER THAN A HOLDER OF A PERMITTED ECONOMIC  
9 INTEREST.  
10 (12.4) "PERMITTED ECONOMIC INTEREST" MEANS ANY UNSECURED  
11 CONVERTIBLE DEBT INSTRUMENT, OPTION AGREEMENT, WARRANT, OR ANY  
12 OTHER RIGHT TO OBTAIN AN OWNERSHIP INTEREST WHEN THE HOLDER OF  
13 SUCH INTEREST IS A NATURAL PERSON WHO IS A LAWFUL UNITED STATES  
14 RESIDENT AND WHOSE RIGHT TO CONVERT INTO AN OWNERSHIP INTEREST  
15 IS CONTINGENT ON THE HOLDER QUALIFYING AND OBTAINING A LICENSE  
16 AS AN OWNER UNDER THIS ARTICLE; OR SUCH OTHER AGREEMENTS AS MAY  
17 BE PERMITTED BY RULE OF THE STATE LICENSING AUTHORITY.  
18 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-202, **add** (2)  
19 (a) (XVIII.5) as follows:  
20 **12-43.3-202. Powers and duties of state licensing authority.**  
21 (2) (a) Rules promulgated pursuant to paragraph (b) of subsection (1) of  
22 this section may include, but need not be limited to, the following  
23 subjects:  
24 (XVIII.5) RULES EFFECTIVE ON OR BEFORE JANUARY 1, 2016,  
25 RELATING TO PERMITTED ECONOMIC INTERESTS INCLUDING: A PROCESS

1 FOR A CRIMINAL HISTORY RECORD CHECK, A REQUIREMENT THAT A  
2 PERMITTED ECONOMIC INTEREST APPLICANT SUBMIT TO AND PASS A  
3 CRIMINAL HISTORY RECORD CHECK, DIVESTITURE, AND OTHER  
4 AGREEMENTS THAT WOULD QUALIFY AS PERMITTED ECONOMIC INTERESTS.

5 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend**  
6 (12); and **add** (12.4) as follows:

7 **12-43.4-103. Definitions.** As used in this article, unless the  
8 context otherwise requires:

9 (12) "Owner" means any person having a beneficial interest, as  
10 defined by the state licensing authority, in a retail marijuana  
11 establishment OTHER THAN A HOLDER OF A PERMITTED ECONOMIC  
12 INTEREST.

13 (12.4) "PERMITTED ECONOMIC INTEREST" MEANS ANY UNSECURED  
14 CONVERTIBLE DEBT INSTRUMENT, OPTION AGREEMENT, WARRANT, OR ANY  
15 OTHER RIGHT TO OBTAIN AN OWNERSHIP INTEREST WHEN THE HOLDER OF  
16 SUCH INTEREST IS A NATURAL PERSON WHO IS A LAWFUL UNITED STATES  
17 RESIDENT AND WHOSE RIGHT TO CONVERT INTO AN OWNERSHIP INTEREST  
18 IS CONTINGENT ON THE HOLDER QUALIFYING AND OBTAINING A LICENSE  
19 AS AN OWNER UNDER THIS ARTICLE OR SUCH OTHER AGREEMENTS AS MAY  
20 BE PERMITTED BY RULE BY THE STATE LICENSING AUTHORITY.

21 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-202, **add** (3)  
22 (a) (XIV.5) as follows:

23 **12-43.4-202. Powers and duties of state licensing authority -**  
24 **rules.** (3) (a) Rules promulgated pursuant to paragraph (b) of subsection  
25 (2) of this section must include, but need not be limited to, the following  
26 subjects:

27 (XIV.5) RULES EFFECTIVE ON OR BEFORE JANUARY 1, 2016,  
28 RELATING TO PERMITTED ECONOMIC INTERESTS INCLUDING A PROCESS FOR  
29 A CRIMINAL HISTORY RECORD CHECK, A REQUIREMENT THAT A PERMITTED  
30 ECONOMIC INTEREST APPLICANT SUBMIT TO AND PASS A CRIMINAL  
31 HISTORY RECORD CHECK, DIVESTITURE, AND OTHER AGREEMENTS THAT  
32 WOULD QUALIFY AS PERMITTED ECONOMIC INTERESTS."

33 Strike pages 3 through 19.

34 Page 20, strike lines 1 through 9.

35 Renumber succeeding section accordingly.

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