

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0272.02 Jery Payne x2157

SENATE BILL 25-076

SENATE SPONSORSHIP

Amabile and Pelton B.,

HOUSE SPONSORSHIP

Brown,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING BUSINESSES, AND, IN CONNECTION THEREWITH,
102 REQUIRING CERTAIN REGULATORY AGENCIES TO PRIORITIZE
103 THE PUBLIC HEALTH; ADDING LABELING REQUIREMENTS FOR
104 MARIJUANA AND NATURAL MEDICINE; REQUIRING THE
105 MARIJUANA ENFORCEMENT DIVISION TO SEEK THE ASSISTANCE
106 OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
107 WHEN ADOPTING CERTAIN RULES; SETTING LIMITS ON THE
108 SERVING SIZE AND PACKAGING SIZE OF INHALED MARIJUANA;
109 LIMITING THE MARIJUANA PRODUCTS THAT CAN BE SOLD TO AN
110 INDIVIDUAL WHO IS TWENTY-FIVE YEARS OF AGE OR YOUNGER;
111 REQUIRING RULES TO SET LABELING REQUIREMENTS FOR
112 NATURAL MEDICINE; REQUIRING RULES TO SET STANDARDS FOR
113 COLLECTING AND REPORTING DATA ABOUT ADVERSE MEDICAL

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

101 OR BEHAVIORAL REACTIONS TO NATURAL MEDICINE;
102 ESTABLISHING CERTAIN PROHIBITIONS ON HOW NATURAL
103 MEDICINE CAN BE MANUFACTURED, DISTRIBUTED, OR
104 TRANSFERRED; AND EXPANDING THE SOCIAL EQUITY PROGRAM.

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://leg.colorado.gov>.)

The bill requires the marijuana enforcement division, the natural medicine division, and the department of public health and environment (department), when regulating marijuana and marijuana products and hemp and hemp products and psilocybin, psilocin, and possibly dimethyltryptamine, ibogaine, and mescaline (natural medicine), to prioritize the public health over private interests in exercising regulatory authority and develop measures designed to prevent these agencies or an agent or employee of these agencies from becoming unduly influenced by licensees or registrants.

Current law requires the marijuana enforcement division to adopt rules governing labeling of regulated marijuana and regulated marijuana products. The bill requires the labeling of regulated marijuana and regulated marijuana products to include the amount of total THC per package and a solid color strip on the face of the packaging that indicates THC potency of marijuana or a marijuana product by showing the corresponding color as follows:

- If the THC potency is less than 5%, the color strip is blue;
- If the THC potency is at least 5% but less than 15%, the color strip is yellow;
- If the THC potency is at least 15% but less than 50%, the color strip is orange; or
- If the THC potency is at least 50%, the color strip is red.

A marijuana store must post, at all times and at every point of sale, a sign that explains the meaning of the color strips.

Inhaled marijuana is required to have the following labeling:

- The amount of THC per serving;
- The amount of THC per package;
- The number of servings per package; and
- Directions for consumption of a serving.

Current law authorizes the marijuana enforcement division to seek

the assistance of the department when adopting certain rules. The bill requires the marijuana enforcement division to seek this assistance.

Current law limits the standard serving size of edible marijuana products to 10 milligrams. The bill adds inhaled marijuana and requires that its serving size is limited to 10 milligrams and the package weight to 500 milligrams.

The bill forbids a retail marijuana store, a retail marijuana transporter, a marijuana hospitality business, a retail marijuana accelerator store, and a retail marijuana hospitality and sales business from selling, distributing, permitting the sale of, or offering to sell or distribute the following to an individual who is 25 years of age or younger:

- Retail marijuana that has a THC potency that is higher than 10%; or
- Inhaled retail marijuana that contains an added flavor ingredient.

The natural medicine division is required to adopt rules that include:

- Requirements that labeling of natural medicine or a natural medicine product includes a universal symbol indicating the package contains natural medicine; and
- Requirements and standards for collecting and reporting data about adverse medical or behavioral reactions to natural medicine or natural medicine products.

A natural medicine license holder is prohibited from manufacturing, distributing, or transferring natural medicine or a natural medicine product that:

- Is a candy product, gummy, chocolate, or other confection;
- Contains a concentrated form of a natural medicine or natural medicine product;
- Is consumed by or administered by a means other than oral ingestion; or
- Contains an added flavor or sweetener.

Current law creates a social equity program that gives loans, grants, and technical assistance to disadvantaged persons by helping an approved applicant to obtain a marijuana license and start a marijuana business. The funding comes from the marijuana tax cash fund. The bill expands this program to include a person who wants to start any type of business.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-10-103, **add**

1 (13.5), (13.6), (21.5), (21.6), (55.5), (70), and (71) as follows:

2 **44-10-103. Definitions - rules.** As used in this article 10, unless
3 the context otherwise requires:

4 (13.5) "EDIBLE REGULATED MARIJUANA PRODUCT" MEANS
5 REGULATED MARIJUANA THAT IS INTENDED FOR ORAL CONSUMPTION AND
6 IS:

- 7 (a) FOOD OR DRINK INFUSED WITH REGULATED MARIJUANA;
- 8 (b) REGULATED MARIJUANA CONCENTRATE THAT IS INTENDED TO
9 BE CONSUMED ORALLY;
- 10 (c) IN PILL OR CAPSULE FORM; OR
- 11 (d) A TINCTURE.

12 (13.6) "EDIBLE RETAIL MARIJUANA PRODUCT" MEANS RETAIL
13 MARIJUANA THAT IS INTENDED FOR ORAL CONSUMPTION AND IS:

- 14 (a) FOOD OR DRINK INFUSED WITH RETAIL MARIJUANA;
- 15 (b) RETAIL MARIJUANA CONCENTRATE THAT IS INTENDED TO BE
16 CONSUMED ORALLY;
- 17 (c) IN PILL OR CAPSULE FORM; OR
- 18 (d) A TINCTURE.

19 (21.5) "INHALED REGULATED MARIJUANA" MEANS REGULATED
20 MARIJUANA THAT HAS AN INTENDED USE AS AN INHALED PRODUCT AND IS:

- 21 (a) A FLOWER, SHAKE, OR TRIM;
- 22 (b) PREROLLED MARIJUANA OR INFUSED PREROLLED MARIJUANA;
- 23 (c) SOLVENT-BASED REGULATED MARIJUANA CONCENTRATE;
- 24 (d) PHYSICAL-SEPARATION-BASED REGULATED MARIJUANA
25 CONCENTRATE;
- 26 (e) HEAT- OR PRESSURE-BASED REGULATED MARIJUANA
27 CONCENTRATE;

1 (f) DELIVERED BY A VAPORIZER DEVICE; OR
2 (g) DELIVERED BY A PRESSURIZED METERED-DOSE INHALER.
3 (21.6) "INHALED RETAIL MARIJUANA" MEANS RETAIL MARIJUANA
4 THAT HAS AN INTENDED USE AS AN INHALED PRODUCT, INCLUDING:
5 (a) A FLOWER, SHAKE, OR TRIM;
6 (b) PREROLLED MARIJUANA OR INFUSED PREROLLED MARIJUANA;
7 (c) SOLVENT-BASED RETAIL MARIJUANA CONCENTRATE;
8 (d) PHYSICAL-SEPARATION-BASED RETAIL MARIJUANA
9 CONCENTRATE;
10 (e) HEAT-OR PRESSURE-BASED RETAIL MARIJUANA CONCENTRATE;
11 (f) DELIVERED BY A VAPORIZER DEVICE; OR
12 (g) DELIVERED BY A PRESSURIZED METERED-DOSE INHALER.
13 (55.5) "REGULATED MARIJUANA STORE" MEANS A MEDICAL
14 MARIJUANA STORE, A RETAIL MARIJUANA STORE, OR AN ACCELERATOR
15 STORE.
16 (70) "THC POTENCY" MEANS:
17 (a) FOR REGULATED MARIJUANA, REGULATED MARIJUANA
18 CONCENTRATE, AND INHALED REGULATED MARIJUANA, NOT INCLUDING
19 EDIBLE REGULATED MARIJUANA PRODUCTS, THE LEVEL OF
20 CONCENTRATION OF TOTAL THC BY PERCENTAGE WITHIN THE REGULATED
21 MARIJUANA, REGULATED MARIJUANA CONCENTRATE, OR INHALED
22 REGULATED MARIJUANA; OR
23 (b) FOR EDIBLE REGULATED MARIJUANA PRODUCTS, THE TOTAL
24 NUMBER OF MILLIGRAMS OF TOTAL THC CONTAINED WITHIN A SINGLE
25 EDIBLE REGULATED MARIJUANA PRODUCT UNIT FOR SALE.
26 (71) "TOTAL THC" MEANS THE SUM OF THE WEIGHT IN
27 MILLIGRAMS OF EACH INTOXICATING CANNABINOID DESCRIBED IN SECTION

1 44-10-209 (3)(d)(I) AND TETRAHYDROCANNABINOLIC ACID.

2 **SECTION 2.** In Colorado Revised Statutes, 44-10-202, **amend**
3 (1)(f) and (1)(g); and **add** (1)(i) as follows:

4 **44-10-202. Powers and duties of state licensing authority -**
5 **stakeholder work group - rules - report - legislative declaration.**

6 (1) **Powers and duties.** The state licensing authority shall:

7 (f) Prepare and transmit annually, in the form and manner
8 prescribed by the heads of the principal departments pursuant to section
9 24-1-136, a report accounting to the governor for the efficient discharge
10 of all responsibilities assigned by law or directive to the state licensing
11 authority; **and**

12 (g) Collect and maintain data related to licensing disqualifications
13 and all sanctions based on past criminal history pursuant to the
14 requirements in section ~~24-34-104(6)(b)(IX)~~ 24-34-104 (6)(b)(XIII); AND

15 (i) (I) PRIORITIZE THE PUBLIC HEALTH OVER PRIVATE INTERESTS IN
16 EXERCISING THE AUTHORITY GRANTED IN THIS ARTICLE 10; AND

17 (II) DEVELOP MEASURES DESIGNED TO PREVENT THE STATE
18 LICENSING AUTHORITY OR AN AGENT OR EMPLOYEE OF THE STATE
19 LICENSING AUTHORITY FROM BECOMING UNDULY INFLUENCED BY
20 LICENSEES.

21 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **amend**
22 (2) introductory portion, (2)(f)(II), (2)(f)(III), (2)(f)(IV), (3) introductory
23 portion, and (3)(d); and **add** (2)(f)(V), (2)(f.1), and (2)(f.2) as follows:

24 **44-10-203. State licensing authority - rules. (2) Mandatory**
25 **rule-making.** Rules ~~promulgated~~ ADOPTED pursuant to section 44-10-202
26 (1)(c) must include the following subjects:

27 (f) Labeling requirements for regulated marijuana and regulated

1 marijuana products sold by a medical marijuana business or retail
2 marijuana business that are at least as stringent as those imposed by
3 section 25-4-1614 (3)(a) and include but are not limited to:

4 (II) THE amount of TOTAL THC per serving, ~~and~~ THE AMOUNT OF
5 TOTAL THC PER PACKAGE, the number of servings per package, ~~for~~
6 ~~regulated marijuana products~~ AND THE THC POTENCY;

7 (III) A universal symbol indicating that the package contains
8 marijuana; ~~and~~

9 (IV) Potency of the regulated marijuana and regulated marijuana
10 products; AND

11 (V) A SOLID COLOR STRIP THAT IS VISIBLE ON THE FACE OF THE
12 PACKAGING AND IS AT LEAST ONE-HALF INCH WIDE AND ONE INCH LONG.
13 THE COLOR STRIP MUST SHOW THE THC POTENCY OF THE REGULATED
14 MARIJUANA OR REGULATED MARIJUANA PRODUCT AND INDICATE THE THC
15 POTENCY RANGE BY SHOWING THE CORRESPONDING COLOR AS FOLLOWS:

16 (A) IF THE THC POTENCY OF THE REGULATED MARIJUANA OR
17 REGULATED MARIJUANA PRODUCT IS LESS THAN FIVE PERCENT, THE COLOR
18 STRIP IS BLUE;

19 (B) IF THE THC POTENCY OF THE REGULATED MARIJUANA OR
20 REGULATED MARIJUANA PRODUCT IS AT LEAST FIVE PERCENT BUT LESS
21 THAN FIFTEEN PERCENT, THE COLOR STRIP IS YELLOW;

22 (C) IF THE THC POTENCY OF THE REGULATED MARIJUANA OR
23 REGULATED MARIJUANA PRODUCT IS AT LEAST FIFTEEN PERCENT BUT LESS
24 THAN FIFTY PERCENT, THE COLOR STRIP IS ORANGE; OR

25 (D) IF THE THC POTENCY OF THE REGULATED MARIJUANA OR
26 REGULATED MARIJUANA PRODUCT IS AT LEAST FIFTY PERCENT, THE COLOR
27 STRIP IS RED;

1 (f.1) A REQUIREMENT THAT A REGULATED MARIJUANA STORE
2 POST, AT ALL TIMES AND IN A PROMINENT PLACE AT EVERY POINT OF SALE,
3 A SIGN THAT EXPLAINS THE MEANING OF THE COLOR STRIPS DESCRIBED IN
4 SUBSECTION (2)(f)(V) OF THIS SECTION;

5 (f.2) ADDITIONAL LABELING REQUIREMENTS FOR INHALED RETAIL
6 MARIJUANA THAT INCLUDE:

7 (I) THE AMOUNT OF TOTAL THC PER SERVING;

8 (II) THE AMOUNT OF TOTAL THC PER PACKAGE;

9 (III) THE NUMBER OF SERVINGS PER PACKAGE, WITH EACH SERVING
10 CONTAINING NO MORE THAN TEN MILLIGRAMS OF TOTAL THC AS
11 REQUIRED IN SUBSECTION (3)(d) OF THIS SECTION;

12 (IV) THE THC POTENCY; AND

13 (V) DIRECTIONS FOR CONSUMPTION OF A SERVING, SO THAT A
14 CONSUMER DOES NOT UNKNOWINGLY INGEST MORE THAN TEN MILLIGRAMS
15 OF TOTAL THC PER SERVING;

16 (3) In ~~promulgating~~ ADOPTING rules pursuant to this section, the
17 state licensing authority ~~may~~ SHALL seek the assistance of the department
18 of public health and environment when necessary before ~~promulgating~~
19 ADOPTING rules on the following subjects:

20 (d) A standardized marijuana serving size amount for edible retail
21 marijuana products AND INHALED RETAIL MARIJUANA that does not
22 contain more than ten milligrams of active THC, ~~designed only to provide~~
23 ~~consumers with information about the total number of servings of active~~
24 ~~THC in a particular retail marijuana product, not as a limitation on the~~
25 ~~total amount of THC in any particular item;~~ TOTAL THC, labeling
26 requirements regarding servings for edible retail marijuana products AND
27 INHALED RETAIL MARIJUANA, and limitations on PACKAGING AS FOLLOWS:

1 (I) FOR EDIBLE RETAIL MARIJUANA PRODUCTS, the total amount of
2 ~~active THC in a sealed internal package that~~ THC is no more than one
3 hundred milligrams of ~~active THC~~ TOTAL THC IN A SEALED INTERNAL
4 PACKAGE; AND

5 (II) FOR INHALED RETAIL MARIJUANA, THE NET WEIGHT, NOT
6 INCLUDING PACKAGING, OF THE INHALED RETAIL MARIJUANA IS NO MORE
7 THAN FIVE HUNDRED MILLIGRAMS.

8 **SECTION 4.** In Colorado Revised Statutes, 44-10-601, **add** (18)
9 as follows:

10 **44-10-601. Retail marijuana store license - rules - definitions.**

11 (18) A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA ACCELERATOR
12 STORE SHALL NOT SELL, DISTRIBUTE, PERMIT THE SALE OF, OR OFFER TO
13 SELL OR DISTRIBUTE THE FOLLOWING TO AN INDIVIDUAL WHO IS
14 TWENTY-FIVE YEARS OF AGE OR YOUNGER:

15 (a) RETAIL MARIJUANA THAT HAS A THC POTENCY OF HIGHER
16 THAN TEN PERCENT; OR

17 (b) INHALED RETAIL MARIJUANA THAT CONTAINS AN ADDED
18 FLAVOR INGREDIENT, INCLUDING TERPENES.

19 **SECTION 5.** In Colorado Revised Statutes, 44-10-605, **add** (6)
20 as follows:

21 **44-10-605. Retail marijuana transporter license - definition.**

22 (6) A RETAIL MARIJUANA TRANSPORTER LICENSEE SHALL NOT SELL,
23 DISTRIBUTE, PERMIT THE SALE OF, OR OFFER TO SELL OR DISTRIBUTE THE
24 FOLLOWING TO AN INDIVIDUAL WHO IS TWENTY-FIVE YEARS OF AGE OR
25 YOUNGER:

26 (a) RETAIL MARIJUANA THAT HAS A THC POTENCY OF HIGHER
27 THAN TEN PERCENT; OR

1 (b) INHALED RETAIL MARIJUANA THAT CONTAINS AN ADDED
2 FLAVOR INGREDIENT, INCLUDING TERPENES.

3 **SECTION 6.** In Colorado Revised Statutes, 44-10-609, **add** (5)
4 as follows:

5 **44-10-609. Marijuana hospitality business license.** (5) A
6 MARIJUANA HOSPITALITY BUSINESS SHALL NOT SELL, DISTRIBUTE, PERMIT
7 THE SALE OF, OR OFFER TO SELL OR DISTRIBUTE THE FOLLOWING TO AN
8 INDIVIDUAL WHO IS TWENTY-FIVE YEARS OF AGE OR YOUNGER:

9 (a) RETAIL MARIJUANA THAT HAS A THC POTENCY OF HIGHER
10 THAN TEN PERCENT; OR

11 (b) INHALED RETAIL MARIJUANA THAT CONTAINS AN ADDED
12 FLAVOR INGREDIENT, INCLUDING TERPENES.

13 **SECTION 7.** In Colorado Revised Statutes, 44-10-610, **add** (6)
14 as follows:

15 **44-10-610. Retail marijuana hospitality and sales business**
16 **license.** (6) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
17 SHALL NOT SELL, DISTRIBUTE, PERMIT THE SALE OF, OR OFFER TO SELL OR
18 DISTRIBUTE THE FOLLOWING TO AN INDIVIDUAL WHO IS TWENTY-FIVE
19 YEARS OF AGE OR YOUNGER:

20 (a) RETAIL MARIJUANA THAT HAS A THC POTENCY OF HIGHER
21 THAN TEN PERCENT; OR

22 (b) INHALED RETAIL MARIJUANA THAT CONTAINS AN ADDED
23 FLAVOR INGREDIENT, INCLUDING TERPENES.

24 **SECTION 8.** In Colorado Revised Statutes, 44-50-202, **amend**
25 (1)(h); and **add** (1)(i) as follows:

26 **44-50-202. Powers and duties of state licensing authority -**
27 **report - rules.** (1) The state licensing authority shall:

1 (h) Develop and promote accurate public education campaigns
2 related to the use of natural medicine or natural medicine product,
3 including public service announcements, educational materials, and
4 appropriate crisis response materials, and develop and promote training
5 materials for first responders and multiresponders, including law
6 enforcement, emergency medical providers, social services providers, and
7 fire fighters; AND

8 (i) (I) PRIORITIZE THE PUBLIC HEALTH OVER PRIVATE INTERESTS IN
9 EXERCISING AUTHORITY OVER NATURAL MEDICINE; AND

10 (II) DEVELOP MEASURES DESIGNED TO PREVENT THE STATE
11 LICENSING AUTHORITY OR AN AGENT OR EMPLOYEE OF THE STATE
12 LICENSING AUTHORITY FROM BECOMING UNDULY INFLUENCED BY
13 LICENSEES.

14 **SECTION 9.** In Colorado Revised Statutes, 44-50-203, **amend**
15 (1) introductory portion; and **add** (1)(o) and (1)(p) as follows:

16 **44-50-203. State licensing authority - rules. (1) Mandatory**
17 **rule-making.** Rules ~~promulgated~~ ADOPTED pursuant to section 44-50-202
18 (1)(b) must include the following subjects:

19 (o) REQUIREMENTS THAT LABELING FOR NATURAL MEDICINE OR
20 NATURAL MEDICINE PRODUCTS INCLUDES A UNIVERSAL SYMBOL
21 INDICATING THE PACKAGE CONTAINS NATURAL MEDICINE; AND

22 (p) REQUIREMENTS AND STANDARDS FOR COLLECTING AND
23 REPORTING DATA TO THE STATE LICENSING AUTHORITY ABOUT ADVERSE
24 MEDICAL OR BEHAVIORAL REACTIONS TO NATURAL MEDICINE OR NATURAL
25 MEDICINE PRODUCTS.

26 **SECTION 10.** In Colorado Revised Statutes, 44-50-501, **add** (2)
27 as follows:

1 **44-50-501. Unlawful acts.** (2) A LICENSEE SHALL NOT
2 MANUFACTURE, DISTRIBUTE, OR TRANSFER NATURAL MEDICINE OR A
3 NATURAL MEDICINE PRODUCT THAT:

4 (a) IS A CANDY PRODUCT, GUMMY, CHOCOLATE, OR OTHER
5 CONFECTION;

6 (b) CONTAINS A CONCENTRATED FORM OF A NATURAL MEDICINE
7 OR NATURAL MEDICINE PRODUCT;

8 (c) IS CONSUMED BY OR ADMINISTERED BY A MEANS OTHER THAN
9 ORAL INGESTION; OR

10 (d) CONTAINS AN ADDED FLAVOR OR SWEETENER.

11 **SECTION 11.** In Colorado Revised Statutes, 25-5-427, **add** (11)
12 as follows:

13 **25-5-427. Classes of hemp-derived compounds and**
14 **cannabinoids - definitions - registration required - prohibitions - safe**
15 **harbor - rules - repeal.** (11) **Public interest and undue influence.** THE
16 DEPARTMENT SHALL:

17 (a) PRIORITIZE THE PUBLIC HEALTH OVER PRIVATE INTERESTS IN
18 EXERCISING AUTHORITY OVER HEMP PRODUCTS; AND

19 (b) DEVELOP MEASURES DESIGNED TO PREVENT THE DEPARTMENT
20 OR AN AGENT OR EMPLOYEE OF THE DEPARTMENT FROM BECOMING
21 UNDULY INFLUENCED BY REGISTRANTS.

22 **SECTION 12.** In Colorado Revised Statutes, 24-48.5-128,
23 **amend** (1)(a) introductory portion, (2)(c), (3)(a), (3)(b)(I), (3)(c)(I), and
24 (4) as follows:

25 **24-48.5-128. Program - entrepreneurs - social equity designees**
26 **- report - entrepreneur fund - creation - legislative declaration -**
27 **definitions.** (1) **Legislative declaration.** (a) The general assembly finds

1 that, WITH RESPECT TO THE MARIJUANA INDUSTRY:

2 (2) **Definitions.** As used in this section, unless the context
3 otherwise requires:

4 (c) "~~Social equity licensee" has the same meaning as set forth in~~
5 ~~section 44-10-103 (68.5)~~ DESIGNEE" MEANS EITHER:

6 (I) A SOCIAL EQUITY LICENSEE AS DEFINED IN SECTION 44-10-103
7 (68.5) FOR THE PURPOSES OF ARTICLE 10 OF TITLE 44; OR

8 (II) AN INDIVIDUAL WHO IS A COLORADO RESIDENT AND WHO HAS
9 DEMONSTRATED AT LEAST ONE OF THE FOLLOWING:

10 (A) THE INDIVIDUAL HAS RESIDED FOR AT LEAST FIFTEEN YEARS
11 IN A CENSUS TRACT DESIGNATED BY THE OFFICE AS AN OPPORTUNITY ZONE
12 OR DESIGNATED AS A DISPROPORTIONATE IMPACTED AREA, AS DEFINED BY
13 RULE PURSUANT TO SECTION 44-10-203 (1)(j); OR

14 (B) THE INDIVIDUAL'S HOUSEHOLD INCOME IN THE YEAR PRIOR TO
15 APPLICATION DID NOT EXCEED FIFTY PERCENT OF THE STATE MEDIAN
16 INCOME, AS MEASURED BY THE NUMBER OF PEOPLE WHO RESIDE IN THE
17 INDIVIDUAL'S HOUSEHOLD.

18 (3) **Loans, grants, and technical assistance.** (a) There is created
19 within the office a program to support entrepreneurs ~~in the marijuana~~
20 ~~industry~~ WHO ARE SOCIAL EQUITY DESIGNEES. The office shall use the
21 money specified in subsection (4) of this section for the following
22 purposes, including any related administrative expenses:

23 (I) Loans to social equity ~~licensees~~ DESIGNEES for seed capital and
24 ongoing business expenses, which include ~~but are not limited to~~ rent,
25 leases, local and state application and licensing fees, regulatory
26 adherence, testing of marijuana, equipment, capital improvements, and
27 training and retention of a qualified and diverse workforce;

1 (II) Grants to:

2 (A) Social equity ~~licensees~~ DESIGNEES to support innovation and
3 job creation; and

4 (B) Organizations that support ~~marijuana~~ businesses to be used to
5 support innovation and job creation of social equity ~~licensees~~ DESIGNEES;

6 (III) Technical assistance for ~~marijuana~~ business owners, which
7 consists of assisting with business plan development, providing
8 consulting services, and supporting existing public or private technical
9 assistance programs. In providing the technical assistance, the office or
10 a technical assistance program provider shall prioritize social equity
11 ~~licensees~~ DESIGNEES who have been awarded a loan or grant in
12 accordance with subsection (3)(a)(I) or (3)(a)(II) of this section.

13 (b) (I) The office shall establish a process for social equity
14 ~~licensees~~ DESIGNEES and organizations to apply for a loan or grant under
15 the program, including application deadlines, the information and
16 documentation required to be submitted to the office to demonstrate
17 eligibility for a loan or a grant, and any other requirements determined by
18 the director OF THE OFFICE to be necessary.

19 (c) The office, in consultation with other relevant state agencies,
20 industry experts, and other stakeholders, shall establish policies setting
21 forth the parameters and eligibility for the program, including:

22 (I) The terms of and eligibility for a loan or grant, in addition to
23 qualifying as a social equity ~~licensee~~ DESIGNEE;

24 (4) **Funding.** (a) The ~~marijuana~~ entrepreneur fund is ~~hereby~~
25 created in the state treasury. The fund consists of money transferred or
26 appropriated to the fund in accordance with subsection (4)(b) of this
27 section. The state treasurer shall credit all interest and income derived

1 from the deposit and investment of money in the ~~marijuana~~ entrepreneur
2 fund to the fund. Money in the fund is continuously appropriated to the
3 office for the office to use for the program as set forth in this section.

4 (b) ~~On March 21, 2021, the state treasurer shall transfer four~~
5 ~~million dollars from the marijuana tax cash fund created in section~~
6 ~~39-28.8-501(1) to the marijuana entrepreneur fund created in subsection~~
7 ~~(4)(a) of this section. For fiscal years commencing on or after July 1,~~
8 ~~2022, The general assembly may appropriate money from the marijuana~~
9 ~~tax cash fund to the marijuana entrepreneur fund.~~

10 **SECTION 13.** In Colorado Revised Statutes, 39-28.8-501,
11 **amend** (2)(b)(IV)(S) as follows:

12 **39-28.8-501. Marijuana tax cash fund - creation - distribution**
13 **- legislative declaration - repeal.** (2) (b) (IV) Subject to the limitation
14 in subsection (5) of this section, the general assembly may annually
15 appropriate any money in the fund for the following purposes:

16 (S) For the program to support entrepreneurs ~~in the marijuana~~
17 ~~industry~~ created in section 24-48.5-128 (3);

18 **SECTION 14. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
20 the expiration of the ninety-day period after final adjournment of the
21 general assembly; except that, if a referendum petition is filed pursuant
22 to section 1 (3) of article V of the state constitution against this act or an
23 item, section, or part of this act within such period, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2026 and, in such case, will take
26 effect on the date of the official declaration of the vote thereon by the
27 governor.

1 (2) This act applies to products manufactured, distributed, sold,
2 delivered, permitted to be sold, or offered for sale or distribution on or
3 after the applicable effective date of this act.