

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 14-1056.01 Nicole Myers x4326

SENATE BILL 14-215

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Duran and Gerou, May

Senate Committees

Health & Human Services
Appropriations

House Committees

Health, Insurance, & Environment
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE DISPOSITION OF MONEYS COLLECTED BY THE STATE**
102 **IN CONNECTION WITH THE LEGAL MARIJUANA INDUSTRY, AND,**
103 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Joint Budget Committee. The bill specifies the cash fund into which the moneys collected by the state in connection with the retail marijuana industry will be deposited and determines the disposition of such moneys received by the state during the 2013-14 state fiscal year.

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.

HOUSE
3rd Reading Unamended
May 7, 2014

HOUSE
Amended 2nd Reading
May 6, 2014

SENATE
Amended 3rd Reading
May 5, 2014

SENATE
Amended 2nd Reading
May 2, 2014

Marijuana cash fund. Currently, the marijuana cash fund consists of the following revenues collected in connection with the medical and retail marijuana industry:

- ! All moneys collected by the state licensing authority for the purpose of regulating and controlling medical and retail marijuana (fees);
- ! All retail marijuana excise tax revenues, after the transfer of the first \$40 million of such revenue to the public school capital construction assistance fund (retail marijuana excise tax revenues);
- ! All retail marijuana sales tax revenues, after the required 15% apportionment to local governments (retail marijuana sales tax revenues); and
- ! Revenue from the 2.9% state sales tax on the sale of medical and retail marijuana and marijuana products (marijuana state sales tax revenues).

Beginning July 1, 2014, the bill requires all retail marijuana excise tax revenues, all retail marijuana sales tax revenues, and all marijuana state sales tax revenues to be deposited in the marijuana tax cash fund, which the bill creates in the state treasury. The bill requires the state treasurer to transfer all moneys in the marijuana cash fund on July 1, 2014, that are attributable to retail marijuana excise tax revenues, retail marijuana sales tax revenues, and marijuana state sales tax revenues to the marijuana tax cash fund. All moneys attributable to fees will remain in the marijuana cash fund and will continue to be deposited in the marijuana cash fund.

In addition, current law specifies that the general assembly may appropriate moneys in the marijuana cash fund to:

- ! The department of revenue for the direct and indirect costs associated with the regulation, control, and taxation of the medical and retail marijuana industry;
- ! The division of criminal justice in the department of public safety for the study of marijuana implementation;
- ! The department of public health and environment for the monitoring of the health effects of marijuana;
- ! The department of law for certain training; and
- ! The general fund to repay certain transfers required by law.

The bill modifies the authorized uses of the moneys in the marijuana cash fund. Beginning July 1, 2014, the general assembly may appropriate the moneys in the marijuana cash fund only to the department of revenue for the costs associated with the regulation, control, and taxation of medical and retail marijuana.

Marijuana tax cash fund. The bill specifies that the general assembly may appropriate the moneys in the newly created marijuana tax cash fund for specified purposes, including the purposes that were

eliminated from the currently existing marijuana cash fund.

The bill prohibits the general assembly from appropriating the moneys in the marijuana tax cash fund until the fiscal year following the fiscal year in which the moneys were received by the state; except that the general assembly may appropriate moneys in the marijuana tax cash fund to the department of revenue in the fiscal years in which they were received by the state for the costs associated with the regulation, control, and taxation of medical and retail marijuana.

The remaining moneys in the marijuana tax cash fund are subject to annual appropriation by the general assembly, initially based on the most recent revenue estimate, in the fiscal year following the fiscal year in which they were received by the state. The general assembly may also direct the state treasurer to make transfers from the marijuana tax cash fund to the general fund for specific purposes.

The governor is required to include the governor's requested expenditures of moneys in the marijuana tax cash fund and the purposes of such expenditures in the governor's budget request submitted to the joint budget committee each November. In addition, the executive director of the department of revenue is required to include in its budget request submitted to the joint budget committee in November of each year the amount that the department requests from the moneys in the marijuana cash fund and from the marijuana tax cash fund for the costs associated with the regulation, control, and taxation of medical and retail marijuana.

Beginning with appropriations made for the 2015-16 state fiscal year, the total amount that the general assembly appropriates from the fund shall not exceed 93.5% of the amount of moneys in the fund available for appropriation.

Uses of moneys in the marijuana tax cash fund. The permissible purposes for which the general assembly may appropriate moneys in the marijuana tax cash fund are:

- ! For the study of law enforcement's activity and costs related to the implementation of laws legalizing retail marijuana;
- ! For the coordination of the executive branch response to the legalization of retail marijuana;
- ! To increase the expertise and knowledge among prosecutors and law enforcement officials regarding the legal and regulatory issues surrounding the legalization of retail marijuana;
- ! To obtain health data regarding marijuana and other drug use and to monitor the health effects of marijuana;
- ! For advanced roadside impaired driving enforcement training and drug recognition expert training for peace officers;
- ! To develop and implement marijuana education and

- prevention campaigns;
- ! To provide inpatient treatment for adults who suffer from co-occurring disorders;
- ! To increase the availability of school-based prevention, early intervention, and health care services and programs to reduce the risk of marijuana and other substance use and abuse by school-aged children;
- ! For community-based programs to provide prevention and intervention services to youth;
- ! For local judicial-district based programs to provide marijuana prevention and early intervention services to pre-adjudicated and adjudicated youth;
- ! To expand the provision of jail-based behavioral health services in underserved counties and to enhance the provision of jail-based behavioral health services to offenders transitioning from jail to the community to ensure continuity of care; and
- ! For the provision of substance use disorder treatment services for adolescents and pregnant women.

In connection with the permissible uses of the moneys in the marijuana tax cash fund, the bill:

- ! Creates the school health professional grant program in the department of education to provide matching grants to education providers to enhance the presence of school health professionals in secondary schools throughout the state and to facilitate better screening, education, and referral care coordination for secondary school students with substance abuse and other behavioral health needs;
- ! Creates the office of marijuana coordination in the governor's office to coordinate the executive branch response to the legalization of marijuana;
- ! Requires the department of public health to conduct 2 marijuana education and prevention campaigns, each with a specified purpose, and to create a web site to serve as the state portal for the most accurate and timely information regarding the health effects of marijuana and the laws regarding marijuana use;
- ! Creates the school-based substance abuse prevention and intervention grant program in the department of health care policy and financing to award competitive grants to entities to provide school-based prevention and intervention programs for youth 12 to 19 years of age, primarily focused on reducing marijuana use but including strategies and efforts to reduce alcohol use and prescription drug misuse; and

- ! Expands the purposes of the Tony Grampsas youth services program, created in the department of human services, to include community-based programs specifically related to the prevention and intervention of adolescent and youth marijuana use.

Appropriations. The bill makes changes to the 2014 general appropriation bill that are required due to the transfer of moneys from the marijuana cash fund to the marijuana tax cash fund. The bill also makes the following appropriations from the marijuana tax cash fund for the 2014-15 state fiscal year for purposes related to the implementation of the bill:

- ! \$3,000,000 and 1.0 FTE to the department of education for the school health professional grant program;
- ! \$190,097 and 2.0 FTE to the office of the governor for the creation of the office of marijuana coordination;
- ! \$2,000,000 to the department of human services for enhancement of the Tony Grampsas youth services program;
- ! \$1,500,000 to the department of human services for the provision of substance use disorder treatment services for adolescents and pregnant women;
- ! \$2,000,000 to the department of human services for the expansion and enhancement of jail-based behavioral health services;
- ! \$2,000,000 to the department of human services for the enhancement of SB 91-94 programs to provide services to juvenile offenders;
- ! \$456,760 and 2.0 FTE to the department of law for allocation to the special prosecutions unit;
- ! \$1,168,000 and 1.0 FTE, to the department of law for the peace officer standards and training board expanded training activities;
- ! \$5,833,608 and 3.7 FTE to the department of public health and environment for the expenses of a statewide marijuana education campaign; and
- ! \$903,561 and 1.5 FTE to the department of public health and environment for the healthy kids Colorado survey.

The bill makes the following additional appropriations for purposes related to the implementation of the bill:

- ! Of the moneys appropriated to the department of public safety for the 2013-14 fiscal year for allocation to the division of criminal justice, \$45,000 is further appropriated for the fiscal year beginning July 1, 2014, for the same purposes;
- ! \$3,272,856 to the department of health care policy and

financing comprised of \$1,500,000 from the general fund and \$1,772,856 from federal funds for behavioral health community programs for school-based prevention and early intervention substance use disorder services to be provided by behavioral health organizations; and
! \$2,000,000 to the department of health care policy and financing from the general fund for the school-based substance abuse intervention and prevention grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-501, **amend**
3 (1) (a) and (1) (c); **repeal** (1) (e); **add** (1) (f); and **repeal and reenact,**
4 **with amendments,** (1) (b) as follows:

5 **12-43.3-501. Marijuana cash fund - repeal.** (1) (a) All moneys
6 collected by the state licensing authority pursuant to this article and article
7 43.4 of this title shall be transmitted to the state treasurer, who shall credit
8 the same to the marijuana cash fund, which fund is hereby created and
9 referred to in this section as the "fund". The fund consists of:

10 (I) The moneys collected by the state licensing authority; AND

11 (II) ~~Any applicable retail marijuana excise tax transferred pursuant~~
12 ~~to section 39-28.8-306 (1) (b), C.R.S.;~~

13 (III) ~~Any applicable retail marijuana sales tax transferred pursuant~~
14 ~~to section 39-28.8-203 (1) (b), C.R.S.;~~

15 (IV) ~~Any sales tax imposed pursuant to section 39-26-106, C.R.S.,~~
16 ~~on the retail sale of products under this article and article 43.4 of this title;~~
17 **and**

18 (V) Any additional general fund moneys appropriated to the fund
19 that are necessary for the operation of the state licensing authority.

20 (b) MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
21 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF

1 REVENUE FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
2 IMPLEMENTING THIS ARTICLE, ARTICLE 43.4 OF THIS TITLE, AND ARTICLE
3 28.8 OF TITLE 39, C.R.S.;

4 (c) Any moneys in the fund not expended for these purposes may
5 be invested by the state treasurer as provided by law. All interest and
6 income derived from the investment and deposit of moneys in the fund
7 shall be credited to the fund. Any unexpended and unencumbered moneys
8 remaining in the fund at the end of a fiscal year shall remain in the fund
9 and shall not be credited or transferred to the general fund or another
10 fund. ~~Upon a determination by the general assembly that the department~~
11 ~~of revenue has established a sufficient revenue stream to fund the state~~
12 ~~licensing authority's regulatory efforts and all other programs to be~~
13 ~~funded by the fund, the general assembly shall direct the state treasurer~~
14 ~~to transfer any excess balance in the fund to the general fund to repay any~~
15 ~~appropriation made from the general fund to initially support the spending~~
16 ~~authority of the state licensing authority.~~

17 (e) ~~On June 30, 2014, and on each June 30 thereafter, the state~~
18 ~~treasurer shall transfer two million dollars from the fund to the general~~
19 ~~fund.~~

20 (f) (I) ON JULY 1, 2014, THE STATE TREASURER SHALL TRANSFER
21 TO THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501,
22 C.R.S., ANY MONEYS IN THE FUND THAT ARE ATTRIBUTABLE TO THE
23 RETAIL MARIJUANA EXCISE TAX TRANSFERRED PURSUANT TO SECTION
24 39-28.8-305 (1) (b), C.R.S., THE RETAIL MARIJUANA SALES TAX
25 TRANSFERRED PURSUANT TO SECTION 39-28.8-203 (1) (b), C.R.S., OR THE
26 SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106, C.R.S., ON THE
27 RETAIL SALE OF MARIJUANA PRODUCTS UNDER THIS ARTICLE AND ARTICLE

1 43.4 OF THIS TITLE.

2 (II) ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES
3 THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE
4 2013-14 STATE FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TO
5 THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501,
6 C.R.S., ANY REMAINING MONEYS IN THE FUND THAT ARE ATTRIBUTABLE
7 TO THE RETAIL MARIJUANA EXCISE TAX TRANSFERRED PURSUANT TO
8 SECTION 39-28.8-305 (1) (b), C.R.S., THE RETAIL MARIJUANA SALES TAX
9 TRANSFERRED PURSUANT TO SECTION 39-28.8-203 (1) (b), C.R.S., OR THE
10 SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106, C.R.S., ON THE
11 RETAIL SALE OF MARIJUANA PRODUCTS UNDER THIS ARTICLE AND ARTICLE
12 43.4 OF THIS TITLE.

13 **SECTION 2.** In Colorado Revised Statutes, **add** part 5 to article
14 28.8 of title 39 as follows:

15 **PART 5**

16 **MARIJUANA TAX CASH FUND**

17 **39-28.8-501. Marijuana tax cash fund - creation - distribution.**

18 (1) THE MARIJUANA TAX CASH FUND, REFERRED TO IN THIS PART 5 AS THE
19 "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF:

20 (a) ANY APPLICABLE RETAIL MARIJUANA EXCISE TAX
21 TRANSFERRED PURSUANT TO SECTION 39-28.8-305 (1) (b) ON OR AFTER
22 JULY 1, 2014;

23 (b) ANY APPLICABLE RETAIL MARIJUANA SALES TAX TRANSFERRED
24 PURSUANT TO SECTION 39-28.8-203 (1) (b) ON OR AFTER JULY 1, 2014;

25 (c) BEGINNING JULY 1, 2014, REVENUES TRANSFERRED TO THE
26 FUND FROM ANY SALES TAX IMPOSED PURSUANT TO SECTION 39-26-106 ON
27 THE RETAIL SALE OF PRODUCTS UNDER ARTICLES 43.3 AND 43.4 OF TITLE

1 12, C.R.S.; AND

2 (d) ANY MONEYS TRANSFERRED TO THE FUND FROM THE
3 MARIJUANA CASH FUND PURSUANT TO SECTION 12-43.3-501 (1)(f), C.R.S.

4 (2) (a) THE GENERAL ASSEMBLY SHALL NOT APPROPRIATE THE
5 MONEYS IN THE FUND FOR THE FISCAL YEAR IN WHICH THEY WERE
6 RECEIVED BY THE STATE; EXCEPT THAT THE GENERAL ASSEMBLY MAY
7 APPROPRIATE MONEYS IN THE FUND TO THE DEPARTMENT OF REVENUE FOR
8 THE FISCAL YEARS IN WHICH THEY WERE RECEIVED BY THE STATE FOR THE
9 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS
10 ARTICLE AND ARTICLES 43.3 AND 43.4 OF TITLE 12, C.R.S.

11 (b) SUBJECT TO THE LIMITATIONS IN SUBSECTION (5) OF THIS
12 SECTION, ANY MONEYS IN THE FUND THAT ARE NOT APPROPRIATED TO THE
13 DEPARTMENT OF REVENUE PURSUANT TO PARAGRAPH (a) OF THIS
14 SUBSECTION (2) ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
15 GENERAL ASSEMBLY FOR ANY FISCAL YEAR FOLLOWING THE FISCAL YEAR
16 IN WHICH THEY WERE RECEIVED BY THE STATE. THE GENERAL ASSEMBLY
17 SHALL INITIALLY APPROPRIATE MONEYS IN THE FUND BASED ON THE MOST
18 RECENT ESTIMATE OF REVENUE PREPARED BY THE STAFF OF THE
19 LEGISLATIVE COUNCIL OR THE DEPARTMENT OF REVENUE FOR THE
20 APPLICABLE FISCAL YEAR. THE GENERAL ASSEMBLY MAY APPROPRIATE
21 MONEYS IN THE FUND FOR THE FOLLOWING PURPOSES:

22 (I) FOR THE STUDY OF LAW ENFORCEMENT'S ACTIVITY AND COSTS
23 RELATED TO THE IMPLEMENTATION OF SECTION 16 OF ARTICLE XVIII OF
24 THE STATE CONSTITUTION, REGARDING THE LEGALIZATION OF RETAIL
25 MARIJUANA;

26 (II) FOR THE COORDINATION OF THE EXECUTIVE BRANCH RESPONSE
27 TO THE LEGALIZATION OF RETAIL MARIJUANA;

1 (III) TO INCREASE THE EXPERTISE AND KNOWLEDGE AMONG
2 PROSECUTORS AND LAW ENFORCEMENT OFFICIALS REGARDING THE LEGAL
3 AND REGULATORY ISSUES SURROUNDING THE LEGALIZATION OF
4 MARIJUANA;

5 (IV) TO OBTAIN HEALTH DATA THROUGH SURVEYS OR OTHER
6 MEANS REGARDING MARIJUANA AND OTHER DRUG USE AND TO MONITOR
7 THE HEALTH EFFECTS OF MARIJUANA, INCLUDING CHANGES IN DRUG USE
8 PATTERNS AND THE EMERGING SCIENCE AND MEDICAL INFORMATION
9 RELEVANT TO THE HEALTH EFFECTS ASSOCIATED WITH MARIJUANA USE;

10 (V) FOR ADVANCED ROADSIDE IMPAIRED DRIVING ENFORCEMENT
11 TRAINING AND DRUG RECOGNITION EXPERT TRAINING FOR ALL PEACE
12 OFFICERS DESCRIBED IN SECTION 16-2.5-101, C.R.S.;

13 (VI) TO DEVELOP AND IMPLEMENT MARIJUANA EDUCATION AND
14 PREVENTION CAMPAIGNS;

15 (VII) TO PROVIDE INPATIENT TREATMENT FOR ADULTS WHO
16 SUFFER FROM CO-OCCURRING DISORDERS AT THE COLORADO MENTAL
17 HEALTH INSTITUTE AT PUEBLO;

18 (VIII) TO INCREASE THE AVAILABILITY OF SCHOOL-BASED
19 PREVENTION, EARLY INTERVENTION, AND HEALTH CARE SERVICES AND
20 PROGRAMS TO REDUCE THE RISK OF MARIJUANA AND OTHER SUBSTANCE
21 USE AND ABUSE BY SCHOOL-AGED CHILDREN;

22 (IX) FOR COMMUNITY-BASED PROGRAMS TO PROVIDE MARIJUANA
23 PREVENTION AND INTERVENTION SERVICES TO YOUTH;

24 (X) FOR LOCAL JUDICIAL-DISTRICT BASED PROGRAMS TO PROVIDE
25 MARIJUANA PREVENTION AND INTERVENTION SERVICES TO
26 PRE-ADJUDICATED AND ADJUDICATED YOUTH;

27 (XI) TO EXPAND THE PROVISION OF JAIL-BASED BEHAVIORAL

1 HEALTH SERVICES IN UNDERSERVED COUNTIES AND TO ENHANCE THE
2 PROVISION OF JAIL-BASED BEHAVIORAL HEALTH SERVICES TO OFFENDERS
3 TRANSITIONING FROM JAIL TO THE COMMUNITY TO ENSURE CONTINUITY OF
4 CARE; ■

5 (XII) FOR THE PROVISION OF SUBSTANCE USE DISORDER
6 TREATMENT SERVICES FOR ADOLESCENTS AND PREGNANT WOMEN; AND

7 (XIII) TO PROVIDE CHILD WELFARE TRAINING SPECIFIC TO ISSUES
8 ARISING FROM MARIJUANA USE AND ABUSE.

9 (c) SUBJECT TO THE LIMITATIONS IN SUBSECTION (5) OF THIS
10 SECTION AND IN ADDITION TO THE PURPOSES FOR WHICH THE GENERAL
11 ASSEMBLY MAY APPROPRIATE MONEYS IN THE FUND SPECIFIED IN
12 PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (2), THE GENERAL
13 ASSEMBLY MAY ALSO DIRECT THE STATE TREASURER TO TRANSFER
14 MONEYS IN THE FUND TO THE GENERAL FUND AS SPECIFIED IN SUBSECTION
15 (4) OF THIS SECTION. THE GENERAL ASSEMBLY MAY DIRECT THE STATE
16 TREASURER TO MAKE SUCH TRANSFERS ONLY FOR A FISCAL YEAR
17 FOLLOWING THE FISCAL YEAR IN WHICH THE MONEYS IN THE FUND WERE
18 RECEIVED BY THE STATE.

19 (3) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES
20 SPECIFIED IN SUBSECTION (2) OF THIS SECTION MAY BE INVESTED BY THE
21 STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME
22 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND
23 SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
24 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
25 FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
26 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. ALL INTEREST
27 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS

1 IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
2 ASSEMBLY FOR ANY FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH
3 THEY WERE RECEIVED BY THE STATE.

4 (4) THE STATE TREASURER SHALL MAKE THE FOLLOWING
5 TRANSFERS FROM THE FUND TO THE GENERAL FUND:

6 (a) (I) ON JUNE 30, 2015, TWO MILLION DOLLARS FOR THE
7 PURPOSES SPECIFIED IN SECTION 39-26-123 (6).

8 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2016.

9 (b) ON JUNE 30, 2015, FOUR MILLION TWO HUNDRED SIXTY
10 THOUSAND DOLLARS.

11 (5) BEGINNING WITH APPROPRIATIONS MADE FOR THE 2015-16
12 STATE FISCAL YEAR, THE TOTAL AMOUNT THAT THE GENERAL ASSEMBLY
13 APPROPRIATES FROM THE FUND SHALL NOT EXCEED NINETY-THREE AND
14 ONE-HALF PERCENT OF THE AMOUNT OF MONEYS IN THE FUND AVAILABLE
15 FOR APPROPRIATION.

16 **39-28.8-502. Marijuana tax cash fund - budget requests.**

17 (1) BEGINNING WITH THE BUDGET REQUEST REQUIRED TO BE SUBMITTED
18 TO THE JOINT BUDGET COMMITTEE BY NOVEMBER 1, 2014, AND FOR THE
19 BUDGET REQUEST REQUIRED TO BE SUBMITTED EACH NOVEMBER
20 THEREAFTER, THE GOVERNOR SHALL INCLUDE THE GOVERNOR'S
21 REQUESTED EXPENDITURES OF MONEYS IN THE FUND AND THE PURPOSES
22 OF SUCH EXPENDITURES FOR THE FISCAL YEAR FOLLOWING THE FISCAL
23 YEAR IN WHICH THE MONEYS WERE RECEIVED BY THE STATE.

24 (2) BEGINNING WITH THE BUDGET REQUEST REQUIRED TO BE
25 SUBMITTED TO THE JOINT BUDGET COMMITTEE BY NOVEMBER 1, 2014,
26 AND FOR EACH BUDGET REQUEST REQUIRED TO BE SUBMITTED EACH
27 NOVEMBER THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT

1 OF REVENUE SHALL INCLUDE IN ITS BUDGET REQUEST FOR THE DIRECT AND
2 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE AND
3 ARTICLES 43.3 AND 43.4 OF TITLE 12, C.R.S., THE AMOUNT THAT THE
4 DEPARTMENT REQUESTS FROM THE MONEYS IN THE MARIJUANA CASH
5 FUND CREATED IN SECTION 12-43.3-501, C.R.S., AND THE AMOUNT THAT
6 THE DEPARTMENT REQUESTS FROM THE MARIJUANA TAX CASH FUND.

7

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8 **SECTION 3.** In Colorado Revised Statutes, **add** article 95 to title
9 22 as follows:

10

ARTICLE 95

11

School Health Professional Grant Program

12

22-95-101. Legislative declaration. (1) THE GENERAL ASSEMBLY

13

HEREBY FINDS AND DECLARES THAT:

14

(a) COLORADO RANKS FORTIETH IN THE NATION IN THE SCHOOL

15

NURSE-TO-STUDENT RATIO;

16

(b) THE FEDERAL CENTER FOR DISEASE CONTROL'S HEALTHY

17

PEOPLE 2020 RECOMMENDED ONE SCHOOL NURSE FOR EVERY SEVEN

18

HUNDRED FIFTY GENERAL EDUCATION STUDENTS, BUT MANY SCHOOL

19

NURSES IN COLORADO ARE RESPONSIBLE FOR AS MANY AS SIX THOUSAND

20

STUDENTS, MAKING IT DIFFICULT TO PROVIDE THE SOCIAL-EMOTIONAL

21

SUPPORT NECESSARY TO STUDENTS AND STAFF;

22

(c) IN 2011, PRIOR TO THE LEGALIZATION OF RETAIL MARIJUANA,

23

ALMOST FORTY PERCENT OF STUDENTS SURVEYED REPORTED HAVING

24

TRIED MARIJUANA ONE OR MORE TIMES, WITH NINE PERCENT REPORTING

25

THAT THEY HAD TRIED MARIJUANA BEFORE AGE THIRTEEN;

26

(d) IN ADDITION, TWENTY-TWO PERCENT OF STUDENTS REPORTED

27

USING MARIJUANA ONE OR MORE TIMES IN THE LAST THIRTY DAYS, WITH

1 SIX PERCENT REPORTING THAT THEY HAD USED MARIJUANA ON SCHOOL
2 PROPERTY ONE OR MORE TIMES;

3 (e) THE LEGALIZATION OF RETAIL MARIJUANA IS ANTICIPATED TO
4 INCREASE THE AVAILABILITY OF MARIJUANA TO UNDERAGE YOUTH;

5 (f) MARIJUANA USE BY MINORS CAN HAVE IMMEDIATE AND
6 LASTING HEALTH IMPLICATIONS, AND MANY YOUTH WHO ENGAGE IN
7 SUBSTANCE ABUSE DEVELOP OR HAVE UNDERLYING BEHAVIORAL HEALTH
8 NEEDS;

9 (g) SCHOOL HEALTH PROFESSIONALS HAVE ALREADY STARTED TO
10 EXPERIENCE THE RESULTS OF MARIJUANA AS A NEWLY LEGALIZED
11 SUBSTANCE IN INCREASED VISITS TO THE HEALTH OFFICE AND REFERRALS
12 FROM SCHOOL STAFF; AND

13 (h) SCHOOL HEALTH PROFESSIONALS ARE IN A UNIQUE POSITION TO
14 EDUCATE, ASSESS, AND TREAT YOUTH WHO HAVE SUBSTANCE ABUSE OR
15 BEHAVIORAL HEALTH ISSUES.

16 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
17 A PROGRAM TO PROVIDE MATCHING GRANTS TO EDUCATION PROVIDERS TO
18 ENHANCE THE PRESENCE OF SCHOOL HEALTH PROFESSIONALS IN
19 SECONDARY SCHOOLS THROUGHOUT THE STATE WILL FACILITATE BETTER
20 SCREENING, EDUCATION, AND REFERRAL CARE COORDINATION FOR
21 SECONDARY SCHOOL STUDENTS WITH SUBSTANCE ABUSE AND OTHER
22 BEHAVIORAL HEALTH NEEDS.

23 **22-95-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
26 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

27 (2) "EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A BOARD

1 OF COOPERATIVE SERVICES, A CHARTER SCHOOL AUTHORIZED BY A
2 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE, OR
3 A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL
4 INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

5 (3) "SCHOOL HEALTH PROFESSIONAL" MEANS A STATE-LICENSED
6 OR STATE-CERTIFIED SCHOOL NURSE OR OTHER STATE-LICENSED OR
7 STATE-CERTIFIED HEALTH PROFESSIONAL QUALIFIED UNDER STATE LAW TO
8 PROVIDE SUPPORT SERVICES TO CHILDREN AND ADOLESCENTS.

9 (4) "SECONDARY SCHOOL" MEANS A PUBLIC SCHOOL THAT
10 INCLUDES ANY OF GRADES SEVEN THROUGH TWELVE.

11 (5) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
12 CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE
13 CONSTITUTION.

14 **22-95-103. School health professional matching grant program**

15 **- created - rules.** (1) (a) THERE IS HEREBY CREATED IN THE DEPARTMENT
16 THE BEHAVIORAL HEALTH CARE PROFESSIONAL MATCHING GRANT
17 PROGRAM, REFERRED TO IN THIS ARTICLE AS THE "PROGRAM", TO PROVIDE
18 FUNDING TO EDUCATION PROVIDERS FOR THE FOLLOWING PURPOSES:

19 (I) TO INCREASE THE PRESENCE OF SCHOOL HEALTH
20 PROFESSIONALS IN SECONDARY SCHOOLS TO PROVIDE SUBSTANCE ABUSE
21 AND BEHAVIORAL HEALTH CARE TO STUDENTS WHO ARE ENROLLED IN
22 SECONDARY SCHOOLS AND HAVE SUBSTANCE ABUSE OR OTHER
23 BEHAVIORAL HEALTH NEEDS;

24 (II) TO PROVIDE TRAINING AND RESOURCES FOR SCHOOL STAFF ON
25 THE IMPLEMENTATION OF EVIDENCE-BASED PROGRAMMING ON SUBSTANCE
26 ABUSE PREVENTION EDUCATION FOR ALL STUDENTS WHO ARE ENROLLED
27 IN SECONDARY SCHOOLS; AND

1 (III) TO ALLOW SCHOOL HEALTH PROFESSIONALS TO CONNECT
2 STUDENTS WHO ARE ENROLLED IN SECONDARY SCHOOLS WITH SERVICES
3 THAT ARE PROVIDED BY COMMUNITY-BASED ORGANIZATIONS FOR
4 TREATMENT AND COUNSELING FOR STUDENTS WHO ARE AT RISK FOR
5 SUBSTANCE ABUSE.

6 (b) AN EDUCATION PROVIDER THAT RECEIVES A GRANT UNDER THE
7 PROGRAM SHALL USE THE MONEYS TO INCREASE THE LEVEL OF FUNDING
8 THE EDUCATION PROVIDER ALLOCATES TO SECONDARY SCHOOL HEALTH
9 PROFESSIONALS TO PROVIDE SUBSTANCE ABUSE AND BEHAVIORAL HEALTH
10 CARE TO STUDENTS PRIOR TO RECEIVING THE GRANT AND NOT TO REPLACE
11 OTHER FUNDING SOURCES ALLOCATED TO PROVIDE SCHOOL HEALTH
12 PROFESSIONALS FOR STUDENTS IN SECONDARY SCHOOLS. THE
13 DEPARTMENT SHALL ADMINISTER THE PROGRAM AS PROVIDED IN THIS
14 ARTICLE AND PURSUANT TO RULES ADOPTED BY THE STATE BOARD.

15 (2) THE STATE BOARD SHALL ADOPT RULES PURSUANT TO THE
16 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
17 C.R.S., FOR IMPLEMENTATION OF THE PROGRAM, INCLUDING BUT NOT
18 LIMITED TO RULES REGARDING:

19 (a) THE TIMELINE FOR SUBMITTING APPLICATIONS TO THE
20 DEPARTMENT;

21 (b) THE FORM OF THE GRANT APPLICATION AND ANY INFORMATION
22 IN ADDITION TO THAT SPECIFIED IN SECTION 22-95-104 (2) TO BE
23 INCLUDED IN THE APPLICATION;

24 (c) ANY CRITERIA FOR AWARDING GRANTS IN ADDITION TO THOSE
25 SPECIFIED IN SECTION 22-95-104 (3); AND

26 (d) ANY INFORMATION TO BE INCLUDED IN THE DEPARTMENT'S
27 PROGRAM REPORT IN ADDITION TO THAT REQUIRED IN SECTION 22-95-105.

1 **22-95-104. School health professional grant program -**
2 **application - criteria - grant awards.** (1) AN EDUCATION PROVIDER
3 THAT SEEKS A GRANT FROM THE PROGRAM SHALL SUBMIT AN APPLICATION
4 TO THE DEPARTMENT IN ACCORDANCE WITH THE RULES ADOPTED BY THE
5 STATE BOARD. THE DEPARTMENT SHALL REVIEW EACH APPLICATION
6 RECEIVED FROM AN EDUCATION PROVIDER AND MAKE RECOMMENDATIONS
7 TO THE STATE BOARD CONCERNING WHETHER A GRANT SHOULD BE
8 AWARDED TO THE EDUCATION PROVIDER AND THE RECOMMENDED
9 AMOUNT OF THE GRANT. IF THE DEPARTMENT DETERMINES AN
10 APPLICATION IS MISSING ANY INFORMATION REQUIRED BY RULE TO BE
11 INCLUDED WITH THE APPLICATION, THE DEPARTMENT MAY CONTACT THE
12 EDUCATION PROVIDER TO OBTAIN THE MISSING INFORMATION.

13 (2) AT A MINIMUM, EACH GRANT APPLICATION SHALL SPECIFY:

14 (a) THE INTENDED RECIPIENT SECONDARY SCHOOLS, THE NUMBER
15 OF HEALTH PROFESSIONALS EMPLOYED BY THE EDUCATION PROVIDER IN
16 SECONDARY SCHOOLS PRIOR TO RECEIPT OF A GRANT, AND THE RATIO OF
17 STUDENTS TO SCHOOL HEALTH PROVIDERS IN THE SECONDARY SCHOOLS
18 OPERATED BY OR RECEIVING SERVICES FROM THE EDUCATION PROVIDER;

19 (b) THE EDUCATION PROVIDER'S PLAN FOR USE OF THE GRANT
20 MONEYS, INCLUDING THE EXTENT TO WHICH THE GRANT MONEYS WILL BE
21 USED TO INCREASE THE NUMBER OF SCHOOL HEALTH PROFESSIONALS AT
22 RECIPIENT SECONDARY SCHOOLS AND TO PROVIDE SUBSTANCE ABUSE AND
23 BEHAVIORAL HEALTH CARE SERVICES AT RECIPIENT SECONDARY SCHOOLS,
24 INCLUDING SCREENINGS, REFERRALS TO COMMUNITY ORGANIZATIONS,
25 AND TRAINING FOR STUDENTS AND STAFF ON SUBSTANCE ABUSE ISSUES;

26 (c) THE EDUCATION PROVIDER'S PLAN FOR INVOLVING LEADERS AT
27 THE RECIPIENT SECONDARY SCHOOLS AND IN THE SURROUNDING

1 COMMUNITY AND THE FACULTY AT RECIPIENT SECONDARY SCHOOLS IN
2 INCREASING THE CAPACITY AND EFFECTIVENESS OF THE SUBSTANCE ABUSE
3 AND BEHAVIORAL HEALTH CARE SERVICES PROVIDED TO SECONDARY
4 SCHOOL STUDENTS ENROLLED IN OR RECEIVING EDUCATIONAL SERVICES
5 FROM THE EDUCATION PROVIDER;

6 (d) THE EXTENT TO WHICH THE EDUCATION PROVIDER HAS
7 DEVELOPED OR PLANS TO DEVELOP COMMUNITY PARTNERSHIPS TO SERVE
8 SUBSTANCE ABUSE AND BEHAVIORAL HEALTH CARE NEEDS OF ALL OF THE
9 SECONDARY STUDENTS ENROLLED IN OR RECEIVING EDUCATIONAL
10 SERVICES FROM THE EDUCATION PROVIDER;

11 (e) THE EXTENT TO WHICH THE EDUCATION PROVIDER HAS SEEN
12 INCREASED INCIDENCE OF DISCIPLINARY ACTIONS FOR DRUG USE OR
13 SELLING DRUGS;

14 (f) THE EXTENT TO WHICH THE EDUCATION PROVIDER HAS AN
15 EXISTING PROGRAM THAT CAN BE EXPANDED TO INCREASE THE
16 AVAILABILITY OF SCHOOL HEALTH PROFESSIONALS;

17 (g) THE AMOUNT OF MATCHING FUNDS THAT THE EDUCATION
18 PROVIDER INTENDS TO PROVIDE TO AUGMENT ANY GRANT MONEYS
19 RECEIVED FROM THE PROGRAM AND THE ANTICIPATED AMOUNT AND
20 SOURCE OF ANY MATCHING FUNDS; AND

21 (h) THE EDUCATION PROVIDER'S PLAN FOR CONTINUING TO FUND
22 THE INCREASE IN SCHOOL HEALTH PROFESSIONAL SERVICES FOLLOWING
23 EXPIRATION OF THE GRANT.

24 (3) IN REVIEWING APPLICATIONS AND MAKING
25 RECOMMENDATIONS, THE DEPARTMENT SHALL PRIORITIZE APPLICATIONS
26 BASED ON THE FOLLOWING CRITERIA AND ANY OTHER CRITERIA ADOPTED
27 BY RULE OF THE STATE BOARD:

1 (a) THE EDUCATIONS PROVIDER'S NEED FOR ADDITIONAL SCHOOL
2 HEALTH PROFESSIONALS IN SECONDARY SCHOOLS, DEMONSTRATED BY THE
3 LOCAL SCHOOL AND COMMUNITY DATA REGARDING MARIJUANA AND THE
4 NUMBER OF MARIJUANA ESTABLISHMENTS LOCATED WITHIN THE
5 BOUNDARIES OF A SCHOOL DISTRICT;

6 (b) THE EXISTENCE OF A SUCCESSFUL SCHOOL HEALTH TEAM IN
7 THE EDUCATION PROVIDER'S SCHOOL OR SCHOOLS;

8 (c) THE AMOUNT OF THE MATCHING FUNDS THAT THE EDUCATION
9 PROVIDER IS ABLE TO COMMIT;

10 (d) THE EDUCATION PROVIDER'S EMPHASIS AND COMMITMENT TO
11 IMPLEMENT EVIDENCE-BASED AND RESEARCH-BASED PROGRAMS AND
12 STRATEGIES; AND

13 (e) THE LIKELIHOOD THAT THE EDUCATION PROVIDER WILL
14 CONTINUE TO FUND THE INCREASES IN THE LEVEL OF SCHOOL HEALTH
15 PROFESSIONAL SERVICES FOLLOWING EXPIRATION OF THE GRANT.

16 (4) THE DEPARTMENT AND THE STATE BOARD SHALL CONSULT
17 WITH EXPERTS IN THE AREA OF SCHOOL HEALTH PROFESSIONAL SERVICES
18 WHEN ESTABLISHING ANY ADDITIONAL CRITERIA FOR AWARDED GRANTS
19 AND IN REVIEWING APPLICATIONS AND SELECTING GRANT RECIPIENTS.

20 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD
21 SHALL AWARD GRANTS TO APPLYING EDUCATION PROVIDERS PURSUANT TO
22 THIS SECTION. THE STATE BOARD SHALL BASE THE GRANT AWARDS ON THE
23 DEPARTMENT'S RECOMMENDATIONS. EACH GRANT SHALL HAVE AN INITIAL
24 TERM OF ONE YEAR. IN MAKING THE AWARD, THE STATE BOARD SHALL
25 SPECIFY THE AMOUNT OF EACH GRANT.

26 (6) THE DEPARTMENT MAY EXPEND NO MORE THAN THREE
27 PERCENT OF THE MONEYS ANNUALLY APPROPRIATED FOR THE PROGRAM

1 TO OFFSET THE COSTS INCURRED IN IMPLEMENTING THE PROGRAM.

2 **22-95-105. Reporting.** (1) IN ANY FISCAL YEAR IN WHICH THE
3 GENERAL ASSEMBLY MAKES AN APPROPRIATION TO THE DEPARTMENT FOR
4 THE PURPOSES OF THE PROGRAM, EACH EDUCATION PROVIDER THAT
5 RECEIVES A GRANT THROUGH THE PROGRAM SHALL REPORT THE
6 FOLLOWING INFORMATION TO THE DEPARTMENT EACH YEAR DURING THE
7 TERM OF THE GRANT:

8 (a) THE NUMBER OF SCHOOL HEALTH PROFESSIONALS HIRED USING
9 GRANT MONEYS;

10 (b) A LIST AND EXPLANATION OF THE SERVICES PROVIDED USING
11 GRANT MONEYS; AND

12 (c) ANY ADDITIONAL INFORMATION THAT THE STATE BOARD, BY
13 RULE, MAY REQUIRE.

14 (2) ON OR BEFORE MAY 1, 2015, AND ON OR BEFORE MAY 1 IN
15 EACH FISCAL YEAR THEREAFTER IN WHICH THE GENERAL ASSEMBLY
16 MAKES AN APPROPRIATION TO THE DEPARTMENT FOR THE PURPOSES OF
17 THE PROGRAM, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION
18 COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR
19 ANY SUCCESSOR COMMITTEES, A REPORT THAT, AT A MINIMUM,
20 SUMMARIZES THE INFORMATION RECEIVED BY THE DEPARTMENT
21 PURSUANT TO SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL
22 ALSO POST THE REPORT TO ITS WEB SITE.

23 **SECTION 4.** In Colorado Revised Statutes, **add** article 38.3 to
24 title 24 as follows:

25 **ARTICLE 38.3**

26 **Office of Marijuana Coordination**

27 **24-38.3-101. Office of marijuana coordination - creation.**

1 (1) THERE IS HEREBY CREATED WITHIN THE OFFICE OF THE GOVERNOR THE
2 OFFICE OF MARIJUANA COORDINATION, THE HEAD OF WHICH IS THE
3 DIRECTOR OF THE OFFICE OF MARIJUANA COORDINATION. SUBJECT TO
4 AVAILABLE APPROPRIATIONS, THE DIRECTOR OF THE OFFICE SHALL BE
5 ASSISTED BY A DEPUTY DIRECTOR AND A STAFF TO FULFILL THE OFFICE'S
6 MISSION.

7 (2) THE OFFICE OF MARIJUANA COORDINATION SHALL COORDINATE
8 THE EXECUTIVE BRANCH RESPONSE TO THE LEGALIZATION OF RETAIL
9 MARIJUANA AS DIRECTED BY THE GOVERNOR. THE COORDINATION OF THE
10 EXECUTIVE BRANCH RESPONSE INCLUDES STRATEGIC PLANNING,
11 COORDINATION OF REGULATIONS, EDUCATIONAL CONTENT PLANNING AND
12 IMPLEMENTATION, COMMUNITY ENGAGEMENT, BUDGET COORDINATION,
13 DATA COLLECTION AND ANALYSIS FUNCTIONS, AND ANY OTHER DUTIES
14 DEEMED NECESSARY AND APPROPRIATE BY THE DIRECTOR OF THE OFFICE
15 OR THE GOVERNOR.

16 **24-38.3-102. Coordination among agencies - marijuana**
17 **messaging.** (1) THE OFFICE OF MARIJUANA COORDINATION IS THE
18 COORDINATOR OF ALL STATE AGENCIES THAT PROVIDE INFORMATION OR
19 EDUCATION OR THAT PROMULGATE RULES REGARDING THE USE, SALE, OR
20 REGULATION OF MARIJUANA, INCLUDING THE DEPARTMENT OF HUMAN
21 SERVICES, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE
22 DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF REVENUE, THE
23 DEPARTMENT OF PUBLIC SAFETY, AND THE DEPARTMENT OF EDUCATION,
24 TO ALIGN THE PROGRAMMING AND REGULATIONS PROVIDED BY EACH
25 EXECUTIVE BRANCH DEPARTMENT TO MAXIMIZE EFFICIENCY AND ENSURE
26 COORDINATED STRATEGIES IN THE GOVERNMENT'S RESPONSE TO THE
27 LEGALIZATION OF MARIJUANA.

1 (a) MANY SUBSTANCE ABUSE, PUBLIC HEALTH, EDUCATION,
2 REGULATORY, AND LAW ENFORCEMENT PROFESSIONALS ARE CONCERNED
3 ABOUT THE IMPACT THAT THE LEGALIZATION OF RETAIL MARIJUANA WILL
4 HAVE ON CHILDREN, YOUTH, AND ADULTS IN THE STATE;

5 (b) MANY OF THESE PROFESSIONALS BELIEVE THAT THE
6 LEGALIZATION OF RETAIL MARIJUANA MAY RESULT IN:

7 (I) AN INCREASE IN THE ABUSE OF MARIJUANA BY ADULTS AND
8 YOUTH;

9 (II) A GREATER NEED FOR EARLY INTERVENTION SERVICES DUE TO
10 INCREASED USE OF MARIJUANA BY YOUTH AND ADULTS;

11 (III) A BELIEF AMONG CHILDREN AND YOUTH THAT THE RISKS
12 ASSOCIATED WITH MARIJUANA USE ARE LOW;

13 (IV) HEALTH IMPACTS IN CONNECTION WITH EXPOSURE TO
14 SECONDHAND SMOKE;

15 (V) AN INCREASE IN THE INSTANCES OF IMPAIRED DRIVING AND
16 THE ASSOCIATED INCREASE IN CRASHES;

17 (VI) NEW HEALTH CONCERNS REGARDING PREGNANT OR NURSING
18 WOMEN WHO USE MARIJUANA OR WHO ARE EXPOSED TO SECONDHAND
19 SMOKE FROM MARIJUANA; AND

20 (VII) OTHER POTENTIAL CONCERNS THAT HAVE NOT YET BEEN
21 IDENTIFIED.

22 (c) MASS-REACH HEALTH COMMUNICATIONS STRATEGIES HAVE
23 BEEN FOUND TO BE EFFECTIVE IN REDUCING TOBACCO AND ALCOHOL USE
24 AMONG ADULTS AND YOUTH, IN INCREASING THE USE OF CESSATION
25 SERVICES, AND IN LIMITING TOBACCO AND ALCOHOL INITIATION BY
26 YOUTH; AND

27 (d) THERE IS SUBSTANTIAL EVIDENCE THAT MASS MEDIA

1 CAMPAIGNS AND COMMUNITY COALITIONS ARE EFFECTIVE IN PREVENTING
2 MARIJUANA USE.

3 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
4 TO PROTECT AND IMPROVE THE HEALTH OF THE CITIZENS OF THE STATE, IT
5 IS A PRUDENT USE OF STATE RESOURCES TO REQUIRE THE COLORADO
6 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IMPLEMENT A
7 CAMPAIGN TO INCREASE THE AWARENESS OF AND EDUCATION ABOUT THE
8 IMPACTS OF MARIJUANA USE.

9 **25-3.5-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11 (1) "DIVISION" MEANS THE DIVISION WITHIN THE DEPARTMENT OF
12 PUBLIC HEALTH AND ENVIRONMENT RESPONSIBLE FOR PREVENTION
13 SERVICES.

14 (2) "RETAIL MARIJUANA" MEANS MARIJUANA THAT IS LEGAL FOR
15 ADULTS TO PURCHASE AND USE PURSUANT TO SECTION 16 OF ARTICLE
16 XVIII OF THE STATE CONSTITUTION.

17 **25-3.5-903. Eighteen-month public awareness and education**
18 **campaign - legalization of marijuana - repeal.** (1) SUBJECT TO
19 AVAILABLE APPROPRIATIONS, BEGINNING IN THE 2014-15 STATE FISCAL
20 YEAR, THE DIVISION SHALL CONDUCT AN EIGHTEEN-MONTH PUBLIC
21 AWARENESS CAMPAIGN TO ADDRESS THE IMMEDIATE EDUCATIONAL NEEDS
22 OF THE PUBLIC IN RESPONSE TO THE LEGALIZATION OF RETAIL MARIJUANA
23 IN THE STATE.

24 (2) AS PART OF THE EIGHTEEN-MONTH PUBLIC AWARENESS
25 CAMPAIGN, THE DIVISION SHALL PUBLICIZE ACCURATE INFORMATION
26 OUTLINING THE HEALTH EFFECTS OF MARIJUANA USE AND THE LEGAL
27 PERIMETERS OF THE USE OF RETAIL MARIJUANA IN THE STATE. IN

1 FURTHERANCE OF THESE RESPONSIBILITIES, THE DIVISION SHALL:

2 (a) CREATE FACT SHEETS FOR THE PUBLIC REGARDING THE HEALTH
3 EFFECTS OF MARIJUANA USE, THE LEGAL PERIMETERS OF THE USE OF
4 RETAIL MARIJUANA IN THE STATE, AND CONCERNS REGARDING THE USE OF
5 MARIJUANA BY YOUTH. THE DIVISION SHALL ENSURE THAT ALL FACT
6 SHEETS CREATED PURSUANT TO THIS PARAGRAPH (a) THAT TARGET YOUTH
7 ARE ALIGNED WITH THE MESSAGING CREATED THROUGH ANY YOUTH
8 MARIJUANA PREVENTION CAMPAIGN THAT IS MANAGED BY THE
9 GOVERNOR'S OFFICE. THE DIVISION SHALL MAKE THE FACT SHEETS
10 AVAILABLE ON THE WEB SITE THAT IS CREATED PURSUANT TO SECTION
11 25-3.5-905.

12 (b) CONTRACT FOR THE CREATION OF CLINICAL GUIDELINES AS A
13 RESOURCE FOR HEALTH CARE PROVIDERS WHEN THEY RECOGNIZE THAT A
14 PERSON IS AT RISK FROM MARIJUANA USE OR EXPOSURE.

15 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

16 **25-3.5-904. On-going prevention and education campaign -**
17 **training - marijuana.** (1) SUBJECT TO AVAILABLE APPROPRIATIONS,
18 BEGINNING IN THE 2014-15 STATE FISCAL YEAR, THE DIVISION SHALL
19 DEVELOP, IMPLEMENT, AND EVALUATE AN ON-GOING STATEWIDE
20 PREVENTION AND EDUCATION CAMPAIGN TO ADDRESS THE LONG-TERM
21 MARIJUANA EDUCATION NEEDS IN THE STATE. IN THE PREVENTION AND
22 EDUCATION MESSAGING, THE DIVISION SHALL PROVIDE INFORMATION TO:

23 (a) THE GENERAL PUBLIC REGARDING THE LAW SURROUNDING THE
24 LEGAL USE OF RETAIL MARIJUANA;

25 (b) PEOPLE IN THE RETAIL MARIJUANA INDUSTRY REGARDING
26 RESTRICTING YOUTH ACCESS TO RETAIL MARIJUANA;

27 (c) RETAIL MARIJUANA USERS AND OTHER RELEVANT POPULATIONS

1 IDENTIFIED AS HIGH-RISK REGARDING THE POTENTIAL RISKS ASSOCIATED
2 WITH THE USE OF MARIJUANA; AND

3 (d) THE GENERAL PUBLIC REGARDING THE DANGERS ASSOCIATED
4 WITH THE OVER-CONSUMPTION OF MARIJUANA-INFUSED PRODUCTS.

5 (2) IN FURTHERANCE OF THE GOALS OF THE ON-GOING MARIJUANA
6 PREVENTION AND EDUCATION CAMPAIGN, THE DIVISION MAY USE
7 TELEVISION MESSAGING, RADIO BROADCASTS, PRINT MEDIA, DIGITAL
8 STRATEGIES, OR ANY OTHER FORM OF MESSAGING DEEMED NECESSARY
9 AND APPROPRIATE BY THE DIVISION TO REACH THE TARGET AUDIENCES OF
10 THE CAMPAIGN.

11 (3) IN FURTHERANCE OF THE GOALS OF THE ON-GOING MARIJUANA
12 PREVENTION AND EDUCATION CAMPAIGN, THE DEPARTMENT OF PUBLIC
13 HEALTH AND ENVIRONMENT SHALL PROVIDE AT LEAST FIVE REGIONAL
14 TRAINING SESSIONS DURING THE 2014-15 FISCAL YEAR FOR COMMUNITY
15 PARTNERS TO IMPLEMENT YOUTH HEALTH DEVELOPMENT STRATEGIES.

16 **25-3.5-905. Web site - primary state resource for information.**

17 (1) IN FURTHERANCE OF THE GOALS OF THE EIGHTEEN-MONTH PUBLIC
18 AWARENESS AND EDUCATION CAMPAIGN CREATED IN SECTION 24-3.5-903
19 AND THE ON-GOING PREVENTION AND EDUCATION CAMPAIGN CREATED IN
20 SECTION 24-3.5-904, THE DIVISION SHALL CREATE A WEB SITE THAT WILL
21 SERVE AS THE STATE PORTAL FOR THE MOST ACCURATE AND TIMELY
22 INFORMATION REGARDING THE HEALTH EFFECTS OF MARIJUANA USE AND
23 THE LAWS REGARDING MARIJUANA USE. THE DIVISION SHALL ENSURE THAT
24 THE WEB SITE LINKS TO THE INFORMATION MADE AVAILABLE BY LOCAL
25 GOVERNMENTS THAT HAVE PASSED ADDITIONAL RESTRICTIONS ON THE USE
26 OF RETAIL MARIJUANA AND LINKS TO THE WEB SITE OF EVERY STATE
27 AGENCY THAT CONTAINS RELEVANT INFORMATION REGARDING RETAIL

1 MARIJUANA, INCLUDING ANY YOUTH PREVENTION CAMPAIGN MANAGED BY
2 A STATE AGENCY.

3 (2) THE DIVISION SHALL IMPLEMENT A MARKETING CAMPAIGN TO
4 GENERATE PUBLIC AWARENESS OF THE WEB SITE AS THE PRIMARY STATE
5 RESOURCE FOR INFORMATION REGARDING THE LEGALIZATION AND USE OF
6 RETAIL MARIJUANA IN THE STATE.

7 **25-3.5-906. Align marijuana messaging - integration of**
8 **information across state agencies.** (1) THE DIVISION SHALL INTEGRATE
9 INFORMATION FROM EACH STATE AGENCY INVOLVED IN PROVIDING RETAIL
10 MARIJUANA INFORMATION, INCLUDING THE DEPARTMENT OF HUMAN
11 SERVICES, THE GOVERNOR'S OFFICE OF MARIJUANA COORDINATION, THE
12 DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF REVENUE, THE
13 DEPARTMENT OF LAW, THE DEPARTMENT OF PUBLIC SAFETY, AND THE
14 DEPARTMENT OF EDUCATION, TO ALIGN THE MESSAGING, BRANDING, AND
15 EDUCATION PROVIDED BY EACH AGENCY FOR THE EIGHTEEN-MONTH
16 PUBLIC EDUCATION AND AWARENESS CAMPAIGN REQUIRED PURSUANT TO
17 SECTION 25-3.5-903, THE ON-GOING PREVENTION AND EDUCATION
18 CAMPAIGN REQUIRED PURSUANT TO SECTION 25-3.5-904, AND THE
19 WEBSITE REQUIRED PURSUANT TO SECTION 25-3.5-905.

20 (2) THE DIVISION SHALL PROVIDE DATA, TRAINING, EDUCATIONAL
21 MATERIALS, AND RESOURCES ON EFFECTIVE PREVENTION STRATEGIES TO
22 LOCAL COMMUNITY COALITIONS AND PROGRAMS ADDRESSING MARIJUANA
23 PREVENTION.

24 **24-3.5-907. Evaluation of marijuana campaigns - report.**

25 (1) THE DEPARTMENT SHALL CONTRACT WITH A RESPECTED EVALUATION
26 PARTNER TO DEVELOP AND IMPLEMENT A THREE-YEAR EVALUATION PLAN
27 ACCESSING THE REACH AND IMPACT OF THE EIGHTEEN-MONTH PUBLIC

1 EDUCATION AND AWARENESS CAMPAIGN REQUIRED PURSUANT TO SECTION
2 25-3.5-903 AND THE ON-GOING PREVENTION AND EDUCATION CAMPAIGN
3 REQUIRED PURSUANT TO SECTION 25-3.5-904. THE EVALUATION SHALL
4 ALSO ACCESS THE DEPARTMENT'S SUCCESS IN EDUCATING THE CITIZENS OF
5 THE STATE REGARDING THE LEGAL PERIMETERS OF THE USE OF RETAIL
6 MARIJUANA AND PREVENTING NEGATIVE HEALTH IMPACTS FROM THE
7 LEGALIZATION OF RETAIL MARIJUANA.

8 (2) ON OR BEFORE MARCH 1, 2015, AND ON OR BEFORE NOVEMBER
9 1, 2015, THE DEPARTMENT SHALL PROVIDE A REPORT TO THE MEMBERS OF
10 THE GENERAL ASSEMBLY REGARDING THE EFFECTIVENESS OF THE
11 EIGHTEEN-MONTH PUBLIC EDUCATION AND AWARENESS CAMPAIGN
12 REQUIRED PURSUANT TO SECTION 25-3.5-903 AND THE ON-GOING
13 PREVENTION AND EDUCATION CAMPAIGN REQUIRED PURSUANT TO SECTION
14 25-3.5-904.

15 **SECTION 6.** In Colorado Revised Statutes, **add** 25.5-1-206 as
16 follows:

17 **25.5-1-206. School-based substance abuse prevention and**
18 **intervention program - creation - reporting - legislative declaration**
19 **- definitions.** (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES
20 THAT:

21 (I) THE 2011 HEALTHY KIDS COLORADO SURVEY INDICATES THAT
22 THE TOP THREE SUBSTANCES THAT HIGH SCHOOL STUDENTS REPORT THEY
23 USE ARE ALCOHOL, MARIJUANA, AND PRESCRIPTION DRUGS;

24 (II) WITH THE LEGALIZATION OF MARIJUANA BY CITIZEN
25 INITIATIVE IN COLORADO, THERE IS AN INCREASED AVAILABILITY OF
26 MARIJUANA IN THE COMMUNITY AND, AT THE SAME TIME, A DECREASED
27 PERCEPTION OF HARM RELATED TO MARIJUANA USE;

1 (III) EVIDENCE-BASED PREVENTION AND INTERVENTION
2 PROGRAMS AND EDUCATION AWARENESS PROGRAMS TARGETED TO
3 SCHOOL CHILDREN WHO ARE TWELVE TO NINETEEN YEARS OF AGE ARE
4 NEEDED TO:

5 (A) INCREASE THE PERCEIVED RISK OF HARM ASSOCIATED WITH
6 MARIJUANA AND ALCOHOL USE AND PRESCRIPTION DRUG MISUSE;

7 (B) DECREASE THE RATES OF YOUTH MARIJUANA AND ALCOHOL
8 USE AND PRESCRIPTION DRUG MISUSE AND DELAY THE AGE OF FIRST-TIME
9 USE; AND

10 (C) DECREASE THE NUMBER OF DRUG- AND ALCOHOL-RELATED
11 VIOLATIONS, SUSPENSIONS, AND EXPULSIONS REPORTED BY SCHOOLS.

12 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
13 APPROPRIATE TO AWARD GRANTS TO SCHOOLS, COMMUNITY-BASED
14 ORGANIZATIONS, AND HEALTH ORGANIZATIONS TO PROVIDE
15 SCHOOL-BASED PREVENTION AND INTERVENTION PROGRAMS THAT USE
16 EVIDENCE-BASED STRATEGIES, PRACTICES, AND APPROACHES TO REDUCE
17 THE RISK OF MARIJUANA AND ALCOHOL USE AND PRESCRIPTION DRUG
18 MISUSE BY SCHOOL-AGED CHILDREN. SUCCESSFUL SCHOOL-BASED
19 PROGRAMS WILL LEAD TO INCREASED OVERALL HEALTH, BEHAVIORAL
20 HEALTH, AND EDUCATIONAL OUTCOMES FOR COLORADO'S YOUTH.

21 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "ENTITY" MEANS A SCHOOL, SCHOOL DISTRICT, BOARD OF
24 COOPERATIVE SERVICES, A NONPROFIT OR NOT-FOR-PROFIT
25 COMMUNITY-BASED ORGANIZATION, OR A COMMUNITY-BASED
26 BEHAVIORAL HEALTH ORGANIZATION.

27 (b) "GRANT PROGRAM" MEANS THE SCHOOL-BASED SUBSTANCE

1 ABUSE PREVENTION AND INTERVENTION GRANT PROGRAM CREATED IN
2 SUBSECTION (3) OF THIS SECTION.

3 (3) (a) THE SCHOOL-BASED SUBSTANCE ABUSE PREVENTION AND
4 INTERVENTION GRANT PROGRAM IS CREATED WITHIN THE STATE
5 DEPARTMENT. THE PURPOSE OF THE GRANT PROGRAM IS TO AWARD
6 COMPETITIVE GRANTS TO ENTITIES TO PROVIDE SCHOOL-BASED
7 PREVENTION AND INTERVENTION PROGRAMS FOR YOUTH TWELVE TO
8 NINETEEN YEARS OF AGE PRIMARILY FOCUSED ON REDUCING MARIJUANA
9 USE, BUT INCLUDING STRATEGIES AND EFFORTS TO REDUCE ALCOHOL USE
10 AND PRESCRIPTION DRUG MISUSE.

11 (b) TO BE CONSIDERED FOR A COMPETITIVE GRANT, THE ENTITY
12 MUST DEMONSTRATE IN THE GRANT PROPOSAL THAT:

13 (I) THE GRANT WILL BE USED TO IMPLEMENT EVIDENCE-BASED
14 PROGRAMS AND STRATEGIES DELIVERED IN THE SCHOOL SETTING THAT
15 ARE DESIGNED TO IMPROVE OVERALL HEALTH, BEHAVIORAL HEALTH, AND
16 EDUCATIONAL OUTCOMES FOR YOUTH WHO ARE TWELVE TO NINETEEN
17 YEARS OF AGE;

18 (II) THE ENTITY IS DELIVERING THE PROGRAM AND STRATEGIES TO
19 AT-RISK YOUTH, REGARDLESS OF THE YOUTHS' ELIGIBILITY FOR
20 COLORADO'S MEDICAL ASSISTANCE PROGRAM; AND

21 (III) THE EVIDENCE-BASED PROGRAMS AND STRATEGIES ARE
22 DESIGNED TO ACHIEVE THE FOLLOWING OUTCOMES:

23 (A) AN INCREASE IN THE PERCEIVED RISK OF HARM ASSOCIATED
24 WITH MARIJUANA USE, PRESCRIPTION DRUG MISUSE, AND UNDERAGE
25 ALCOHOL USE AMONG YOUTH WHO ARE TWELVE TO NINETEEN YEARS OF
26 AGE;

27 (B) A DECREASE IN THE RATES OF YOUTH MARIJUANA USE,

1 ALCOHOL USE, AND PRESCRIPTION DRUG MISUSE;

2 (C) A DELAY IN THE AGE OF FIRST USE OF MARIJUANA, ALCOHOL,
3 OR PRESCRIPTION DRUG MISUSE;

4 (D) A DECREASE IN THE RATES OF YOUTH WHO HAVE EVER USED
5 MARIJUANA OR ALCOHOL OR MISUSED PRESCRIPTION DRUGS IN THEIR
6 LIFETIME; AND

7 (E) A DECREASE IN THE NUMBER OF DRUG- AND
8 ALCOHOL-RELATED VIOLATIONS ON SCHOOL PROPERTY, SUSPENSIONS, AND
9 EXPULSIONS REPORTED BY SCHOOLS.

10 (4) ON OR BEFORE SEPTEMBER 1, 2014, THE STATE DEPARTMENT
11 SHALL ESTABLISH PROCEDURES AND TIMELINES FOR GRANT APPLICATIONS;
12 CRITERIA FOR DETERMINING GRANT AMOUNTS AND GRANTEE REPORTING
13 REQUIREMENTS; AND ANY OTHER GRANT PROGRAM POLICIES. THE STATE
14 DEPARTMENT MAY AMEND THESE POLICIES AT ANY TIME.

15 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
16 DEPARTMENT SHALL AWARD GRANTS FOR THE 2014-15 ACADEMIC YEAR
17 AND FOR EACH ACADEMIC YEAR THEREAFTER. THERE IS NO LIMIT ON THE
18 NUMBER OF GRANTS THAT THE STATE DEPARTMENT MAY AWARD, AND THE
19 SAME ENTITY MAY RECEIVE MORE THAN ONE GRANT IF THE STATE
20 DEPARTMENT CONSIDERS THE NEEDS OF AT-RISK STUDENTS IN
21 COMMUNITIES THROUGHOUT THE STATE FOR SCHOOL-BASED SUBSTANCE
22 ABUSE PREVENTION AND INTERVENTION PROGRAMS.

23 (6) ON OR BEFORE NOVEMBER 1 IN ANY FISCAL YEAR IN WHICH
24 THE STATE DEPARTMENT AWARDS GRANTS PURSUANT TO THIS SECTION,
25 THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE JOINT BUDGET
26 COMMITTEE; THE PUBLIC HEALTH CARE AND HUMAN SERVICES AND THE
27 HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEES OF THE HOUSE OF

1 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; AND THE HEALTH
2 AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
3 COMMITTEE, SUMMARIZING ALL GRANTS AWARDED PURSUANT TO THE
4 GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE THE GRANT
5 RECIPIENT AND THE AMOUNT OF THE GRANT, A DESCRIPTION OF THE
6 PROGRAM OR STRATEGIES DELIVERED BY THE GRANT RECIPIENT, THE
7 OUTCOMES ACHIEVED OR PROPOSED TO BE ACHIEVED BY THE PROGRAM OR
8 STRATEGIES, AND ANY OTHER INFORMATION RELATING TO THE SUCCESS OF
9 THE GRANT PROGRAM IN REDUCING OR PREVENTING THE USE OF
10 MARIJUANA AND ALCOHOL AND THE MISUSE OF PRESCRIPTION DRUGS BY
11 YOUTH WHO ARE TWELVE TO NINETEEN YEARS OF AGE.

12 **SECTION 7.** In Colorado Revised Statutes, 26-6.8-102, **amend**
13 (1) (b) and (2) (d) as follows:

14 **26-6.8-102. Tony Grampsas youth services program - creation**
15 **- standards - applications.** (1) (b) The Tony Grampsas youth services
16 program is established to provide state funding FOR THE FOLLOWING
17 PURPOSES:

18 (I) For community-based programs that target youth and their
19 families for intervention services in an effort to reduce incidents of youth
20 crime and violence; ~~In addition, the Tony Grampsas youth services~~
21 ~~program shall~~

22 (II) To promote prevention and education programs that are
23 designed to reduce the occurrence and reoccurrence of child abuse and
24 neglect and to reduce the need for state intervention in child abuse and
25 neglect prevention and education; AND

26 (III) FOR COMMUNITY-BASED PROGRAMS SPECIFICALLY RELATED
27 TO THE PREVENTION AND INTERVENTION OF ADOLESCENT AND YOUTH

1 MARIJUANA USE.

2 (2) (d) (I) The youth services program fund is created in the state
3 treasury. The principal of the fund consists of tobacco litigation
4 settlement moneys transferred by the state treasurer to the fund pursuant
5 to section 24-75-1104.5 (1) (i), C.R.S. Subject to annual appropriation by
6 the general assembly, the state department may expend moneys from the
7 fund for the Tony Grampsas youth services program. The lesser of all
8 unexpended and unencumbered moneys in the fund at the end of any
9 fiscal year or an amount of such moneys equal to five percent of the
10 amount appropriated from the fund for the fiscal year remain in the fund
11 and shall not be transferred to the general fund or any other fund. Any
12 additional unexpended and unencumbered moneys in the fund at the end
13 of any fiscal year shall be transferred to the tobacco litigation settlement
14 cash fund created in section 24-22-115, C.R.S.

15 (II) IN ADDITION TO THE MONEYS APPROPRIATED TO THE YOUTH
16 SERVICES PROGRAM FUND PURSUANT TO SUBPARAGRAPH (I) OF THIS
17 PARAGRAPH (d), THE FUND ALSO CONSISTS OF ANY MONEYS APPROPRIATED
18 TO THE FUND FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION
19 39-28.8-501, C.R.S. ANY MONEYS IN THE FUND ATTRIBUTABLE TO THE
20 MARIJUANA TAX CASH FUND SHALL BE USED FOR COMMUNITY-BASED
21 PROGRAMS FOR THE PREVENTION AND INTERVENTION OF MARIJUANA USE.
22 NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS
23 PARAGRAPH (d), ANY UNEXPENDED AND UNENCUMBERED MONEYS IN THE
24 FUND AT THE END OF A FISCAL YEAR THAT ARE ATTRIBUTABLE TO THE
25 MARIJUANA TAX CASH FUND SHALL REMAIN IN THE FUND AND SHALL NOT
26 BE TRANSFERRED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND
27 OR ANY OTHER FUND.

1 (III) IF AN ENTITY SEEKS A GRANT FROM THE BOARD FOR A
2 PROGRAM DIRECTED AT PROVIDING MARIJUANA USE PREVENTION AND
3 INTERVENTION SERVICES TO YOUTH, ONE OF THE CRITERIA THE BOARD
4 SHALL CONSIDER IS WHETHER THE PROGRAM UTILIZES EVIDENCE-BASED
5 PRACTICES IN THE DELIVERY OF SERVICES.

6 **SECTION 8.** In Colorado Revised Statutes, 39-28.8-203, **amend**
7 (1) (b) as follows:

8 **39-28.8-203. Disposition of collections.** (1) The proceeds of all
9 moneys collected from the retail marijuana sales tax shall be credited to
10 the old age pension fund created in section 1 of article XXIV of the state
11 constitution in accordance with paragraphs (a) and (f) of section 2 of
12 article XXIV of the state constitution. For each fiscal year in which a tax
13 is collected pursuant to this part 2, an amount shall be distributed from the
14 general fund as follows:

15 (b) Following apportionment of local government shares pursuant
16 to paragraph (a) of this subsection (1), an amount equal to all remaining
17 revenues collected shall be transferred from the general fund to the
18 ~~marijuana cash fund created in section 12-43.3-501, C.R.S.~~ MARIJUANA
19 TAX CASH FUND CREATED IN PART 5 OF THIS ARTICLE to be used for the
20 enforcement of regulations on the retail marijuana industry and for the
21 other purposes of the fund as determined by the general assembly. The
22 general assembly shall make appropriations from the ~~marijuana cash fund~~
23 MARIJUANA TAX CASH FUND for the expenses of the administration of this
24 section.

25 **SECTION 9.** In Colorado Revised Statutes, 39-28.8-305, **amend**
26 (1) (b) as follows:

27 **39-28.8-305. Distribution of tax collected.** (1) All moneys

1 received and collected in payment of the tax imposed by the provisions
2 of this part 3 shall be transmitted to the state treasurer, who shall
3 distribute the money as follows:

4 (b) Any amount remaining after the transfer pursuant to paragraph
5 (a) of this subsection (1) shall be transferred to the ~~marijuana cash fund~~
6 ~~created in section 12-43.3-501, C.R.S.~~ MARIJUANA TAX CASH FUND
7 CREATED IN PART 5 OF THIS ARTICLE.

8 **SECTION 10.** In Colorado Revised Statutes, **repeal** 39-26-123
9 (6).

10 **SECTION 11. Appropriation to the department of public**
11 **safety for the fiscal year beginning July 1, 2013.** In Session Laws of
12 Colorado 2013, section 22 (2) of chapter 332, **amend as amended by**
13 **House Bill 14-1245** as follows:

14 Section 22. **Appropriation.** (2) In addition to any other
15 appropriation, there is hereby appropriated, out of any moneys in the
16 marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado
17 Revised Statutes, not otherwise appropriated, to the department of public
18 safety, for the fiscal year beginning July 1, 2013, the sum of \$89,398, or
19 so much thereof as may be necessary, for allocation to the division of
20 criminal justice for the DCJ administrative services line item related to
21 the implementation of this act. OF THE MONEYS APPROPRIATED IN THIS
22 SECTION NOT EXPENDED PRIOR TO JULY 1, 2014, \$45,000 IS FURTHER
23 APPROPRIATED TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE FISCAL
24 YEAR BEGINNING JULY 1, 2014, FOR THE SAME PURPOSES.

25 **SECTION 12. Appropriation - adjustments to 2014 long bill.**
26 (1) For the implementation of this act, appropriations made in the annual
27 general appropriation act for the fiscal year beginning July 1, 2014, are

1 adjusted as follows:

2 (a) The cash funds appropriation from the marijuana cash fund
3 created in section 12-43.3-501, Colorado Revised Statutes, to the
4 department of law for peace officers standards and training board support
5 is decreased by \$76,000;

6 (b) In addition to any other appropriation, there is hereby
7 appropriated, out of any moneys in the marijuana tax cash fund created
8 in section 39-28.8-501, Colorado Revised Statutes, not otherwise
9 appropriated, to the department of law, for the fiscal year beginning July
10 1, 2014, the sum of \$76,000, or so much thereof as may be necessary, to
11 be allocated for peace officers standards training board support for the
12 implementation of this act;

13 (c) The cash funds appropriation from the marijuana cash fund
14 created in section 12-43.3-501, Colorado Revised Statutes, to the
15 department of public health and environment for cannabis health
16 environmental and epidemiological training, outreach, and surveillance
17 is decreased by \$320,388 and 4.0 FTE;

18 (d) In addition to any other appropriation, there is hereby
19 appropriated, out of any moneys in the marijuana tax cash fund created
20 in section 39-28.8-501, Colorado Revised Statutes, not otherwise
21 appropriated, to the department of public health and environment, for the
22 fiscal year beginning July 1, 2014, the sum of \$320,388 and 4.0 FTE, or
23 so much thereof as may be necessary, to be allocated for cannabis health
24 environmental and epidemiological training, outreach, and surveillance
25 for the implementation of this act;

26 (e) The cash funds appropriation from the marijuana cash fund
27 created in section 12-43.3-501, Colorado Revised Statutes, to the

1 department of public safety for the division of criminal justice is
2 decreased by \$159,983;

3 (f) In addition to any other appropriation, there is hereby
4 appropriated, out of any moneys in the marijuana tax cash fund created
5 in section 39-28.8-501, Colorado Revised Statutes, not otherwise
6 appropriated, to the department of public safety, for the fiscal year
7 beginning July 1, 2014, the sum of \$159,983, or so much thereof as may
8 be necessary, to be allocated to the division of criminal justice for
9 administrative services for the implementation of this act;

10 (g) The cash funds appropriation from the marijuana cash fund
11 created in section 12-43.3-501, Colorado Revised Statutes, to the
12 department of revenue is decreased by \$7,600,000; and

13 (h) In addition to any other appropriation, there is hereby
14 appropriated, out of any moneys in the marijuana tax cash fund created
15 in section 39-28.8-501, Colorado Revised Statutes, not otherwise
16 appropriated, to the department of revenue, for the fiscal year beginning
17 July 1, 2014, the sum of \$7,600,000, or so much thereof as may be
18 necessary for the implementation of this act.

19 **SECTION 13. Appropriation.** (1) In addition to any
20 other appropriation, there is hereby appropriated, out of any moneys in the
21 marijuana tax cash fund created in section 39-28.8-501 (1), Colorado
22 Revised Statutes, not otherwise appropriated, to the department of
23 education, for the fiscal year beginning July 1, 2014, the sum of
24 \$2,500,000 and 1.0 FTE, or so much thereof as may be necessary, for
25 allocation to health and nutrition programs for grants to local education
26 providers related to the implementation of this act.

27 (2) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the marijuana tax cash fund created
2 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
3 appropriated, to the governor - lieutenant governor - state planning and
4 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$190,097
5 and 2.0 FTE, or so much thereof as may be necessary, for allocation to the
6 office of the governor for the creation of the office of marijuana
7 coordination related to the implementation of this act.

8 (3) In addition to any other appropriation, there is hereby
9 appropriated, to the department of health care policy and financing, for
10 the fiscal year beginning July 1, 2014, the sum of \$4,363,807, or so much
11 thereof as may be necessary, for allocation to behavioral health
12 community programs for school-based prevention and intervention
13 substance use disorder services to be provided by behavioral health
14 organizations. Of said sum, \$2,000,000 is from the general fund and
15 \$2,363,807 is from federal funds.

16 (4) In addition to any other appropriation, there is hereby
17 appropriated, out of any moneys in the general fund not otherwise
18 appropriated, to the department of health care policy and financing, for
19 the fiscal year beginning July 1, 2014, the sum of \$2,000,000, or so much
20 thereof as may be necessary, to be allocated for the implementation of the
21 school-based substance abuse prevention and intervention program
22 created in this act as follows:

23 (a) \$50,000 for the executive director's office for general
24 professional services and special projects; and

25 (b) \$1,950,000 for behavioral health community programs for
26 grant awards.

27 (5) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the marijuana tax cash fund created
2 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
3 appropriated, to the department of human services, for the fiscal year
4 beginning July 1, 2014, the sum of \$2,000,000, or so much thereof as may
5 be necessary, for allocation to the division of child welfare for
6 enhancement of the Tony Grampsas youth services program related to the
7 implementation of this act.

8 (6) In addition to any other appropriation, there is hereby
9 appropriated, out of any moneys in the marijuana tax cash fund created
10 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
11 appropriated, to the department of human services, for the fiscal year
12 beginning July 1, 2014, the sum of \$1,500,000, or so much thereof as may
13 be necessary, for allocation to behavioral health services, substance use
14 treatment and prevention, treatment and detoxification contracts, for the
15 provision of substance use disorder treatment services for adolescents and
16 pregnant women.

17 (7) In addition to any other appropriation, there is hereby
18 appropriated, out of any moneys in the marijuana tax cash fund created
19 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
20 appropriated, to the department of human services, for the fiscal year
21 beginning July 1, 2014, the sum of \$2,000,000, or so much thereof as may
22 be necessary, for allocation to behavioral health services for the
23 expansion and enhancement of jail-based behavioral health services.

24 (8) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the marijuana tax cash fund created
26 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
27 appropriated, to the department of human services, for the fiscal year

1 beginning July 1, 2014, the sum of \$2,000,000, or so much thereof as may
2 be necessary, for allocation to the division of youth corrections for the
3 enhancement of SB 91-94 programs related to the implementation of this
4 act.

5 (9) In addition to any other appropriation, there is hereby
6 appropriated, out of any moneys in the marijuana tax cash fund created
7 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
8 appropriated, to the department of law, for the fiscal year beginning July
9 1, 2014, the sum of \$456,760 and 2.0 FTE, or so much thereof as may be
10 necessary, for allocation to the special prosecutions unit for the
11 implementation of this act.

12 (10) In addition to any other appropriation, there is hereby
13 appropriated, out of any moneys in the marijuana tax cash fund created
14 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
15 appropriated, to the department of law, for the fiscal year beginning July
16 1, 2014, the sum of \$1,168,000 and 1.0 FTE, or so much thereof as may
17 be necessary, for allocation to peace officer standards and training board
18 support for expanded training activities and associated costs related to the
19 implementation of this act.

20 (11) In addition to any other appropriation, there is hereby
21 appropriated, out of any moneys in the marijuana tax cash fund created
22 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
23 appropriated, to the department of public health and environment, for the
24 fiscal year beginning July 1, 2014, the sum of \$5,683,608 and 3.7 FTE,
25 or so much thereof as may be necessary, for allocation to the prevention
26 services division, chronic disease prevention programs for the expenses
27 of the marijuana education campaign related to the implementation of this

1 act.

2 (12) In addition to any other appropriation, there is hereby
3 appropriated, out of any moneys in the marijuana tax cash fund created
4 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
5 appropriated, to the department of public health and environment, for the
6 fiscal year beginning July 1, 2014, the sum of \$903,561 and 1.5 FTE, or
7 so much thereof as may be necessary, for allocation to the prevention
8 services division, family and community health, children and youth health
9 for the healthy kids Colorado survey related to the implementation of this
10 act.

11 (13) In addition to any other appropriation, there is hereby
12 appropriated, out of any moneys in the marijuana tax cash fund created
13 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
14 appropriated, to the department of human services, for the fiscal year
15 beginning July 1, 2014, the sum of \$100,000, or so much thereof as may
16 be necessary, for allocation to the division of child welfare for child
17 welfare training specific to issues arising from marijuana use and abuse.

18 **SECTION 14. Effective date.** This act takes effect July 1, 2014;
19 except that section 10 of this act repealing section 39-26-123 (6),
20 Colorado Revised Statutes, takes effect July 1, 2015.

21 **SECTION 15. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.