SENATE COMMITTEE OF REFERENCE AMENDMENT
Committee on Agriculture, Natural Resources, & Energy.
SB17-275 be amended as follows:

Amend printed bill, page 4, line 4, after the period, insert
"NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEDICAL
RESEARCH FACILITY AUTHORIZED PURSUANT TO THIS SECTION TO
CONDUCT MEDICAL RESEARCH REGARDING MARIJUANA IS EXEMPT FROM
ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE
OF MARIJUANA; EXCEPT THAT THE FACILITY SHALL USE THE MARIJUANA
ONLY FOR THE MEDICAL RESEARCH AUTHORIZED PURSUANT TO THIS
SECTION AND SHALL DESTROY ALL MARIJUANA REMAINING AFTER THE
RESEARCH HAS BEEN COMPLETED."

Page 4, line 15, strike "(1)(h)" and substitute "(1)(h); and add
(2.5)(a)(I)(G), (2.5)(a)(I)(H), and (2.5)(a)(I)(I)"

Page 4, strike lines 20 to 27 and substitute "until the medical marijuana
or medical marijuana-infused product is sold to a customer at a medical
marijuana center to ensure that no medical marijuana grown or processed
by a medical marijuana establishment is sold or otherwise transferred
except by a medical marijuana center; EXCEPT THAT THE MEDICAL
MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IS NO LONGER
SUBJECT TO THE TRACKING SYSTEM ONCE THE MEDICAL MARIJUANA OR
MEDICAL MARIJUANA-INFUSED PRODUCT HAS BEEN:
(I) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT
TO SECTION 25-1.5-106.5 (5)(b); OR
(II) USED BY A PESTICIDE MANUFACTURER IN QUANTITIES THAT
ARE LIMITED".

Page 5, line 4, after the period, add "NOTWITHSTANDING ANY OTHER
PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT
TO THIS SUBSECTION (1)(h)(II) TO CONDUCT PESTICIDE RESEARCH
REGARDING MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE
RESTRICTIONS ON THE POSSESSION AND USE OF MEDICAL MARIJUANA OR
MEDICAL MARIJUANA-INFUSED PRODUCT; EXCEPT THAT THE
MANUFACTURER SHALL:
(A) NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL
MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE
LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING
AUTHORITY;
(B) USE THE MEDICAL MARIJUANA AND MEDICAL
MARIJUANA-INFUSED PRODUCT ONLY FOR THE PESTICIDE RESEARCH
AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II); AND
(C) DESTROY ALL MEDICAL MARIJUANA AND MEDICAL
MARIJUANA-INFUSED PRODUCT REMAINING AFTER THE RESEARCH HAS
BEEN COMPLETED.
(2.5) (a) Rules promulgated pursuant to paragraph (b) of
subsection (1) of this section must include, but need not be limited to, the
following subjects:
(I) (G) EXCEPT AS SPECIFIED IN SUBSECTION (2.5)(a)(I)(I) OF THIS
SECTION, A LABORATORY THAT TESTS MEDICAL MARIJUANA OR MEDICAL
MARIJUANA-INFUSED PRODUCTS, REGARDLESS OF WHETHER THE
LABORATORY IS ACCREDITED OR CERTIFIED PURSUANT TO THIS
SUBSECTION (2.5)(a)(I), SHALL NOT CLAIM A TECHNICAL COMPETENCE
BELOW THE LIMIT OF QUANTITATION ACHIEVED BY THE DEPARTMENT OF
AGRICULTURE; EXCEPT THAT A LABORATORY MAY CLAIM A TECHNICAL
COMPETENCE BELOW THE LIMIT OF QUANTITATION ACHIEVED BY THE
DEPARTMENT OF AGRICULTURE FOR A PURPOSE THAT IS STRICTLY LIMITED
TO THE INTERNAL RESEARCH AND DEVELOPMENT OF THE CLIENT THAT
REQUESTED THE ANALYSIS.
(H) EXCEPT AS SPECIFIED IN SUBSECTION (2.5)(a)(I)(I) OF THIS
SECTION, THE STATE LICENSING AUTHORITY AND ANY OTHER STATE OR
LOCAL GOVERNMENTAL AGENCY SHALL NOT USE AN ANALYTICAL RESULT
BELOW THE LIMIT OF QUANTITATION ACHIEVED BY THE DEPARTMENT OF
AGRICULTURE AS A MEANS TO DETERMINE THE PRESENCE OF ANY
ANALYTE, INCLUDING FOR ESTABLISHING CONTAMINATION OR FOR
PURPOSES OF ENFORCEMENT.
(I) IF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
ESTABLISHES AN APPLICABLE METHOD DETECTION LIMIT THAT IS HIGHER
THAN THE CORRESPONDING LIMIT OF QUANTITATION ACHIEVED BY THE
DEPARTMENT OF AGRICULTURE, THEN THE METHOD DETECTION LIMIT
APPLIES TO THE PROHIBITIONS ESTABLISHED IN SUBSECTIONS (2.5)(a)(I)(G)
AND (2.5)(a)(I)(H) OF THIS SECTION RATHER THAN THE LIMIT OF
QUANTITATION.

Page 5, line 6, strike "(1)" and substitute "(1); and add (3)(e)(IV)(H),
(3)(a)(IV)(I), and (3)(a)(IV)(J)".

Page 5, strike lines 13 to 19 and substitute: "plant stage until the
marijuana or retail marijuana product is sold to a customer at a retail
marijuana store; to ensure that no marijuana grown or processed by a
retail marijuana establishment is sold or otherwise transferred except by
a retail marijuana store except that retail marijuana is no longer subject to the tracking system once the retail marijuana has been:

(a) transferred to a medical research facility pursuant to section 25.1.5-106.5 (5)(b); or

(b) used by a pesticide manufacturer in quantities that are limited".

Page 5, line 23, after the period, add "notwithstanding any other provision of law, a pesticide manufacturer authorized pursuant to this subsection (1)(b) to conduct pesticide research regarding retail marijuana is exempt from all otherwise applicable restrictions on the possession and use of retail marijuana; except that the manufacturer shall:

(I) Not possess at any time a quantity of retail marijuana in excess of the limit established in rules promulgated by the state licensing authority;

(II) Use the retail marijuana only for the pesticide research authorized pursuant to this subsection (1)(b); and

(III) Destroy all retail marijuana remaining after the research has been completed.

(3) (a) Rules promulgated pursuant to paragraph (b) of subsection (2) of this section must include, but need not be limited to, the following subjects:

(IV) (H) Except as specified in subsection (3)(a)(IV)(J) of this section, a laboratory that tests marijuana or marijuana products, regardless of whether the laboratory is accredited or certified pursuant to this subsection (3)(a)(IV), shall not claim a technical competence below the limit of quantitation achieved by the department of agriculture; except that a laboratory may claim a technical competence below the limit of quantitation achieved by the department of agriculture for a purpose that is strictly limited to the internal research and development of the client that requested the analysis.

(I) Except as specified in subsection (3)(a)(IV)(J) of this section, the state licensing authority and any other state or local governmental agency shall not use an analytical result below the limit of quantitation achieved by the department of agriculture as a means to determine the presence of any analyte, including for establishing contamination or for purposes of enforcement:
(J) If the Department of Public Health and Environment establishes an applicable method detection limit that is higher than the corresponding limit of quantitation achieved by the Department of Agriculture, then the method detection limit applies to the prohibitions established in subsections (3)(a)(IV)(H) and (3)(a)(IV)(I) of this section rather than the limit of quantitation."

Page 5, strike lines 24 through 27.

Strike pages 6 through 9.

Page 10, strike lines 1 through 3.

Renumber succeeding sections accordingly.

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