

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0901.02 Jery Payne x2157

SENATE BILL 22-205

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SENATE SPONSORSHIP

Coram and Fenberg,

HOUSE SPONSORSHIP

Valdez A.,

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE REGULATION OF CANNABIS-RELATED PRODUCTS  
102 THAT MAY POTENTIALLY CAUSE A PERSON TO BECOME  
103 INTOXICATED WHEN USED.

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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>.)*

**Section 2** of the bill prohibits:

- The manufacture, sale, offering for sale, storage, or delivery of an adult use cannabis product that is not manufactured by a person licensed under the "Colorado Marijuana Code" (license holder);

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

- The manufacture, sale, offering for sale, storage, or delivery of a product containing industrial hemp that is for human consumption and that is not food, a cosmetic, a dietary supplement, a food additive, an herb, or an over-the-counter drug that contains industrial hemp; and
- The manufacture, sale, offering for sale, storage, or delivery of an industrial hemp product that was not manufactured by a registered wholesale food manufacturer.

**Section 3** imposes a civil penalty of up to \$10,000 for:

- Manufacturing, selling, offering for sale, storing, or delivering an adult use cannabis product that is not manufactured by a license holder; and
- Violating a permit requirement for industrial hemp products established by rule.

These penalties are credited to the the wholesale food manufacturing and storage protection cash fund.

**Section 4** prohibits a political subdivision of Colorado from promulgating or enforcing additional duties for or standards for food safety applicable to premises or places where industrial hemp products are held for distribution, produced, manufactured, packed, processed, prepared, treated, packaged, or transported.

Current law authorizes the department of public health and environment (department) to require permits for manufacturing food that may be contaminated so that it is injurious to health. The department may establish standards for the permits and manufacturing. **Section 5:**

- Adds dietary supplements, food additives, cosmetics, and industrial hemp products to this provision;
- Adds that an ingredient that is injurious to health also authorizes the department to require a permit.

**Section 6** requires a political subdivision of Colorado to get department approval to perform food safety inspections at facilities used to store, manufacture, produce, pack, process, treat, package, or transport industrial hemp products.

Current law declares industrial hemp products not adulterated unless the product violates certain provisions. **Section 7** adds that an industrial hemp product is deemed adulterated if the product is an adult use cannabis product and is not manufactured by a license holder. **Section 7** authorizes a wholesale food manufacturing facility to sell, produce, or possess products containing artificially derived cannabinoids only if:

- The facility is registered;
- The product is an industrial hemp product;
- The product is not intoxicating; and
- Prior to distribution and sale, the manufacturing facility has provided the marijuana enforcement division (division) samples and information concerning the product.

**Section 9** authorizes the division to promulgate rules, with the technical assistance of the department, to define the amount of one or more tetrahydrocannabinols that results in the designation of a product as an adult use cannabis product. **Section 9** also requires the division to promulgate rules to regulate the manufacturing, distribution, and sale of adult use cannabis products as retail marijuana products.

**Section 10** prohibits a retail marijuana store from offering for sale or accepting an adult use cannabis product that was not properly designated as and transferred to it by a licensed retail marijuana products manufacturer or accelerator manufacturer.

**Section 11** prohibits a retail marijuana manufacturer from transferring an adult use cannabis product unless the person holds the appropriate license under the "Colorado Marijuana Code".

**Section 12** makes it a deceptive trade practice to violate the provisions of the bill that apply to hemp, cannabis, or anything made from hemp or cannabis.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-5-402, **add** (8.5),  
3 (13.5), and (13.6) as follows:

4 **25-5-402. Definitions.** As used in this part 4, unless the context  
5 otherwise requires:

6 (8.5) "DIETARY SUPPLEMENT" MEANS A PRODUCT INTENDED FOR  
7 INGESTION THAT CONTAINS A DIETARY INGREDIENT, WHICH IS A:

8 (a) VITAMIN, MINERAL, HERB, OR OTHER BOTANICAL;

9 (b) AMINO ACID; OR

10 (c) DIETARY SUBSTANCE INTENDED TO SUPPLEMENT THE DIET BY  
11 INCREASING THE TOTAL DIETARY INTAKE.

12 (13.5) "INDUSTRIAL HEMP PRODUCT" MEANS A FINISHED PRODUCT  
13 CONTAINING INDUSTRIAL HEMP, AS DEFINED IN SECTION 35-61-101 (7),  
14 THAT:

15 (a) IS A COSMETIC, DIETARY SUPPLEMENT, FOOD, FOOD ADDITIVE,  
16 OR HERB;

1 (b) IS A TOPICAL OVER-THE-COUNTER DRUG THAT CONTAINS  
2 INDUSTRIAL HEMP AS AN INACTIVE INGREDIENT;

3 (c) IS FOR HUMAN USE OR CONSUMPTION;

4 (d) CONTAINS ANY PART OF THE HEMP PLANT, INCLUDING  
5 NATURALLY OCCURRING CANNABINOIDS, COMPOUNDS, CONCENTRATES,  
6 EXTRACTS, ISOLATES, OR RESINS;

7 (e) CONTAINS A TETRAHYDROCANNABINOL CONCENTRATION OF NO  
8 MORE THAN THREE-TENTHS OF ONE PERCENT; AND

9 (f) CONTAINS AN AMOUNT OF TETRAHYDROCANNABINOL THAT IS  
10 LESS THAN OR EQUAL TO THE LOWER LIMIT OF:

11 (I) EACH LIMIT ESTABLISHED BY RULE IN ACCORDANCE WITH  
12 SECTION 44-10-203 (3)(i); OR

13 (II) A COMBINED LIMIT OF TWO MILLIGRAMS PER SERVING AND  
14 TWENTY MILLIGRAMS PER CONTAINER FOR FOOD, INCLUDING A BEVERAGE,  
15 FOOD ADDITIVE, HERB, OR DIETARY SUPPLEMENT.

16 (13.6) "INDUSTRIAL HEMP TINCTURE" MEANS A LIQUID INDUSTRIAL  
17 HEMP PRODUCT THAT IS ADMINISTERED ORALLY USING A MEASURING  
18 DEVICE, SUCH AS A DROPPER.

19 **SECTION 2.** In Colorado Revised Statutes, 25-5-403, **amend** (1)  
20 introductory portion; and **add** (1)(m), (1)(n), and (1)(o) as follows:

21 **25-5-403. Offenses.** (1) The following acts and ~~the~~ causing  
22 ~~thereof~~ THE FOLLOWING ACTS within this state are prohibited:

23 (m) MANUFACTURING, SELLING, DELIVERING, OR HOLDING OR  
24 OFFERING FOR SALE A PRODUCT THAT CONTAINS LEVELS OF  
25 TETRAHYDROCANNABINOLS RESULTING IN AN ADULT USE CANNABIS  
26 PRODUCT, AS DEFINED IN SECTION 44-10-103 (6.2), THAT IS NOT  
27 MANUFACTURED BY A PERSON LICENSED UNDER ARTICLE 10 OF TITLE 44;

1 (n) MANUFACTURING, SELLING, DELIVERING, OR HOLDING OR  
2 OFFERING FOR SALE A PRODUCT CONTAINING INDUSTRIAL HEMP THAT IS  
3 FOR HUMAN CONSUMPTION AND THAT IS NOT FOOD, A COSMETIC, A  
4 DIETARY SUPPLEMENT, A FOOD ADDITIVE, AN HERB, OR A TOPICAL  
5 OVER-THE-COUNTER DRUG THAT CONTAINS INDUSTRIAL HEMP; OR

6 (o) MANUFACTURING, SELLING, DELIVERING, OR HOLDING OR  
7 OFFERING FOR SALE AN INDUSTRIAL HEMP PRODUCT THAT WAS NOT  
8 MANUFACTURED BY A WHOLESALE FOOD MANUFACTURER REGISTERED  
9 UNDER SECTION 25-5-426 (4)(b).

10 **SECTION 3.** In Colorado Revised Statutes, 25-5-405, **add** (5),  
11 (6), and (7) as follows:

12 **25-5-405. Penalties.** (5) IN ADDITION TO THE CRIMINAL PENALTY  
13 IN SUBSECTION (1) OF THIS SECTION, A PERSON WHO VIOLATES SECTION  
14 25-5-403 (1)(m) IS SUBJECT TO A CIVIL PENALTY NOT TO EXCEED TEN  
15 THOUSAND DOLLARS PER VIOLATION.

16 (6) A PERSON WHO VIOLATES PERMIT REQUIREMENTS FOR  
17 INDUSTRIAL HEMP PRODUCTS ESTABLISHED BY RULE IMPLEMENTING  
18 SECTION 25-5-412 IS SUBJECT TO A CIVIL PENALTY NOT TO EXCEED TEN  
19 THOUSAND DOLLARS PER VIOLATION.

20 (7) THE DEPARTMENT SHALL TRANSMIT ALL PENALTIES COLLECTED  
21 UNDER SUBSECTIONS (5) AND (6) OF THIS SECTION TO THE STATE  
22 TREASURER, WHO SHALL CREDIT THEM TO THE WHOLESALE FOOD  
23 MANUFACTURING AND STORAGE PROTECTION CASH FUND CREATED IN  
24 SECTION 25-5-426 (5).

25 **SECTION 4.** In Colorado Revised Statutes, 25-5-409, **add** (3) as  
26 follows:

27 **25-5-409. Regulations.** (3) IN ACCORDANCE WITH SECTIONS

1 30-15-401 (1.7) AND 31-15-501 (1)(r), A POLITICAL SUBDIVISION OF  
2 COLORADO SHALL NOT PROMULGATE OR ENFORCE ADDITIONAL DUTIES  
3 FOR OR STANDARDS FOR FOOD SAFETY APPLICABLE TO PREMISES OR  
4 PLACES WHERE INDUSTRIAL HEMP PRODUCTS ARE HELD FOR DISTRIBUTION,  
5 PRODUCED, MANUFACTURED, PACKED, PROCESSED, PREPARED, TREATED,  
6 PACKAGED, OR TRANSPORTED.

7 **SECTION 5.** In Colorado Revised Statutes, 25-5-412, **amend** (1)  
8 as follows:

9 **25-5-412. Issuance of permits - rules.** (1) Whenever the  
10 department finds, after investigation, that the distribution in this state of  
11 any class of food, DIETARY SUPPLEMENT, COSMETIC, OR INDUSTRIAL HEMP  
12 PRODUCT may, by reason of contamination ~~with microorganisms during~~  
13 ~~manufacture, processing, or packing thereof in any locality~~, be, OR BY THE  
14 ADDITION OF AN INGREDIENT IS, injurious to health and that ~~such~~ THE  
15 injurious nature cannot be adequately determined after ~~such~~ THE articles  
16 have entered commerce, ~~it~~ THE DEPARTMENT, then and in such A case  
17 only, shall promulgate ~~regulations~~ RULES providing for the issuance OF  
18 PERMITS to manufacturers, processors, or packers of ~~such~~ THE class of  
19 food, ~~in such locality of permits to which shall be attached~~ DIETARY  
20 SUPPLEMENT, COSMETIC, OR INDUSTRIAL HEMP PRODUCT. THE  
21 DEPARTMENT MAY ATTACH such conditions governing the manufacture,  
22 processing, or packing of ~~such~~ THE class of food, DIETARY SUPPLEMENT,  
23 COSMETIC, OR INDUSTRIAL HEMP PRODUCT, AS NECESSARY TO PROTECT  
24 PUBLIC HEALTH AND for such temporary period of time as ~~may be~~  
25 necessary to protect the public health. ~~and~~, After the effective date of  
26 ~~such regulations~~ THE RULES and during ~~such~~ THE temporary period, no  
27 person shall introduce or deliver for introduction into commerce ~~any such~~

1 THE food, ~~manufactured, processed, or packed by any such manufacturer,~~  
2 ~~processor, or packer~~ DIETARY SUPPLEMENT, COSMETIC, OR INDUSTRIAL  
3 HEMPPRODUCT, unless ~~such~~ THE manufacturer, processor, or packer holds  
4 a permit issued by the department as ~~provided~~ REQUIRED by ~~such~~  
5 ~~regulations~~ THE RULES.

6 **SECTION 6.** In Colorado Revised Statutes, 25-5-421, **add** (5) as  
7 follows:

8 **25-5-421. Inspections.** (5) WITHOUT THE APPROVAL OF THE  
9 DEPARTMENT, A POLITICAL SUBDIVISION OF COLORADO SHALL NOT  
10 PERFORM INSPECTIONS FOR FOOD SAFETY AT PREMISES OR PLACES WHERE  
11 INDUSTRIAL HEMP PRODUCTS FOR HUMAN CONSUMPTION ARE HELD FOR  
12 DISTRIBUTION, PRODUCED, MANUFACTURED, PACKED, PROCESSED,  
13 PREPARED, TREATED, PACKAGED, TRANSPORTED.

14 **SECTION 7.** In Colorado Revised Statutes, 25-5-426, **amend**  
15 (4)(d); **repeal** (2)(c) and (2)(g.5); and **add** (2)(g.7) and (4)(e) as follows:

16 **25-5-426. Wholesale food manufacturing and storage -**  
17 **definitions - legislative declaration - fees - cash fund.** (2) As used in  
18 this section, unless the context otherwise requires:

19 (c) ~~"Dietary ingredient" means one or any combination of a~~  
20 ~~vitamin, mineral, herb or other botanical, amino acid, and a substance~~  
21 ~~such as an enzyme, organ tissue, glandular, or metabolite.~~

22 (g.5) ~~"Industrial hemp product" means a finished product~~  
23 ~~containing industrial hemp that:~~

24 (I) ~~Is a cosmetic, food, food additive, or herb;~~

25 (II) ~~Is for human use or consumption;~~

26 (III) ~~Contains any part of the hemp plant, including naturally~~  
27 ~~occurring cannabinoids, compounds, concentrates, extracts, isolates,~~

1 ~~resins or derivatives; and~~  
2 (IV) ~~Contains a delta-9 tetrahydrocannabinol concentration of no~~  
3 ~~more than three-tenths of one percent.~~  
4 (g.7) "INTOXICATING CANNABINOID" HAS THE MEANING SET FORTH  
5 IN SECTION 44-10-103 (22.5).  
6 (4) (d) Industrial hemp products produced by wholesale food  
7 manufacturing facilities registered in accordance with this subsection (4)  
8 ~~shall not be~~ ARE NOT deemed adulterated, as defined in sections 25-5-410  
9 and 25-5-416, unless the products:  
10 (I) Meet one or more of the criteria set forth in section 25-5-410  
11 or 25-5-416; OR  
12 (II) ARE ADULT USE CANNABIS PRODUCTS, AS DEFINED IN SECTION  
13 44-10-103 (6.2), THAT ARE NOT MANUFACTURED BY A PERSON LICENSED  
14 UNDER ARTICLE 10 OF TITLE 44 AS EITHER A RETAIL MARIJUANA PRODUCTS  
15 MANUFACTURER OR ACCELERATOR MANUFACTURER, AS THOSE TERMS ARE  
16 DEFINED IN SECTION 44-10-103 (6.2) AND (4), RESPECTIVELY.  
17 (e) A WHOLESALE FOOD MANUFACTURING FACILITY MAY SELL,  
18 PRODUCE, OR POSSESS PRODUCTS CONTAINING ARTIFICIALLY DERIVED  
19 CANNABINOIDS, AS DEFINED IN SECTION 44-10-103 (8.5), ONLY IF:  
20 (I) THE FACILITY IS REGISTERED IN ACCORDANCE WITH THIS  
21 SUBSECTION (4);  
22 (II) THE PRODUCT IS AN INDUSTRIAL HEMP PRODUCT;  
23 (III) THE PRODUCT IS NOT AN INTOXICATING CANNABINOID, AS  
24 DEFINED IN SECTION 44-10-103 (22.5); AND  
25 (IV) PRIOR TO DISTRIBUTION AND SALE, THE MANUFACTURING  
26 FACILITY HAS COMPLIED WITH THE RULES IMPLEMENTING SECTION  
27 44-10-203 (10)(i) AND (10)(j).



1           **SECTION 8.** In Colorado Revised Statutes, 44-10-103, **amend**  
2 (22); and **add** (6.2), (8.5), (22.5), and (70) as follows:

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

5           (6.2) "ADULT USE CANNABIS PRODUCT" MEANS:

6           (a) AN INTOXICATING CANNABINOID, INCLUDING ANY  
7 ARTIFICIALLY DERIVED CANNABINOID THAT IS AN INTOXICATING  
8 CANNABINOID;

9           (b) AN ARTIFICIALLY DERIVED CANNABINOID THAT IS NOT AN  
10 INDUSTRIAL HEMP PRODUCT;

11           (c) A PRODUCT DERIVED FROM INDUSTRIAL HEMP THAT IS NOT AN  
12 INDUSTRIAL HEMP PRODUCT; OR

13           (d) ANY OTHER CHEMICAL SUBSTANCE THAT IS NOT DEFINED IN  
14 THIS ARTICLE 10 AND THAT IS IDENTIFIED BY RULE PROMULGATED BY THE  
15 STATE LICENSING AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT  
16 OF PUBLIC HEALTH AND ENVIRONMENT AND THE DEPARTMENT OF  
17 AGRICULTURE.

18           (8.5) (a) "ARTIFICIALLY DERIVED CANNABINOID" MEANS A  
19 CHEMICAL SUBSTANCE CREATED BY A CHEMICAL REACTION THAT  
20 CHANGES THE MOLECULAR STRUCTURE OF A CHEMICAL SUBSTANCE  
21 DERIVED FROM THE PLANT CANNABIS.

22           (b) "ARTIFICIALLY DERIVED CANNABINOID" DOES NOT INCLUDE A  
23 NATURALLY OCCURRING CHEMICAL SUBSTANCE THAT:

24           (I) IS SEPARATED BY A CHEMICAL OR MECHANICAL EXTRACTION  
25 PROCESS AS PERMITTED BY THE RULES PROMULGATED PURSUANT TO THIS  
26 ARTICLE 10; OR

27           (II) A CANNABINOID THAT IS PRODUCED BY DECARBOXYLATION

1 FROM NATURALLY OCCURRING CANNABINOID ACID WITHOUT THE USE OF  
2 A CHEMICAL CATALYST AND THAT RESULTS IN NO OTHER CHEMICAL  
3 CHANGE.

4 (22) "Industrial hemp product" ~~means a finished product~~  
5 ~~containing industrial hemp that:~~

6 (a) ~~Is a cosmetic, food, food additive, or herb;~~

7 (b) ~~Is for human use or consumption;~~

8 (c) ~~Contains any part of the hemp plant, including naturally~~  
9 ~~occurring cannabinoids, compounds, concentrates, extracts, isolates,~~  
10 ~~resins, or derivatives; and~~

11 (d) ~~Contains a delta-9 tetrahydrocannabinol concentration of no~~  
12 ~~more than three-tenths of one percent on a dry weight basis~~ HAS THE  
13 MEANING SET FORTH IN SECTION 25-5-402 (13.5).

14 (22.5) (a) "INTOXICATING CANNABINOID" MEANS A SUBSTANCE  
15 THAT:

16 (I) IS STRUCTURALLY SIMILAR TO TETRAHYDROCANNABINOLS AND  
17 TETRAHYDROCANNABINOL-LIKE MOLECULES; AND

18 (II) INTERACTS OR IS EXPECTED TO INTERACT WITH CANNABINOID  
19 RECEPTORS.

20 (b) "INTOXICATING CANNABINOID" INCLUDES:

21 (I) A PRODUCT CONTAINING A TOTAL TETRAHYDROCANNABINOL  
22 CONCENTRATION GREATER THAN THE AMOUNT SET IN RULE PURSUANT TO  
23 SECTION 44-10-203 (3)(i);

24 (II) CARBOXYLATES OF TETRAHYDROCANNABINOLS, SUCH AS  
25 DELTA-9-TETRAHYDROCANNABINOLIC ACID AND ESTERS OF  
26 CANNABINOLIC ACIDS;

27 (III) ALKYL ANALOGS (C-4 OR HIGHER) OF

1 TETRAHYDROCANNABINOLS, SUCH AS TETRAHYDROCANNABIPHOROL;

2 (IV) HYDROXYLATED ANALOGS OF TETRAHYDROCANNABINOLS,  
3 SUCH AS 11-HYDROXY-DELTA-9-TETRAHYDROCANNABINOL;

4 (V) HYDROGENATED ANALOGS OF TETRAHYDROCANNABINOLS,  
5 SUCH AS HEXAHYDROCANNABINOL;

6 (VI) REDUCED ANALOGS, SUCH AS CANNABINOL, OF  
7 TETRAHYDROCANNABINOLS AND SIMILAR ANALOGS;

8 (VII) ACETATE ESTERS OF TETRAHYDROCANNABINOLS OR SIMILAR  
9 ANALOGS, SUCH AS THC-O-ACETATE;

10 (VIII) COMPOUNDS THAT COMBINE THE STRUCTURAL  
11 CHARACTERISTICS OF TWO OR MORE OF THE SUBSTANCES LISTED IN  
12 SUBSECTIONS (22.5)(b)(I) TO (22.5)(b)(VII) OF THIS SECTION; AND

13 (IX) ANY CHEMICAL SUBSTANCE DEFINED AS AN "INTOXICATING  
14 CANNABINOID" BY RULE OF THE STATE LICENSING AUTHORITY UNDER  
15 SECTION 44-10-203 (3)(i) OR (10).

16 (c) "INTOXICATING CANNABINOID" DOES NOT INCLUDE:

17 (I) CANNABIDIOL, CANNABICHROMENE, AND CANNABIGEROL; AND

18 (II) THE NATURALLY OCCURRING CARBOXYLIC ACID FORM OF  
19 CANNABIDIOL, CANNABICHROMENE, AND CANNABIGEROL.

20 (70) (a) "TETRAHYDROCANNABINOL" MEANS THE SUBSTANCE  
21 CONTAINED IN THE PLANT CANNABIS SP., IN THE RESINOUS EXTRACTIVES  
22 OF CANNABIS SP., OR A CARBOXYLIC ACID OF, DERIVATIVE OF, OR ISOMER  
23 OF THESE SUBSTANCES.

24 (b) "TETRAHYDROCANNABINOL" INCLUDES:

25 (I) DELTA-10 TETRAHYDROCANNABINOL AND ISOMERS;

26 (II) DELTA-9 TETRAHYDROCANNABINOL AND ISOMERS;

27 (III) DELTA-8 TETRAHYDROCANNABINOL AND ISOMERS;

- 1 (IV) DELTA-7 TETRAHYDROCANNABINOL AND ISOMERS;
- 2 (V) DELTA-6a, 10a TETRAHYDROCANNABINOL AND ISOMERS; AND
- 3 (VI) EXO-TETRAHYDROCANNABINOL.

4 **SECTION 9.** In Colorado Revised Statutes, 44-10-203, **add** (3)(i)  
5 and (10) as follows:

6 **44-10-203. State licensing authority - rules - definition.** (3) In  
7 promulgating rules pursuant to this section, the state licensing authority  
8 may seek the assistance of the department of public health and  
9 environment when necessary before promulgating rules on the following  
10 subjects:

11 (i) DEFINING THE AMOUNT, NOT TO EXCEED THE AMOUNT  
12 DESCRIBED IN SECTION 25-5-402 (13.5)(e), OF ONE OR MORE  
13 TETRAHYDROCANNABINOLS THAT RESULTS IN THE DESIGNATION OF A  
14 PRODUCT AS AN ADULT USE CANNABIS PRODUCT. THE STATE LICENSING  
15 AUTHORITY SHALL CONSIDER AT LEAST THE FOLLOWING FACTORS WHEN  
16 DETERMINING THE AMOUNT OF TETRAHYDROCANNABINOL THAT MAKES A  
17 PRODUCT AN ADULT USE CANNABIS PRODUCT:

18 (I) THE INITIAL AVERAGE AMOUNT OF TETRAHYDROCANNABINOL  
19 IN INDUSTRIAL HEMP PLANT MATERIAL COMPARED TO REGULATED  
20 MARIJUANA PLANT MATERIAL;

21 (II) ANY KNOWN AMOUNTS OF TOTAL TETRAHYDROCANNABINOL  
22 THAT MAY CAUSE INTOXICATION BASED ON SCIENTIFIC STUDIES;

23 (III) THE AMOUNTS OF TOTAL TETRAHYDROCANNABINOL IN  
24 REGULATED MARIJUANA PRODUCTS MANUFACTURED, MARKETED, AND  
25 SOLD IN THE REGULATED MARIJUANA MARKET;

26 (IV) THE TYPE OF PRODUCT; AND

27 (V) WHETHER THERE SHOULD BE LIMITATIONS ON A PER SERVING,

1 PER CONTAINER, OR PER UNIT BASIS.

2 (10) **Regulation of adult use cannabis products.** THE STATE  
3 LICENSING AUTHORITY SHALL PROMULGATE RULES TO REGULATE THE  
4 MANUFACTURING, DISTRIBUTION, AND SALE OF AN ADULT USE CANNABIS  
5 PRODUCT AS A RETAIL MARIJUANA PRODUCT; EXCEPT THAT AN ADULT USE  
6 CANNABIS PRODUCT MAY BE DISTRIBUTED OR SOLD IN COMPLIANCE WITH  
7 SECTION 16 OF ARTICLE XVIII OF THE STATE CONSTITUTION. THE RULES  
8 MAY INCLUDE:

9 (a) ESTABLISHMENT OF A REASONABLE NUMBER OF MILLIGRAMS  
10 OF CANNABINOL, PER SERVING AND PER CONTAINER, THAT MAKE A  
11 CANNABINOL PRODUCT AN ADULT USE CANNABIS PRODUCT;

12 (b) ESTABLISHMENT OF A REASONABLE LIMIT ON THE NUMBER OF  
13 MILLIGRAMS OF INTOXICATING CANNABINOIDS, PER SERVING AND PER  
14 CONTAINER, IN ADULT USE CANNABIS PRODUCTS;

15 (c) REQUIREMENTS FOR THE DISTRIBUTION AND SALE OF ADULT  
16 USE CANNABIS PRODUCTS AS RETAIL MARIJUANA PRODUCTS;

17 (d) STANDARDS FOR MANUFACTURING PROCESSES;

18 (e) STANDARDS FOR AND RESTRICTIONS ON THE USE OF SOLVENTS,  
19 REAGENTS, ADDITIVES, PROCESSING AIDS, AND OTHER SUBSTANCES USED  
20 IN THE PRODUCTION OF ADULT USE CANNABIS PRODUCTS AS RETAIL  
21 MARIJUANA PRODUCTS;

22 (f) LICENSING REQUIREMENTS;

23 (g) TESTING PROGRAM REQUIREMENTS;

24 (h) REQUIREMENTS FOR AND RESTRICTIONS ON THE PACKAGING OF,  
25 LABELING OF, AND ADVERTISING OF AN ADULT USE CANNABIS PRODUCT;

26 (i) PROCEDURES FOR SUBMITTING INFORMATION DEMONSTRATING  
27 THE SAFETY, TOXICOLOGICAL PROFILE, AND INTOXICATING AND

1 NONINTOXICATING EFFECTS OF AN ADULT USE CANNABIS PRODUCT;  
2 (j) ESTABLISHMENT OF PROCEDURES FOR DESIGNATING AND  
3 TRANSFERRING AN ADULT USE CANNABIS PRODUCT AS A RETAIL  
4 MARIJUANA PRODUCT; AND  
5 (k) ESTABLISHMENT OF A PERIOD OF TIME FOR A RETAIL  
6 MARIJUANA PRODUCTS MANUFACTURER OR AN ACCELERATOR  
7 MANUFACTURER TO COMPLY WITH THE ADULT USE CANNABIS PRODUCTS  
8 REQUIREMENTS SET BY RULE IN ACCORDANCE WITH THIS SECTION.

9 **SECTION 10.** In Colorado Revised Statutes, 44-10-601, **add**  
10 (3)(c)(III) as follows:

11 **44-10-601. Retail marijuana store license - rules - definitions.**

12 (3) (c) (III) A RETAIL MARIJUANA STORE SHALL NOT OFFER FOR SALE OR  
13 ACCEPT AN ADULT USE CANNABIS PRODUCT THAT WAS NOT PROPERLY  
14 DESIGNATED AS AND TRANSFERRED TO IT AS A RETAIL MARIJUANA  
15 PRODUCT BY A RETAIL MARIJUANA PRODUCTS MANUFACTURER OR  
16 ACCELERATOR MANUFACTURER.

17 **SECTION 11.** In Colorado Revised Statutes, 44-10-603, **add**  
18 (11)(c) as follows:

19 **44-10-603. Retail marijuana products manufacturer license -**

20 **rules - definition.** (11) (c) A RETAIL MARIJUANA PRODUCTS  
21 MANUFACTURER THAT IS MANUFACTURING AN ADULT USE CANNABIS  
22 PRODUCT SHALL NOT TRANSFER THAT PRODUCT UNLESS IT IS ESTABLISHED  
23 AS AND TRANSFERRED AS A RETAIL MARIJUANA PRODUCT TO ANOTHER  
24 RETAIL MARIJUANA PRODUCTS MANUFACTURER, AN ACCELERATOR  
25 MANUFACTURER, A RETAIL MARIJUANA STORE, OR AN ACCELERATOR  
26 STORE.

27 **SECTION 12.** In Colorado Revised Statutes, 6-1-105, **add**

1 (1)(ooo) as follows:

2 **6-1-105. Unfair or deceptive trade practices.** (1) A person  
3 engages in a deceptive trade practice when, in the course of the person's  
4 business, vocation, or occupation, the person:

5 (ooo) VIOLATES ANY PROVISION OF PART 4 OF ARTICLE 5 OF TITLE  
6 25 OR OF ARTICLE 10 OF TITLE 44, AS EITHER APPLIES TO HEMP,  
7 INDUSTRIAL HEMP, INDUSTRIAL HEMP PRODUCTS, INTOXICATING HEMP,  
8 ADULT USE CANNABIS PRODUCTS, THE PLANT CANNABIS SP., OR ANYTHING  
9 DERIVED FROM OR PRODUCED FROM THE PLANT CANNABIS SP.

10 **SECTION 13. Effective date - applicability.** (1) This act takes  
11 effect upon passage; except that sections 8 to 12 take effect January 1,  
12 2023.

13 (2) This act applies to offenses committed on or after the effective  
14 date of this act.

15 **SECTION 14. Safety clause.** The general assembly hereby finds,  
16 determines, and declares that this act is necessary for the immediate  
17 preservation of the public peace, health, or safety.