

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

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
Finance

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.

SENATE
Amended 2nd Reading
May 5, 2015

HOUSE
3rd Reading Unamended
May 1, 2015

HOUSE
Amended 2nd Reading
April 30, 2015

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, 2016, AN APPLICANT SHALL NOT BE ALLOWED TO TRANSFER MEDICAL MARIJUANA PLANTS AND INVENTORY FROM A MEDICAL MARIJUANA CENTER OR FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER TO ANY RETAIL MARIJUANA ESTABLISHMENT. BEGINNING ON JULY 1, 2016, THE ONLY TRANSFER OF MEDICAL MARIJUANA ALLOWED PURSUANT TO THIS SUBPARAGRAPH (III) IS THE TRANSFER OF MEDICAL MARIJUANA PLANTS AND INVENTORY FROM A MEDICAL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA CULTIVATION FACILITY.

1 (IV) An applicant pursuant to this paragraph (a) may apply for a
2 retail marijuana establishment license and retain the medical marijuana
3 license. The applicant may apply to have the medical marijuana licensed
4 operation and the retail marijuana establishment at the same location only
5 if the local jurisdiction permits the medical marijuana licensed operation
6 and the retail marijuana establishment to be operated at the same location.
7 At the time that the retail marijuana establishment license becomes
8 effective, the applicant shall identify the medical marijuana inventory that
9 will become retail marijuana inventory; EXCEPT THAT BEGINNING ON
10 JULY 1, 2016, AN APPLICANT SHALL NOT BE ALLOWED TO TRANSFER
11 MEDICAL MARIJUANA INVENTORY FROM A MEDICAL MARIJUANA CENTER
12 OR FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER TO
13 ANY RETAIL MARIJUANA ESTABLISHMENT. BEGINNING ON JULY 1, 2016,
14 THE ONLY TRANSFER OF MEDICAL MARIJUANA ALLOWED PURSUANT TO
15 THIS SUBPARAGRAPH (IV) IS THE TRANSFER OF MEDICAL MARIJUANA
16 INVENTORY FROM A MEDICAL MARIJUANA CULTIVATION FACILITY TO A
17 RETAIL MARIJUANA CULTIVATION FACILITY.

18

== ==

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