

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB17-1220 be amended as follows:

1 Amend reengrossed bill, page 8, strike lines 5 through 15 and substitute
2 "OR PERMANENTLY, AT THE PROPERTY; EXCEPT THAT IT IS UNLAWFUL FOR
3 A PRIMARY CAREGIVER TO POSSESS AT OR CULTIVATE ON OR IN A
4 RESIDENTIAL PROPERTY MORE THAN TWENTY-FOUR MARIJUANA PLANTS
5 REGARDLESS OF THE NUMBER OF PERSONS RESIDING, EITHER TEMPORARILY
6 OR PERMANENTLY, AT THE PROPERTY IF A PRIMARY CAREGIVER:
7 (I) LIVES IN A COUNTY, MUNICIPALITY, OR CITY AND COUNTY THAT
8 DOES NOT LIMIT THE NUMBER OF MARIJUANA PLANTS THAT MAY BE
9 GROWN ON OR IN A RESIDENTIAL PROPERTY TO TWELVE OR FEWER;
10 (II) IS REGISTERED PURSUANT TO THIS SUBSECTION (8.6) WITH THE
11 STATE LICENSING AUTHORITY'S REGISTRY; AND
12 (III) PROVIDES NOTICE TO THE APPLICABLE COUNTY,
13 MUNICIPALITY, OR CITY AND COUNTY OF HIS OR HER RESIDENTIAL
14 CULTIVATION OPERATION IF REQUIRED BY THE JURISDICTION. A LOCAL
15 JURISIDICTGION SHALL NOT PROVIDE THE INFORMATION PROVIDED TO IT
16 PURSUANT TO THIS SUBSECTION (8.6)(a)(I)(B) TO THE PUBLIC, AND THE
17 INFORMATION IS CONFIDENTIAL.
18 (C) ANY PRIMARY CAREGIVER WHO CULTIVATES MORE MARIJUANA
19 PLANTS THAN PERMITTED IN SUBSECTION (8.6)(a)(I)(B) OF THIS SECTION
20 SHALL LOCATE HIS OR HER CULTIVATION OPERATION ON A PROPERTY,
21 OTHER THAN A RESIDENTIAL PROPERTY, WHERE MARIJUANA CULTIVATION
22 IS ALLOWED BY LOCAL LAW AND SHALL COMPLY WITH ANY APPLICABLE
23 LOCAL LAW REQUIRING DISCLOSURE ABOUT THE CULTIVATION OPERATION.
24 CULTIVATION OPERATIONS CONDUCTED IN A LOCATION OTHER THAN A
25 RESIDENTIAL PROPERTY ARE SUBJECT TO ANY COUNTY AND MUNICIPAL
26 BUILDING AND PUBLIC HEALTH INSPECTION REQUIRED BY LOCAL LAW. A
27 PERSON WHO VIOLATES THIS SUBSECTION (8.6)(a)(I) IS SUBJECT TO THE
28 OFFENSES AND PENALTIES DESCRIBED IN SECTION 18-18-406."

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