

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 6, 2013
Date

Committee on Business, Labor, & Technology.

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

SCR13-003 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed concurrent resolution, page 3, line 8, strike "**amend** (9);
2 and", strike the second "and", and strike "(d.3)" and substitute "(d.3), and
3 (5) (k)".

4 Page 7, strike lines 1 through 17 and substitute:

5 "(5) (k) (I) NOTWITHSTANDING ANY PROVISION OF THIS SECTION
6 TO THE CONTRARY:

7 (A) EXCEPT FOR THE LIMITATION ON THE RATE OF ANY EXCISE TAX
8 IMPOSED BY PARAGRAPH (d) AND THE PROVISIONS OF PARAGRAPH (j) OF
9 THIS SUBSECTION (5), THE IMPLEMENTATION OF THIS SUBSECTION (5)
10 SHALL BE CONDITIONAL UPON THE ELECTORS APPROVING AT A STATEWIDE
11 ELECTION ONE OR MORE NEW TAXES OR INCREASES IN EXISTING TAX RATES
12 SUFFICIENT TO FUND THE ESTIMATED COSTS OF STATE REGULATION OF
13 MARIJUANA;

14 (B) ANY REGULATIONS ADOPTED BY THE DEPARTMENT, ANY
15 ORDINANCES OR REGULATIONS ADOPTED BY ANY LOCALITY, AND ANY
16 LICENSES ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THIS
17 SUBSECTION (5) PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH (k)
18 SHALL BE EFFECTIVE AND ENFORCEABLE ONLY UPON THE ELECTORS
19 APPROVING AT A STATEWIDE ELECTION ONE OR MORE NEW TAXES OR
20 INCREASES IN EXISTING TAX RATES SUFFICIENT TO FUND THE ESTIMATED
21 COSTS OF STATE REGULATION OF MARIJUANA; AND

22 (C) UNLESS ELECTORS APPROVE THE TAXES SET FORTH IN

1 PARAGRAPHS (d.1) AND (d.2) OF THIS SUBSECTION (5) AT THE STATEWIDE
2 ELECTION HELD ON NOVEMBER 5, 2013, ANY DATE SPECIFIED IN THIS
3 SUBSECTION (5) SHALL MEAN THAT DATE OF THE CALENDAR YEAR
4 IMMEDIATELY SUBSEQUENT TO THE STATEWIDE ELECTION AT WHICH THE
5 ELECTORS APPROVE ONE OR MORE NEW TAXES OR INCREASES IN EXISTING
6 TAX RATES SUFFICIENT TO FUND THE ESTIMATED COSTS OF STATE
7 REGULATION.

8 (II) THIS PARAGRAPH (k) SHALL TAKE EFFECT
9 NOVEMBER 5, 2013."

10 Page 8, strike lines 7 through 14 and substitute the following:

11 "(2) Shall the implementation of subsection (5) of section 16 of
12 article XVIII of the Colorado constitution relating to the regulation of
13 marijuana be conditional upon voter approval of the imposition of one or
14 more state taxes or increases in state tax rates that will provide sufficient
15 revenues to annually fund the estimated costs of state regulation of
16 marijuana if a majority of the electors voting on the question fail to
17 approve the imposition of a state excise tax and a state sales tax on retail
18 marijuana at the November 2013 election?""

19 Page 2, strike lines 107 through 110 and substitute the following:

20 "HELD IN NOVEMBER OF 2013, MAKING THE IMPLEMENTATION OF
21 REGULATED MARIJUANA CONDITIONAL UPON VOTER APPROVAL OF THE
22 IMPOSITION".

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