

NEW MARIJUANA LAWS

PRIMER & PUBLIC HEALTH IMPLICATIONS

The 2019 legislative session included a number of changes to Colorado retail and medical marijuana regulations, including the option for a local jurisdiction to allow new marijuana businesses. Key information and research-supported recommendations about one of those business types, Regulated Marijuana Delivery, is provided here.



HOUSE BILL 19-1234

REGULATED MARIJUANA DELIVERY

“The act creates marijuana delivery permits for licensed medical marijuana centers and transporters and licensed retail marijuana stores and transporters that allow the centers, stores, and transporters to deliver medical marijuana, medical marijuana-infused products, retail marijuana, and retail marijuana products to customers.”

MEDICAL AND RETAIL DELIVERY

1

“MEDICAL MARIJUANA DELIVERY BUSINESS”

Effective January 1, 2020

2

“RETAIL MARIJUANA DELIVERY BUSINESS”

Effective January 1, 2021



There are two types of marijuana delivery permits: medical and retail.

WHAT YOUR COMMUNITY CAN DO

Local municipalities and counties opt-in through an enacted, initiated, or referred ordinance or resolution to allow Marijuana Hospitality Businesses in the jurisdiction. Options include:

1

“OPT-OUT”

Take no action; Enact a moratorium on Marijuana Delivery operation; or allow other jurisdictions to deliver medical and/or retail marijuana without granting licenses.

2

“OPT-IN” TO ALLOW DELIVERY BUSINESSES

Enact, initiate, or refer an ordinance or resolution to allow operation of medical and/or retail marijuana delivery in jurisdiction with no additions to state licensing requirements listed on next page.

3

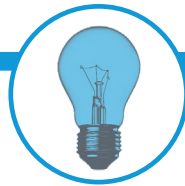
“OPT-IN” TO ALLOW DELIVERY BUSINESSES WITH LOCAL OVERSIGHT

Enact, initiate, or refer an ordinance or resolution to allow medical and/or retail marijuana delivery in jurisdiction with specific local licensing requirements additions to state licensing rules, such as:

- Create county or municipality license structure.
- Earmark license and tax dollars to offset prevention programs & law enforcement costs.
- Strengthen regulations to protect public health & safety.



RECOMMENDATIONS



Recommendations and best practices listed are based on research to effectively restrict access and prevent use by youth to substances such as alcohol and tobacco.

1

LOCAL LICENSING

Local control of marijuana hospitality businesses gives you oversight and tax revenue from local sales and operations.

2

LIMIT DENSITY

High density is linked to increased youth use of substances. Consider how far you want license owners from schools, parks, treatment centers, and other business locations.

3

LIMIT THE HOURS & DAYS OF SALE

Expanded hours are linked to increase youth use of substances. Consider limiting hours and days of operation.

4

INCREASED ENFORCEMENT OF LAWS

Enforcement of laws are essential to creating successful policy. Consider the impact on law enforcement to ensure businesses are prohibiting sales to minors, including "Shoulder Tap" enforcement.

5

REVOKE LICENSES FOR VIOLATIONS

To ensure businesses are abiding by regulations, consider the consequences for violations of the law.

6

STUDY EFFECTS OF NEW BUSINESSES

Tracking the impacts on your community is important when considering if policies are the "right" mix for your jurisdiction.

OTHER LAW CHANGES

1

ADVERTISING

Marijuana Businesses can now advertise on outdoor billboards.

2

BRANDING

Marijuana Businesses can advertise on all mediums about their company brand.

3

HOSPITALITY "OPT-IN"

Jurisdictions may "opt-in" to allow Marijuana Hospitality Businesses which allow for consumption on-site.

THE LICENSES

1

"MEDICAL DELIVERY"

Effective January 1, 2020

2

"RETAIL DELIVERY"

Effective January 1, 2021

State Requirements and Allowed Activities

- Deliveries only for 21+, unless under 18 with caregiver.
- Delivery only to private residence.
- Must abide by state law, 2 oz flower or 40 grams of concentrate max delivered per day.
- Drivers must have a Delivery License.
- Delivery vehicle must track real time and record the delivery route.
- Delivery vehicle must have a security alarm system, video surveillance, and secure storage for marijuana.
- Responsible Vendor Certification required for driver.
- Medical Marijuana patient must have relationship with medical center.
- Retail Marijuana license granted to stores and/or independent contractor.
- Only Medical or Retail Marijuana Stores may accept delivery orders.

Non-Allowed Activities

- No delivery for adults age 18-20.
- No delivery on college/university campus.
- No advertising on delivery vehicles.
- Cannot leave the state.
- Stores must ensure no double deliveries to same residence.
- Enclosed vehicles shall not contain more than \$10,000.00 in retail value of marijuana.
- A non-enclosed vehicle shall not contain more than \$2,000.00 in retail value of marijuana.
- No electric bikes, low-power scooters, wheelchairs, or vehicles moved solely by human power.

ADDITIONAL RESOURCES?

Contact the Retail Marijuana Education Program at Jessica.Neuwirth@state.co.us



COLORADO
Department of Public
Health & Environment