

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

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

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.

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; AND

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

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

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

1 THEY WERE RECEIVED BY THE STATE.

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

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

6 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2016.

7 (b) ON JUNE 30, 2015, SIX MILLION NINE HUNDRED TWENTY-TWO
8 THOUSAND FIVE HUNDRED DOLLARS.

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

14 **39-28.8-502. Marijuana tax cash fund - budget requests.**

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

22 (2) BEGINNING WITH THE BUDGET REQUEST REQUIRED TO BE
23 SUBMITTED TO THE JOINT BUDGET COMMITTEE BY NOVEMBER 1, 2014,
24 AND FOR EACH BUDGET REQUEST REQUIRED TO BE SUBMITTED EACH
25 NOVEMBER THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
26 OF REVENUE SHALL INCLUDE IN ITS BUDGET REQUEST FOR THE DIRECT AND
27 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE AND

1 ARTICLES 43.3 AND 43.4 OF TITLE 12, C.R.S., THE AMOUNT THAT THE
2 DEPARTMENT REQUESTS FROM THE MONEYS IN THE MARIJUANA CASH
3 FUND CREATED IN SECTION 12-43.3-501, C.R.S., AND THE AMOUNT THAT
4 THE DEPARTMENT REQUESTS FROM THE MARIJUANA TAX CASH FUND.

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6 **SECTION 3.** In Colorado Revised Statutes, **add** article 38.3 to
7 title 24 as follows:

8

ARTICLE 38.3

9

Office of Marijuana Coordination

10 **24-38.3-101. Office of marijuana coordination - creation.**

11 (1) THERE IS HEREBY CREATED WITHIN THE OFFICE OF THE GOVERNOR THE
12 OFFICE OF MARIJUANA COORDINATION, THE HEAD OF WHICH IS THE
13 DIRECTOR OF THE OFFICE OF MARIJUANA COORDINATION. SUBJECT TO
14 AVAILABLE APPROPRIATIONS, THE DIRECTOR OF THE OFFICE SHALL BE
15 ASSISTED BY A DEPUTY DIRECTOR AND A STAFF TO FULFILL THE OFFICE'S
16 MISSION.

17 (2) THE OFFICE OF MARIJUANA COORDINATION SHALL COORDINATE
18 THE EXECUTIVE BRANCH RESPONSE TO THE LEGALIZATION OF RETAIL
19 MARIJUANA AS DIRECTED BY THE GOVERNOR. THE COORDINATION OF THE
20 EXECUTIVE BRANCH RESPONSE INCLUDES STRATEGIC PLANNING,
21 COORDINATION OF REGULATIONS, EDUCATIONAL CONTENT PLANNING AND
22 IMPLEMENTATION, COMMUNITY ENGAGEMENT, BUDGET COORDINATION,
23 DATA COLLECTION AND ANALYSIS FUNCTIONS, AND ANY OTHER DUTIES
24 DEEMED NECESSARY AND APPROPRIATE BY THE DIRECTOR OF THE OFFICE
25 OR THE GOVERNOR.

26 **24-38.3-102. Coordination among agencies - marijuana**
27 **messaging.** (1) THE OFFICE OF MARIJUANA COORDINATION IS THE

1 COORDINATOR OF ALL STATE AGENCIES THAT PROVIDE INFORMATION OR
2 EDUCATION OR THAT PROMULGATE RULES REGARDING THE USE, SALE, OR
3 REGULATION OF MARIJUANA, INCLUDING THE DEPARTMENT OF HUMAN
4 SERVICES, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE
5 DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF REVENUE, THE
6 DEPARTMENT OF PUBLIC SAFETY, AND THE DEPARTMENT OF EDUCATION,
7 TO ALIGN THE PROGRAMMING AND REGULATIONS PROVIDED BY EACH
8 EXECUTIVE BRANCH DEPARTMENT TO MAXIMIZE EFFICIENCY AND ENSURE
9 COORDINATED STRATEGIES IN THE GOVERNMENT'S RESPONSE TO THE
10 LEGALIZATION OF MARIJUANA.

11 (2) IN FURTHERANCE OF COORDINATING THE OVERSIGHT OF RETAIL
12 AND MEDICAL MARIJUANA ACROSS STATE AGENCIES, THE OFFICE OF
13 MARIJUANA COORDINATION SHALL:

14 (a) COORDINATE WITH THE EXECUTIVE DIRECTORS OF EACH STATE
15 AGENCY REGARDING THE AGENCY'S PROMULGATION OF RULES ON RETAIL
16 AND MEDICAL MARIJUANA THAT REDUCE NEGATIVE ECONOMIC, PUBLIC
17 SAFETY, AND HEALTH CONSEQUENCES FOR THE STATE;

18 (b) ALIGN ALL POLICY SUGGESTIONS AND THE PROMULGATION OF
19 RULES ACROSS STATE AGENCIES TO INCREASE EFFICIENCY AND ELIMINATE
20 UNINTENDED NEGATIVE IMPACTS ON THE STATE;

21 (c) COMMUNICATE WITH OTHER STATES RELATED TO THE
22 ECONOMIC, HEALTH, AND SAFETY IMPLICATIONS OF RETAIL MARIJUANA
23 LEGALIZATION AND REGULATION;

24 (d) IDENTIFY DATA GAPS IN THE IMPACT OF MARIJUANA
25 LEGALIZATION ON PUBLIC HEALTH, SAFETY, OR ECONOMICS ACROSS THE
26 STATE;

27 (e) ANTICIPATE, PRIORITIZE, AND RESPOND TO EMERGING ISSUES

1 WITH THE LEGALIZATION OF RETAIL MARIJUANA; AND
2 (f) DESIGNATE A STAFF MEMBER FROM THE OFFICE OF MARIJUANA
3 COORDINATION TO SERVE AS THE CONTACT PERSON ACROSS ALL STATE
4 CAMPAIGNS MANAGED BY A STATE AGENCY.

5 **SECTION 4.** In Colorado Revised Statutes, **add** part 9 to article
6 3.5 of title 25 as follows:

7 PART 9

8 STATEWIDE MARIJUANA EDUCATION CAMPAIGN

9 **25-3.5-901. Legislative declaration.** (1) THE GENERAL
10 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

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

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

17 (I) AN INCREASE IN THE ABUSE OF MARIJUANA BY ADULTS AND
18 YOUTH;

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

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

23 (IV) HEALTH IMPACTS IN CONNECTION WITH EXPOSURE TO
24 SECONDHAND SMOKE;

25 (V) AN INCREASE IN THE INSTANCES OF IMPAIRED DRIVING AND
26 THE ASSOCIATED INCREASE IN CRASHES;

27 (VI) NEW HEALTH CONCERNS REGARDING PREGNANT OR NURSING

1 WOMEN WHO USE MARIJUANA OR WHO ARE EXPOSED TO SECONDHAND
2 SMOKE FROM MARIJUANA; AND

3 (VII) OTHER POTENTIAL CONCERNS THAT HAVE NOT YET BEEN
4 IDENTIFIED.

5 (c) MASS-REACH HEALTH COMMUNICATIONS STRATEGIES HAVE
6 BEEN FOUND TO BE EFFECTIVE IN REDUCING TOBACCO AND ALCOHOL USE
7 AMONG ADULTS AND YOUTH, IN INCREASING THE USE OF CESSATION
8 SERVICES, AND IN LIMITING TOBACCO AND ALCOHOL INITIATION BY
9 YOUTH; AND

10 (d) THERE IS SUBSTANTIAL EVIDENCE THAT MASS MEDIA
11 CAMPAIGNS AND COMMUNITY COALITIONS ARE EFFECTIVE IN PREVENTING
12 MARIJUANA USE.

13 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
14 TO PROTECT AND IMPROVE THE HEALTH OF THE CITIZENS OF THE STATE, IT
15 IS A PRUDENT USE OF STATE RESOURCES TO REQUIRE THE COLORADO
16 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IMPLEMENT A
17 CAMPAIGN TO INCREASE THE AWARENESS OF AND EDUCATION ABOUT THE
18 IMPACTS OF MARIJUANA USE.

19 **25-3.5-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "DIVISION" MEANS THE DIVISION WITHIN THE DEPARTMENT OF
22 PUBLIC HEALTH AND ENVIRONMENT RESPONSIBLE FOR PREVENTION
23 SERVICES.

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

27 **25-3.5-903. Eighteen-month public awareness and education**

1 **campaign - legalization of marijuana - repeal.** (1) SUBJECT TO
2 AVAILABLE APPROPRIATIONS, BEGINNING IN THE 2014-15 STATE FISCAL
3 YEAR, THE DIVISION SHALL CONDUCT AN EIGHTEEN-MONTH PUBLIC
4 AWARENESS CAMPAIGN TO ADDRESS THE IMMEDIATE EDUCATIONAL NEEDS
5 OF THE PUBLIC IN RESPONSE TO THE LEGALIZATION OF RETAIL MARIJUANA
6 IN THE STATE.

7 (2) AS PART OF THE EIGHTEEN-MONTH PUBLIC AWARENESS
8 CAMPAIGN, THE DIVISION SHALL PUBLICIZE ACCURATE INFORMATION
9 OUTLINING THE HEALTH EFFECTS OF MARIJUANA USE AND THE LEGAL
10 PERIMETERS OF THE USE OF RETAIL MARIJUANA IN THE STATE. IN
11 FURTHERANCE OF THESE RESPONSIBILITIES, THE DIVISION SHALL:

12 (a) CREATE FACT SHEETS FOR THE PUBLIC REGARDING THE HEALTH
13 EFFECTS OF MARIJUANA USE, THE LEGAL PERIMETERS OF THE USE OF
14 RETAIL MARIJUANA IN THE STATE, AND CONCERNS REGARDING THE USE OF
15 MARIJUANA BY YOUTH. THE DIVISION SHALL ENSURE THAT ALL FACT
16 SHEETS CREATED PURSUANT TO THIS PARAGRAPH (a) THAT TARGET YOUTH
17 ARE ALIGNED WITH THE MESSAGING CREATED THROUGH ANY YOUTH
18 MARIJUANA PREVENTION CAMPAIGN THAT IS MANAGED BY THE
19 GOVERNOR'S OFFICE. THE DIVISION SHALL MAKE THE FACT SHEETS
20 AVAILABLE ON THE WEB SITE THAT IS CREATED PURSUANT TO SECTION
21 25-3.5-905.

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

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

26 **25-3.5-904. On-going prevention and education campaign -**
27 **training - marijuana.** (1) SUBJECT TO AVAILABLE APPROPRIATIONS,

1 BEGINNING IN THE 2014-15 STATE FISCAL YEAR, THE DIVISION SHALL
2 DEVELOP, IMPLEMENT, AND EVALUATE AN ON-GOING STATEWIDE
3 PREVENTION AND EDUCATION CAMPAIGN TO ADDRESS THE LONG-TERM
4 MARIJUANA EDUCATION NEEDS IN THE STATE. IN THE PREVENTION AND
5 EDUCATION MESSAGING, THE DIVISION SHALL PROVIDE INFORMATION TO:

6 (a) THE GENERAL PUBLIC REGARDING THE LAW SURROUNDING THE
7 LEGAL USE OF RETAIL MARIJUANA;

8 (b) PEOPLE IN THE RETAIL MARIJUANA INDUSTRY REGARDING
9 RESTRICTING YOUTH ACCESS TO RETAIL MARIJUANA;

10 (c) RETAIL MARIJUANA USERS AND OTHER RELEVANT POPULATIONS
11 IDENTIFIED AS HIGH-RISK REGARDING THE POTENTIAL RISKS ASSOCIATED
12 WITH THE USE OF MARIJUANA; AND

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

15 (2) IN FURTHERANCE OF THE GOALS OF THE ON-GOING MARIJUANA
16 PREVENTION AND EDUCATION CAMPAIGN, THE DIVISION MAY USE
17 TELEVISION MESSAGING, RADIO BROADCASTS, PRINT MEDIA, DIGITAL
18 STRATEGIES, OR ANY OTHER FORM OF MESSAGING DEEMED NECESSARY
19 AND APPROPRIATE BY THE DIVISION TO REACH THE TARGET AUDIENCES OF
20 THE CAMPAIGN.

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

26 **25-3.5-905. Web site - primary state resource for information.**

27 (1) IN FURTHERANCE OF THE GOALS OF THE EIGHTEEN-MONTH PUBLIC

1 AWARENESS AND EDUCATION CAMPAIGN CREATED IN SECTION 24-3.5-903
2 AND THE ON-GOING PREVENTION AND EDUCATION CAMPAIGN CREATED IN
3 SECTION 24-3.5-904, THE DIVISION SHALL CREATE A WEB SITE THAT WILL
4 SERVE AS THE STATE PORTAL FOR THE MOST ACCURATE AND TIMELY
5 INFORMATION REGARDING THE HEALTH EFFECTS OF MARIJUANA USE AND
6 THE LAWS REGARDING MARIJUANA USE. THE DIVISION SHALL ENSURE THAT
7 THE WEB SITE LINKS TO THE INFORMATION MADE AVAILABLE BY LOCAL
8 GOVERNMENTS THAT HAVE PASSED ADDITIONAL RESTRICTIONS ON THE USE
9 OF RETAIL MARIJUANA AND LINKS TO THE WEB SITE OF EVERY STATE
10 AGENCY THAT CONTAINS RELEVANT INFORMATION REGARDING RETAIL
11 MARIJUANA, INCLUDING ANY YOUTH PREVENTION CAMPAIGN MANAGED BY
12 A STATE AGENCY.

13 (2) THE DIVISION SHALL IMPLEMENT A MARKETING CAMPAIGN TO
14 GENERATE PUBLIC AWARENESS OF THE WEB SITE AS THE PRIMARY STATE
15 RESOURCE FOR INFORMATION REGARDING THE LEGALIZATION AND USE OF
16 RETAIL MARIJUANA IN THE STATE.

17 **25-3.5-906. Align marijuana messaging - integration of**
18 **information across state agencies.** (1) THE DIVISION SHALL INTEGRATE
19 INFORMATION FROM EACH STATE AGENCY INVOLVED IN PROVIDING RETAIL
20 MARIJUANA INFORMATION, INCLUDING THE DEPARTMENT OF HUMAN
21 SERVICES, THE GOVERNOR'S OFFICE OF MARIJUANA COORDINATION, THE
22 DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF REVENUE, THE
23 DEPARTMENT OF LAW, THE DEPARTMENT OF PUBLIC SAFETY, AND THE
24 DEPARTMENT OF EDUCATION, TO ALIGN THE MESSAGING, BRANDING, AND
25 EDUCATION PROVIDED BY EACH AGENCY FOR THE EIGHTEEN-MONTH
26 PUBLIC EDUCATION AND AWARENESS CAMPAIGN REQUIRED PURSUANT TO
27 SECTION 25-3.5-903, THE ON-GOING PREVENTION AND EDUCATION

1 CAMPAIGN REQUIRED PURSUANT TO SECTION 25-3.5-904, AND THE
2 WEBSITE REQUIRED PURSUANT TO SECTION 25-3.5-905.

3 (2) THE DIVISION SHALL PROVIDE DATA, TRAINING, EDUCATIONAL
4 MATERIALS, AND RESOURCES ON EFFECTIVE PREVENTION STRATEGIES TO
5 LOCAL COMMUNITY COALITIONS AND PROGRAMS ADDRESSING MARIJUANA
6 PREVENTION.

7 **24-3.5-907. Evaluation of marijuana campaigns - report.**

8 (1) THE DEPARTMENT SHALL CONTRACT WITH A RESPECTED EVALUATION
9 PARTNER TO DEVELOP AND IMPLEMENT A THREE-YEAR EVALUATION PLAN
10 ACCESSING THE REACH AND IMPACT OF THE EIGHTEEN-MONTH PUBLIC
11 EDUCATION AND AWARENESS CAMPAIGN REQUIRED PURSUANT TO SECTION
12 25-3.5-903 AND THE ON-GOING PREVENTION AND EDUCATION CAMPAIGN
13 REQUIRED PURSUANT TO SECTION 25-3.5-904. THE EVALUATION SHALL
14 ALSO ACCESS THE DEPARTMENT'S SUCCESS IN EDUCATING THE CITIZENS OF
15 THE STATE REGARDING THE LEGAL PERIMETERS OF THE USE OF RETAIL
16 MARIJUANA AND PREVENTING NEGATIVE HEALTH IMPACTS FROM THE
17 LEGALIZATION OF RETAIL MARIJUANA.

18 (2) ON OR BEFORE MARCH 1, 2015, AND ON OR BEFORE NOVEMBER
19 1, 2015, THE DEPARTMENT SHALL PROVIDE A REPORT TO THE MEMBERS OF
20 THE GENERAL ASSEMBLY REGARDING THE EFFECTIVENESS OF THE
21 EIGHTEEN-MONTH PUBLIC EDUCATION AND AWARENESS CAMPAIGN
22 REQUIRED PURSUANT TO SECTION 25-3.5-903 AND THE ON-GOING
23 PREVENTION AND EDUCATION CAMPAIGN REQUIRED PURSUANT TO SECTION
24 25-3.5-904.

25 **SECTION 5.** In Colorado Revised Statutes, **add** 25.5-1-206 as
26 follows:

27 **25.5-1-206. School-based substance abuse prevention and**

1 **intervention program - creation - reporting - legislative declaration**

2 **- definitions.** (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES
3 THAT:

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

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

11 (III) EVIDENCE-BASED PREVENTION AND INTERVENTION
12 PROGRAMS AND EDUCATION AWARENESS PROGRAMS TARGETED TO
13 SCHOOL CHILDREN WHO ARE TWELVE TO NINETEEN YEARS OF AGE ARE
14 NEEDED TO:

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

17 (B) DECREASE THE RATES OF YOUTH MARIJUANA AND ALCOHOL
18 USE AND PRESCRIPTION DRUG MISUSE AND DELAY THE AGE OF FIRST-TIME
19 USE; AND

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

22 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS
23 APPROPRIATE TO AWARD GRANTS TO SCHOOLS, COMMUNITY-BASED
24 ORGANIZATIONS, AND HEALTH ORGANIZATIONS TO PROVIDE
25 SCHOOL-BASED PREVENTION AND INTERVENTION PROGRAMS THAT USE
26 EVIDENCE-BASED STRATEGIES, PRACTICES, AND APPROACHES TO REDUCE
27 THE RISK OF MARIJUANA AND ALCOHOL USE AND PRESCRIPTION DRUG

1 MISUSE BY SCHOOL-AGED CHILDREN. SUCCESSFUL SCHOOL-BASED
2 PROGRAMS WILL LEAD TO INCREASED OVERALL HEALTH, BEHAVIORAL
3 HEALTH, AND EDUCATIONAL OUTCOMES FOR COLORADO'S YOUTH.

4 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 (a) "ENTITY" MEANS A SCHOOL, SCHOOL DISTRICT, BOARD OF
7 COOPERATIVE SERVICES, A NONPROFIT OR NOT-FOR-PROFIT
8 COMMUNITY-BASED ORGANIZATION, OR A COMMUNITY-BASED
9 BEHAVIORAL HEALTH ORGANIZATION.

10 (b) "GRANT PROGRAM" MEANS THE SCHOOL-BASED SUBSTANCE
11 ABUSE PREVENTION AND INTERVENTION GRANT PROGRAM CREATED IN
12 SUBSECTION (3) OF THIS SECTION.

13 (3) (a) THE SCHOOL-BASED SUBSTANCE ABUSE PREVENTION AND
14 INTERVENTION GRANT PROGRAM IS CREATED WITHIN THE STATE
15 DEPARTMENT. THE PURPOSE OF THE GRANT PROGRAM IS TO AWARD
16 COMPETITIVE GRANTS TO ENTITIES TO PROVIDE SCHOOL-BASED
17 PREVENTION AND INTERVENTION PROGRAMS FOR YOUTH TWELVE TO
18 NINETEEN YEARS OF AGE PRIMARILY FOCUSED ON REDUCING MARIJUANA
19 USE, BUT INCLUDING STRATEGIES AND EFFORTS TO REDUCE ALCOHOL USE
20 AND PRESCRIPTION DRUG MISUSE.

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

23 (I) THE GRANT WILL BE USED TO IMPLEMENT EVIDENCE-BASED
24 PROGRAMS AND STRATEGIES DELIVERED IN THE SCHOOL SETTING THAT
25 ARE DESIGNED TO IMPROVE OVERALL HEALTH, BEHAVIORAL HEALTH, AND
26 EDUCATIONAL OUTCOMES FOR YOUTH WHO ARE TWELVE TO NINETEEN
27 YEARS OF AGE;

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

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

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

10 (B) A DECREASE IN THE RATES OF YOUTH MARIJUANA USE,
11 ALCOHOL USE, AND PRESCRIPTION DRUG MISUSE;

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

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

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

20 (4) ON OR BEFORE SEPTEMBER 1, 2014, THE STATE DEPARTMENT
21 SHALL ESTABLISH PROCEDURES AND TIMELINES FOR GRANT APPLICATIONS;
22 CRITERIA FOR DETERMINING GRANT AMOUNTS AND GRANTEE REPORTING
23 REQUIREMENTS; AND ANY OTHER GRANT PROGRAM POLICIES. THE STATE
24 DEPARTMENT MAY AMEND THESE POLICIES AT ANY TIME.

25 (5) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
26 DEPARTMENT SHALL AWARD GRANTS FOR THE 2014-15 ACADEMIC YEAR
27 AND FOR EACH ACADEMIC YEAR THEREAFTER. THERE IS NO LIMIT ON THE

1 NUMBER OF GRANTS THAT THE STATE DEPARTMENT MAY AWARD, AND THE
2 SAME ENTITY MAY RECEIVE MORE THAN ONE GRANT IF THE STATE
3 DEPARTMENT CONSIDERS THE NEEDS OF AT-RISK STUDENTS IN
4 COMMUNITIES THROUGHOUT THE STATE FOR SCHOOL-BASED SUBSTANCE
5 ABUSE PREVENTION AND INTERVENTION PROGRAMS.

6 (6) ON OR BEFORE NOVEMBER 1 IN ANY FISCAL YEAR IN WHICH
7 THE STATE DEPARTMENT AWARDS GRANTS PURSUANT TO THIS SECTION,
8 THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE JOINT BUDGET
9 COMMITTEE; THE PUBLIC HEALTH CARE AND HUMAN SERVICES AND THE
10 HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEES OF THE HOUSE OF
11 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; AND THE HEALTH
12 AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
13 COMMITTEE, SUMMARIZING ALL GRANTS AWARDED PURSUANT TO THE
14 GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE THE GRANT
15 RECIPIENT AND THE AMOUNT OF THE GRANT, A DESCRIPTION OF THE
16 PROGRAM OR STRATEGIES DELIVERED BY THE GRANT RECIPIENT, THE
17 OUTCOMES ACHIEVED OR PROPOSED TO BE ACHIEVED BY THE PROGRAM OR
18 STRATEGIES, AND ANY OTHER INFORMATION RELATING TO THE SUCCESS OF
19 THE GRANT PROGRAM IN REDUCING OR PREVENTING THE USE OF
20 MARIJUANA AND ALCOHOL AND THE MISUSE OF PRESCRIPTION DRUGS BY
21 YOUTH WHO ARE TWELVE TO NINETEEN YEARS OF AGE.

22 **SECTION 6.** In Colorado Revised Statutes, 26-6.8-102, **amend**
23 (1) (b) and (2) (d) as follows:

24 **26-6.8-102. Tony Grampsas youth services program - creation**
25 **- standards - applications.** (1) (b) The Tony Grampsas youth services
26 program is established to provide state funding FOR THE FOLLOWING
27 PURPOSES:

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

5 (II) To promote prevention and education programs that are
6 designed to reduce the occurrence and reoccurrence of child abuse and
7 neglect and to reduce the need for state intervention in child abuse and
8 neglect prevention and education; AND

9 (III) FOR COMMUNITY-BASED PROGRAMS SPECIFICALLY RELATED
10 TO THE PREVENTION AND INTERVENTION OF ADOLESCENT AND YOUTH
11 MARIJUANA USE.

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

25 (II) IN ADDITION TO THE MONEYS APPROPRIATED TO THE YOUTH
26 SERVICES PROGRAM FUND PURSUANT TO SUBPARAGRAPH (I) OF THIS
27 PARAGRAPH (d), THE FUND ALSO CONSISTS OF ANY MONEYS APPROPRIATED

1 TO THE FUND FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION
2 39-28.8-501, C.R.S. ANY MONEYS IN THE FUND ATTRIBUTABLE TO THE
3 MARIJUANA TAX CASH FUND SHALL BE USED FOR COMMUNITY-BASED
4 PROGRAMS FOR THE PREVENTION AND INTERVENTION OF MARIJUANA USE.
5 NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS
6 PARAGRAPH (d), ANY UNEXPENDED AND UNENCUMBERED MONEYS IN THE
7 FUND AT THE END OF A FISCAL YEAR THAT ARE ATTRIBUTABLE TO THE
8 MARIJUANA TAX CASH FUND SHALL REMAIN IN THE FUND AND SHALL NOT
9 BE TRANSFERRED TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND
10 OR ANY OTHER FUND.

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

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

18 **39-28.8-203. Disposition of collections.** (1) The proceeds of all
19 moneys collected from the retail marijuana sales tax shall be credited to
20 the old age pension fund created in section 1 of article XXIV of the state
21 constitution in accordance with paragraphs (a) and (f) of section 2 of
22 article XXIV of the state constitution. For each fiscal year in which a tax
23 is collected pursuant to this part 2, an amount shall be distributed from the
24 general fund as follows:

25 (b) Following apportionment of local government shares pursuant
26 to paragraph (a) of this subsection (1), an amount equal to all remaining
27 revenues collected shall be transferred from the general fund to the

1 ~~marijuana cash fund created in section 12-43.3-501, C.R.S.~~ MARIJUANA
2 TAX CASH FUND CREATED IN PART 5 OF THIS ARTICLE to be used for the
3 enforcement of regulations on the retail marijuana industry and for the
4 other purposes of the fund as determined by the general assembly. The
5 general assembly shall make appropriations from the ~~marijuana cash fund~~
6 MARIJUANA TAX CASH FUND for the expenses of the administration of this
7 section.

8 **SECTION 8.** In Colorado Revised Statutes, 39-28.8-305, **amend**
9 (1) (b) as follows:

10 **39-28.8-305. Distribution of tax collected.** (1) All moneys
11 received and collected in payment of the tax imposed by the provisions
12 of this part 3 shall be transmitted to the state treasurer, who shall
13 distribute the money as follows:

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

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

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

23 Section 22. **Appropriation.** (2) In addition to any other
24 appropriation, there is hereby appropriated, out of any moneys in the
25 marijuana cash fund created in section 12-43.3-501 (1) (a), Colorado
26 Revised Statutes, not otherwise appropriated, to the department of public
27 safety, for the fiscal year beginning July 1, 2013, the sum of \$89,398, or

1 so much thereof as may be necessary, for allocation to the division of
2 criminal justice for the DCJ administrative services line item related to
3 the implementation of this act. OF THE MONEYS APPROPRIATED IN THIS
4 SECTION NOT EXPENDED PRIOR TO JULY 1, 2014, \$45,000 IS FURTHER
5 APPROPRIATED TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE FISCAL
6 YEAR BEGINNING JULY 1, 2014, FOR THE SAME PURPOSES.

7 **SECTION 11. Appropriation - adjustments to 2014 long bill.**

8 (1) For the implementation of this act, appropriations made in the annual
9 general appropriation act for the fiscal year beginning July 1, 2014, are
10 adjusted as follows:

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

15 (b) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the marijuana tax cash fund created
17 in section 39-28.8-501, Colorado Revised Statutes, not otherwise
18 appropriated, to the department of law, for the fiscal year beginning July
19 1, 2014, the sum of \$76,000, or so much thereof as may be necessary, to
20 be allocated for peace officers standards training board support for the
21 implementation of this act;

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

27 (d) 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, Colorado Revised Statutes, not otherwise
3 appropriated, to the department of public health and environment, for the
4 fiscal year beginning July 1, 2014, the sum of \$320,388 and 4.0 FTE, or
5 so much thereof as may be necessary, to be allocated for cannabis health
6 environmental and epidemiological training, outreach, and surveillance
7 for the implementation of this act;

8 (e) The cash funds appropriation from the marijuana cash fund
9 created in section 12-43.3-501, Colorado Revised Statutes, to the
10 department of public safety for the division of criminal justice is
11 decreased by \$159,983;

12 (f) 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, Colorado Revised Statutes, not otherwise
15 appropriated, to the department of public safety, for the fiscal year
16 beginning July 1, 2014, the sum of \$159,983, or so much thereof as may
17 be necessary, to be allocated to the division of criminal justice for
18 administrative services for the implementation of this act;

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

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

1 **SECTION 12. Appropriation. == == ==**

2 (1) 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 governor - lieutenant governor - state planning and
6 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$190,097
7 and 2.0 FTE, or so much thereof as may be necessary, for allocation to the
8 office of the governor for the creation of the office of marijuana
9 coordination related to the implementation of this act.

10 (2) In addition to any other appropriation, there is hereby
11 appropriated, to the department of health care policy and financing, for
12 the fiscal year beginning July1, 2014, the sum of \$9,818,550, or so much
13 thereof as may be necessary, for allocation to behavioral health
14 community programs for school-based prevention and intervention
15 substance use disorder services to be provided by behavioral health
16 organizations. Of said sum, \$4,500,000 is from the general fund and
17 \$5,318,550 is from federal funds.

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

25 (a) \$50,000 for the executive director’s office for general
26 professional services and special projects; and

27 (b) \$1,950,000 for behavioral health community programs for

1 grant awards.

2 (4) 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 human services, for the fiscal year
6 beginning July 1, 2014, the sum of \$2,000,000, or so much thereof as may
7 be necessary, for allocation to the division of child welfare for
8 enhancement of the Tony Grampsas youth services program related to the
9 implementation of this act.

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

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

26 (7) In addition to any other appropriation, there is hereby
27 appropriated, out of any moneys in the marijuana tax cash fund created

1 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
2 appropriated, to the department of human services, for the fiscal year
3 beginning July 1, 2014, the sum of \$2,000,000, or so much thereof as may
4 be necessary, for allocation to the division of youth corrections for the
5 enhancement of SB 91-94 programs related to the implementation of this
6 act.

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

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

22 (10) In addition to any other appropriation, there is hereby
23 appropriated, out of any moneys in the marijuana tax cash fund created
24 in section 39-28.8-501 (1), Colorado Revised Statutes, not otherwise
25 appropriated, to the department of public health and environment, for the
26 fiscal year beginning July 1, 2014, the sum of \$5,500,181 and 3.7 FTE,
27 or so much thereof as may be necessary, for allocation to the prevention

1 services division, chronic disease prevention programs for the expenses
2 of the marijuana education campaign related to the implementation of this
3 act.

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

13 (12) 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 (1), Colorado Revised Statutes, not otherwise
16 appropriated, to the department of human services, for the fiscal year
17 beginning July 1, 2014, the sum of \$100,000, or so much thereof as may
18 be necessary, for allocation to the division of child welfare for child
19 welfare training specific to issues arising from marijuana use and abuse.

20 **SECTION 13. Effective date.** This act takes effect July 1, 2014;
21 except that section 9 of this act repealing section 39-26-123 (6), Colorado
22 Revised Statutes, takes effect July 1, 2015.

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