



Please Vote YES on HB 16-1214

Combating Illegal Marijuana Grow Operations

Sponsor: Rep. Conti

Counties across Colorado are seeing an increase in the number of illegal marijuana grow operations. These criminal operations are located in both rural and urban settings and local law enforcement is often hamstrung in its ability to properly investigate and shut down these criminal enterprises. In rural counties like Saguache County in the San Luis Valley, there are insufficient law enforcement resources to patrol and monitor the thousands of square miles of public land where these operations locate. Many of these operations are masquerading as medical marijuana caregivers, further clouding their legal status and making investigation and prosecution difficult. Moreover, the current penalties in statute are insufficient to dissuade criminals who stand to make hundreds of thousands of dollars from taking their illegally-grown marijuana across state lines for sale and distribution.

HB 1214 is an attempt to assist local law enforcement in battling the increasing number of illegal marijuana grow operations across our state. The bill provides protection against litigation for our local law enforcement agencies and beefs up the criminal penalties for conducting illegal marijuana grow operations. At the request of the state health department, the bill also moves up the implementation deadline for establishing plant caps on medical marijuana caregivers (initially enacted in last year's SB15-14).

For Amendment 64 to work properly, Colorado needs to push marijuana cultivation to the regulated and licensed market and prevent diversion and sale out of state. This bill is an important step in that process and will aid our local law enforcement agencies in protecting our communities and eliminating the scourge of illegal marijuana grow operations.

CCI asks for your YES vote on HB 16-1214

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Dear Committee Members:

Saguache County would like to take this opportunity to testify as to the effects of the many shades of legality that exist in the state in relation to marijuana cultivation and sale, and its effects on our area. We are an extremely large county, with a sparse population of roughly 6,000 people. As a result of being fairly isolated, and holding around 75% public lands within our borders, Saguache County is often one of the lowest income counties in the state with a small tax base. This causes us a great deal of difficulty with providing basic county services to the people who live here. One of these struggles is in law enforcement and code enforcement capacity. Our officers are required to cover great distances of this county, with very little support, and often understaffed.

At this time our county is seeing an unprecedented growth of illegal marijuana operations, much like other rural Colorado areas within easy access to state borders. In a single day last year we discovered nine medium size (50-100 plants) operations. We have created a state system with so many variables that our officers never really know the status of these operations- are they medical, multi-adult, or just purely illegal? Also heavy on the mind of our law enforcement in these instances are questions of the fiscal consequences of doing their jobs and discovering a loophole in the process that will burden an already struggling local government. At this time there are no real deterrents to these operations. The financial consequences are not substantial enough to compensate for the value of the crop in an out of state market. It is our opinion that without clearer definitions, protection for enforcement and a more robust penalty, we will see much higher growth in these illegal operations.

The Saguache County Board of County Commissioners urge you to consider this first step in clearing the murky guidelines that compromise our rural areas. Our officers need to know they are supported and have clarity when they are performing their jobs when trying to stem what can be seen as the fastest growing problem to many of our rural communities. House bill 1214 begins to address some of these issues.

Sincerely,

Jason Anderson, Chair
Saguache County Board of Commissioners