

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0413.01 Richard Sweetman x4333

SENATE BILL 24-060

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SENATE SPONSORSHIP

**Kirkmeyer and Ginal**, Michaelson Jenet, Rich, Zenzinger

HOUSE SPONSORSHIP

**Hartsook and Duran**, Bradfield, Jodeh

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Senate Committees

State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING EXEMPTING CERTAIN DRUGS FROM THE PURVIEW OF THE  
102 COLORADO PRESCRIPTION DRUG AFFORDABILITY REVIEW  
103 BOARD.

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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>.)*

The bill states that the Colorado prescription drug affordability review board has no authority to perform an affordability review of, or to establish an upper payment limit for, any prescription drug that is designated as a drug for a rare disease or condition by the federal food and drug administration.

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

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

2           **SECTION 1.** In Colorado Revised Statutes, 10-16-1406, **repeal**  
3 (4)(g) as follows:

4           **10-16-1406. Colorado prescription drug affordability review**  
5 **board - affordability reviews of prescription drugs - repeal.** (4) In  
6 performing an affordability review, to the extent practicable, the board  
7 shall consider:

8           (g) ~~Orphan drug status;~~

9           **SECTION 2.** In Colorado Revised Statutes, **amend** 10-16-1415  
10 as follows:

11           **10-16-1415. Exemption for certain prescription drugs.**

12 (1) Notwithstanding any provision of this part 14 to the contrary, the  
13 board has no authority to perform an affordability review of, or to  
14 establish an upper payment limit for, any prescription drug that is:

15           (a) Derived in whole or in part from cannabis; OR

16           (b) DESIGNATED AS A DRUG FOR A RARE DISEASE OR CONDITION BY  
17 THE FEDERAL FOOD AND DRUG ADMINISTRATION PURSUANT TO 21 U.S.C.  
18 SEC. 360bb.

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

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.