

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0925.01 Nicole Myers x4326

HOUSE BILL 15-1387

HOUSE SPONSORSHIP

Pabon and Rankin,

SENATE SPONSORSHIP

Steadman and Lambert,

House Committees

Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELIMINATION OF THE AUTHORIZED TRANSFER OF**
102 **MEDICAL MARIJUANA TO RETAIL MARIJUANA AT THE TIME THAT**
103 **A RETAIL MARIJUANA ESTABLISHMENT LICENSE BECOMES**
104 **EFFECTIVE.**

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>.)

Current law allows the operator of a licensed medical marijuana center, an optional premises cultivation license, or a licensed medical marijuana-infused products business (applicant) to apply for a retail

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.

marijuana establishment license. At the time an applicant's retail marijuana establishment license becomes effective, the applicant is allowed to transfer medical marijuana inventory to retail marijuana inventory.

The bill prohibits an applicant from making a transfer of medical marijuana inventory to retail marijuana inventory beginning on July 1, 2015.

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

SECTION 1. In Colorado Revised Statutes, 12-43.4-104, **amend** (1) (a) (III) and (1) (a) (IV) as follows:

12-43.4-104. Applicability - retail marijuana - repeal.

(1) (a) (III) If the applicant indicates a desire to surrender the medical marijuana license, the applicant shall continue to operate under that license so long as the license remains in effect until a retail marijuana establishment license is approved. If the retail marijuana establishment license is granted, the applicant shall have fourteen days from the effective date of the license to surrender the medical marijuana license to the state licensing authority. If the retail marijuana license is granted, on the effective date of the license, all medical marijuana plants and inventory shall become retail marijuana plants and inventory on the date of the retail marijuana establishment license; EXCEPT THAT BEGINNING ON JULY 1, 2015, THE MEDICAL MARIJUANA PLANTS AND INVENTORY THAT BELONG TO AN APPLICANT THAT SURRENDERS ITS MEDICAL MARIJUANA LICENSE PURSUANT TO THIS SUBSECTION (1) SHALL NOT BECOME RETAIL MARIJUANA PLANTS OR INVENTORY ON THE EFFECTIVE DATE OF THE RETAIL MARIJUANA ESTABLISHMENT LICENSE OR ON ANY OTHER DATE.

(IV) An applicant pursuant to this paragraph (a) may apply for a retail marijuana establishment license and retain the medical marijuana license. The applicant may apply to have the medical marijuana licensed

1 operation and the retail marijuana establishment at the same location only
2 if the local jurisdiction permits the medical marijuana licensed operation
3 and the retail marijuana establishment to be operated at the same location.
4 At the time that the retail marijuana establishment license becomes
5 effective, the applicant shall identify the medical marijuana inventory that
6 will become retail marijuana inventory; EXCEPT THAT BEGINNING ON JULY
7 1, 2015, AN APPLICANT WITH AN EXISTING MEDICAL MARIJUANA LICENSE
8 APPLYING FOR A RETAIL MARIJUANA LICENSE PURSUANT TO THIS
9 SUBSECTION (1) SHALL NOT BE ALLOWED TO TRANSFER ANY MEDICAL
10 MARIJUANA INVENTORY TO RETAIL MARIJUANA INVENTORY.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.