

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB17-1220 be amended as follows:

1 Amend reengrossed bill, page 4, line 11, strike "It" and substitute
2 "EXCEPT AS PROVIDED IN SECTION 25-1.5-106 (8.5)(a.5)(I) OR SECTION
3 25-1.5-106 (8.6)(a)(I)(B) FOR A MEDICAL MARIJUANA PATIENT OR A
4 PRIMARY CAREGIVER WITH A TWENTY-FOUR-MARIJUANA-PLANT-COUNT
5 EXCEPTION TO SUBSECTION (3)(a)(II)(A) OF THIS SECTION, IT".

6 Page 7, line 5, strike "(a.5)" and substitute "(a.5)(I)".

7 Page 7, strike lines 9 through 19 and substitute "OR PERMANENTLY, AT
8 THE PROPERTY; EXCEPT THAT IT IS UNLAWFUL FOR A PATIENT TO POSSESS
9 AT OR CULTIVATE ON OR IN A RESIDENTIAL PROPERTY MORE THAN
10 TWENTY-FOUR MARIJUANA PLANTS REGARDLESS OF THE NUMBER OF
11 PERSONS RESIDING, EITHER TEMPORARILY OR PERMANENTLY, AT THE
12 PROPERTY IF A PATIENT:

13 (A) LIVES IN A COUNTY, MUNICIPALITY, OR CITY AND COUNTY
14 THAT DOES NOT LIMIT THE NUMBER OF MARIJUANA PLANTS THAT MAY BE
15 GROWN ON OR IN A RESIDENTIAL PROPERTY TO TWELVE OR FEWER;

16 (B) REGISTERS PURSUANT TO THIS SUBSECTION (8.5) WITH THE
17 STATE LICENSING AUTHORITY'S REGISTRY; AND

18 (C) PROVIDES NOTICE TO THE APPLICABLE COUNTY, MUNICIPALITY,
19 OR CITY AND COUNTY OF HIS OR HER RESIDENTIAL CULTIVATION
20 OPERATION IF REQUIRED BY THE JURISDICTION. A LOCAL JURISDICTION
21 SHALL NOT PROVIDE THE INFORMATION PROVIDED TO IT PURSUANT TO THIS
22 SUBSECTION (8.5)(a.5)(I)(C) TO THE PUBLIC, AND THE INFORMATION IS
23 CONFIDENTIAL.

24 (II) A PATIENT WHO CULTIVATES MORE MARIJUANA PLANTS THAN
25 PERMITTED IN SUBSECTION (8.5)(a.5)(I) OF THIS SECTION SHALL LOCATE
26 HIS OR HER CULTIVATION OPERATION ON A PROPERTY, OTHER THAN A
27 RESIDENTIAL PROPERTY, WHERE MARIJUANA CULTIVATION IS ALLOWED BY
28 LOCAL LAW AND SHALL COMPLY WITH ANY APPLICABLE LOCAL LAW
29 REQUIRING DISCLOSURE ABOUT THE CULTIVATION OPERATION.
30 CULTIVATION OPERATIONS CONDUCTED IN A LOCATION OTHER THAN A
31 RESIDENTIAL PROPERTY ARE SUBJECT TO ANY COUNTY AND MUNICIPAL
32 BUILDING AND PUBLIC HEALTH INSPECTION REQUIRED BY LOCAL LAW. A
33 PERSON WHO VIOLATES THIS SUBSECTION (8.5)(a.5) IS SUBJECT TO THE
34 OFFENSES AND PENALTIES DESCRIBED IN SECTION 18-18-406."

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