

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
4/17/23

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LLS NO. 23-0271.07 Jacob Baus x2173

SENATE BILL

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SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

(None),

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**BILL TOPIC:** Natural Medicine Regulation And Legalization

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A BILL FOR AN ACT

101 CONCERNING NATURAL MEDICINE.

**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 amends the regulatory framework for natural medicine and natural medicine product.

The bill requires the director of the division of professions and occupations to:

- Regulate facilitators and the practice of regulation, including issuing licenses for facilitators;
- Promulgate rules necessary for the regulation of facilitators and the practice of facilitation; and

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*

- Perform duties necessary for the implementation and administration of the "Natural Medicine Health Act of 2022", including investigatory and disciplinary authority.

The bill creates the natural medicine advisory board (board). The board's duties include examining issues related to natural medicine and natural medicine product, and making recommendations to the director of the division of professions and occupations and the executive director of the state licensing authority.

The bill creates within the department of revenue the division of natural medicine for the purpose of regulating and licensing the cultivation, manufacturing, testing, storage, distribution, transport, transfer, and dispensation of natural medicine or natural medicine product between natural medicine licensees. The bill requires the division of natural medicine to:

- Regulate natural medicine, natural medicine product, and natural medicine businesses, including healing centers, cultivators, manufacturers, and testers, and issue licenses for such businesses;
- Promulgate rules necessary for the regulation of natural medicine, natural medicine product, and natural medicine businesses; and
- Perform duties necessary for the regulation of natural medicine, natural medicine product, and natural medicine businesses, including investigatory and disciplinary authority.

The bill requires the department of revenue to coordinate with the department of public health and environment concerning testing standards of regulated natural medicine and natural medicine product.

The bill requires a sunset review for the articles governing the department of regulatory affairs and the department of revenue in the regulation of natural medicine, natural medicine product, facilitators, and natural medicine businesses.

The bill clarifies that:

- A person who is under 21 years of age who knowingly possesses or consumes natural medicine or natural medicine product commits a drug petty offense and is subject to a fine of not more than \$100 or not more than 4 hours of substance use education or counseling; except that a second or subsequent offense is subject to a fine of not more than \$100, not more than 4 hours of substance use education or counseling, and not more than 24 hours of useful public service;
- A person who openly and publicly consumes natural medicine or natural medicine product commits a drug petty offense and is subject to a fine of not more than \$100 and

- not more than 24 hours of useful public service;
- A person who cultivates natural medicine shall do so on the person's private property, subject to area and physical security requirements. A person who violates this provision commits a drug petty offense and is subject to a fine of not more than \$1,000.
- A person who is not licensed to manufacture natural medicine product and who knowingly manufactures natural medicine product using an inherently hazardous substance commits a level 2 drug felony;
- Unless expressly limited, a person who for the purpose of personal use and without remuneration, possesses, consumes, shares, cultivates, or manufactures natural medicine or natural medicine product, does not violate state or local law, except that nothing permits a person to distribute natural medicine or natural medicine product to a person for certain unlawful purposes;
- A lawful action related to natural medicine or natural medicine product must not be the sole reason to subject a person to a civil penalty, deny a right or privilege, or seize assets;
- A lawful action related to natural medicine or natural medicine product must not be used as a factor in a probable cause or reasonable suspicion determination of any criminal offense; except that an action may be used in such determination if the original stop or search was lawful and other factors are present to support a probable cause or reasonable suspicion determination of any criminal offense;
- The fact that a person is entitled to consume natural medicine or natural medicine product does not constitute a defense against any charge for violation of an offense related to operation of a vehicle, aircraft, boat, machinery, or other device;
- A local jurisdiction is prohibited from adopting, enacting, or enforcing a conflicting law;
- A peace officer is prohibited from arresting, and a district attorney is prohibited from charging or prosecuting, a person for a criminal offense under part 4 of article 18 of title 18 involving natural medicine or natural medicine product, unless expressly provided by the bill;
- A person who is 21 years of age or older who possesses, consumes, shares without remuneration, or cultivates natural medicine or natural medicine product does not violate state law;
- A person or entity who occupies, owns, or controls a

property may prohibit or otherwise regulate the cultivation or manufacture of natural medicine or natural medicine product on or in that property.

The bill clarifies that an act involving natural medicine or natural medicine product that is performed by a person:

- Does not solely constitute child abuse or neglect, or grounds for restricting or prohibiting family time;
- Does not solely constitute grounds for denying health insurance coverage;
- Does not solely constitute grounds for discrimination for organ donation; and
- Must not be considered for public assistance benefits eligibility, unless required by federal law.

The bill makes a person eligible to file a motion to have conviction records related to natural medicine or natural medicine product sealed immediately after the later date of final disposition or release from supervision.

Under federal law, certain expenses are disallowed under section 280E of the internal revenue code. Under state law, the state income tax code permits taxpayers who are licensed under the "Colorado Marijuana Code" to subtract expenses that are disallowed by section 280E of the internal revenue code. The bill expands this permission to taxpayers who are licensed under the "Colorado Natural Medicine Code".

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-170-102, **amend**  
3 (1)(b); and **add** (2) as follows:

4 **12-170-102. Legislative declaration.** (1) The voters of the state  
5 of Colorado find and declare that:

6 (b) Coloradans are experiencing problematic mental health issues,  
7 including but not limited to suicidality, addiction, END-OF-LIFE DISTRESS,  
8 depression, and anxiety.

9 (2) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

10 (a) CONSIDERABLE HARM MAY OCCUR TO INDIGENOUS PEOPLE,  
11 COMMUNITIES, CULTURES, AND RELIGIONS IF NATURAL MEDICINE IS  
12 OVERLY COMMODIFIED, COMMERCIALIZED, AND EXPLOITED IN A MANNER

1 THAT RESULTS IN THE ERASURE OF IMPORTANT CULTURAL AND RELIGIOUS  
2 CONTEXT;

3 (b) CONSIDERABLE HARM MAY OCCUR TO INDIGENOUS PEOPLE,  
4 COMMUNITIES, CULTURES, AND RELIGIONS IF FACILITATORS, HEALING  
5 CENTERS, AND OTHER NATURAL MEDICINE LICENSEES WITH MINIMAL OR  
6 NO CONNECTION TO TRADITIONAL USE OF NATURAL MEDICINE  
7 MISAPPROPRIATE OR EXPLOIT INDIGENOUS CULTURES AND RELIGIONS;

8 (c) IT IS THE GENERAL ASSEMBLY'S INTENT TO ENSURE THAT  
9 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS ARE  
10 HONORED AND RESPECTED AS THE STATE LEGALIZES AND REGULATES  
11 NATURAL MEDICINE. BY ENACTING LAWS, RULES, AND ORDERS TO  
12 IMPLEMENT THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44, THE GENERAL  
13 ASSEMBLY, DIVISION, AND STATE LICENSING AUTHORITY SHALL CONSIDER  
14 THE POTENTIAL FOR DIRECT AND INDIRECT HARM THAT MAY OCCUR TO  
15 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS THAT  
16 HAVE A CONNECTION TO NATURAL MEDICINE; AND

17 (d) ALTHOUGH THERE MAY BE TREMENDOUS POTENTIAL IN  
18 UTILIZING NATURAL MEDICINE FOR MANAGING VARIOUS MENTAL HEALTH  
19 CONDITIONS, HEALING, AND SPIRITUAL GROWTH, THIS POTENTIAL MUST BE  
20 APPROPRIATELY BALANCED WITH THE HEALTH AND SAFETY RISKS THAT IT  
21 COULD POSE TO CONSUMERS AS WELL AS THE CULTURAL HARMS IT COULD  
22 POSE TO INDIGENOUS AND TRADITIONAL COMMUNITIES THAT HAVE  
23 CONNECTIONS TO NATURAL MEDICINE.

24 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
25 **with amendments,** 12-170-103 as follows:

26 **12-170-103. Applicability of common provisions.** ARTICLES 1  
27 AND 20 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS

1 ARTICLE 170.

2 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 12-170-104 as follows:

4 **12-170-104. Definitions.** AS USED IN THIS ARTICLE 170, UNLESS  
5 THE CONTEXT OTHERWISE REQUIRES:

6 (1) "ADMINISTRATION SESSION" MEANS A SESSION CONDUCTED AT  
7 A HEALING CENTER, OR ANOTHER LOCATION AS ALLOWED BY THIS ARTICLE  
8 170 AND ARTICLE 50 OF TITLE 44, DURING WHICH A PARTICIPANT  
9 CONSUMES AND EXPERIENCES THE EFFECTS OF REGULATED NATURAL  
10 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT UNDER THE  
11 SUPERVISION OF A FACILITATOR.

12 (2) "BOARD" MEANS THE STATE NATURAL MEDICINE ADVISORY  
13 BOARD CREATED IN SECTION 12-170-106.

14 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OR THE  
15 DIRECTOR'S DESIGNEE.

16 (4) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND  
17 OCCUPATIONS CREATED IN THE DEPARTMENT PURSUANT TO SECTION  
18 12-20-103.

19 (5) "FACILITATION" MEANS THE PERFORMANCE AND SUPERVISION  
20 OF NATURAL MEDICINE SERVICES FOR A PARTICIPANT.

21 (6) "FACILITATOR" MEANS AN INDIVIDUAL WHO IS TWENTY-ONE  
22 YEARS OF AGE OR OLDER; HAS THE NECESSARY QUALIFICATIONS,  
23 TRAINING, EXPERIENCE, AND KNOWLEDGE, AS REQUIRED PURSUANT TO  
24 THIS ARTICLE 170 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE  
25 170, TO PERFORM AND SUPERVISE NATURAL MEDICINE SERVICES FOR A  
26 PARTICIPANT; AND IS LICENSED BY THE DIRECTOR TO ENGAGE IN THE  
27 PRACTICE OF FACILITATION.

1 (7) "HEALING CENTER" MEANS AN ENTITY LICENSED BY THE STATE  
2 LICENSING AUTHORITY PURSUANT TO ARTICLE 50 OF TITLE 44 THAT  
3 PERMITS A FACILITATOR TO PROVIDE AND SUPERVISE NATURAL MEDICINE  
4 SERVICES FOR A PARTICIPANT.

5 (8) "HEALTH-CARE FACILITY" MEANS AN ENTITY THAT IS  
6 LICENSED, CERTIFIED, OR OTHERWISE PERMITTED BY LAW TO ADMINISTER  
7 MEDICAL TREATMENT IN THIS STATE, INCLUDING A HOSPITAL, CLINIC,  
8 HOSPICE ENTITY, COMMUNITY MENTAL HEALTH CENTER, FEDERALLY  
9 QUALIFIED HEALTH CENTER, RURAL HEALTH CLINIC, ORGANIZATION  
10 PROVIDING A PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY,  
11 LONG-TERM CARE FACILITY, CONTINUING CARE RETIREMENT COMMUNITY,  
12 OR OTHER TYPE OF ENTITY WHERE HEALTH CARE IS PROVIDED.

13 (9) "INTEGRATION SESSION" MEANS A MEETING BETWEEN A  
14 PARTICIPANT AND FACILITATOR THAT OCCURS AFTER THE COMPLETION OF  
15 AN ADMINISTRATION SESSION.

16 (10) "LOCAL JURISDICTION" MEANS A COUNTY, MUNICIPALITY, OR  
17 CITY AND COUNTY.

18 (11) (a) "NATURAL MEDICINE" MEANS THE FOLLOWING  
19 SUBSTANCES:

20 (I) PSILOCYBIN; OR

21 (II) PSILOCYN.

22 (b) IN ADDITION TO THE SUBSTANCES LISTED IN SUBSECTION  
23 (11)(a) OF THIS SECTION, "NATURAL MEDICINE" INCLUDES:

24 (I) DIMETHYLTRYPTAMINE, IF RECOMMENDED BY THE BOARD AND  
25 APPROVED BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE  
26 LICENSING AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026;

27 (II) IBOGAINE, IF RECOMMENDED BY THE BOARD AND APPROVED

1 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
2 AUTHORITY; OR

3 (III) Mescaline, if recommended by the board and approved  
4 by the director and the executive director of the state licensing  
5 authority for inclusion on or after June 1, 2026.

6 (c) "Natural medicine" does not mean a synthetic or  
7 synthetic analog of the substances listed in subsections (11)(a)  
8 and (11)(b) of this section, including a derivative of a naturally  
9 occurring compound of natural medicine that is produced using  
10 chemical synthesis, chemical modification, or chemical  
11 conversion.

12 (d) Notwithstanding subsection (11)(b)(III) of this section,  
13 "mescaline" does not include peyote, meaning all parts of the  
14 plant classified botanically as *Lophophora williamsii* Lemaire,  
15 whether growing or not; its seed; any extract from any part of  
16 the plant, and every compound, salt, derivative, mixture, or  
17 preparation of the plant; or its seeds or extracts.

18 (12) "Natural medicine product" means a product infused  
19 with natural medicine that is intended for consumption.

20 (13) "Natural medicine services" means a preparation  
21 session, administration session, and integration session provided  
22 pursuant to this article 170.

23 (14) "Participant" means an individual who is twenty-one  
24 years of age or older and who receives natural medicine  
25 services performed by and under the supervision of a facilitator.

26 (15) "Preparation session" means a meeting between a  
27 participant and facilitator that occurs before an

1 ADMINISTRATION SESSION. "PREPARATION SESSION" DOES NOT MEAN AN  
2 INITIAL CONSULTATION, AN INQUIRY, OR RESPONSE ABOUT NATURAL  
3 MEDICINE SERVICES.

4 (16) "REGULATED NATURAL MEDICINE" MEANS NATURAL  
5 MEDICINE THAT IS CULTIVATED, MANUFACTURED, TESTED, STORED,  
6 DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED PURSUANT TO  
7 ARTICLE 50 OF TITLE 44.

8 (17) "REGULATED NATURAL MEDICINE PRODUCT" MEANS NATURAL  
9 MEDICINE PRODUCT THAT IS CULTIVATED, MANUFACTURED, TESTED,  
10 STORED, DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED  
11 PURSUANT TO ARTICLE 50 OF TITLE 44.

12 (18) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
13 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
14 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, AND ANY RIGHT  
15 OF USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
16 THEREWITH.

17 (19) "STATE LICENSING AUTHORITY" MEANS THE AUTHORITY  
18 CREATED FOR THE PURPOSE OF REGULATING AND CONTROLLING THE  
19 LICENSING OF THE CULTIVATION, MANUFACTURING, TESTING, STORING,  
20 DISTRIBUTION, TRANSPORTATION, TRANSFER, AND DISPENSATION OF  
21 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
22 PRODUCT IN THIS STATE PURSUANT TO SECTION 44-50-201.

23 **SECTION 4.** In Colorado Revised Statutes, **repeal and reenact,**  
24 **with amendments,** 12-170-105 as follows:

25 **12-170-105. Director powers and duties - prohibition - rules.**

26 (1) IN ADDITION TO ANY OTHER POWERS AND DUTIES GRANTED OR  
27 IMPOSED ON THE DIRECTOR PURSUANT TO THIS ARTICLE 170 OR BY ANY

1 OTHER LAW, THE DIRECTOR HAS THE FOLLOWING POWERS AND DUTIES:

2 (a) TO PROMULGATE RULES PURSUANT TO SECTION 12-20-204  
3 CONCERNING THE FOLLOWING SUBJECTS:

4 (I) REQUIREMENTS FOR THE SAFE PROVISION OF REGULATED  
5 NATURAL MEDICINE, REGULATED NATURAL MEDICINE PRODUCT, AND  
6 NATURAL MEDICINE SERVICES TO A PARTICIPANT, INCLUDING:

7 (A) PARAMETERS FOR A PREPARATION SESSION, AN  
8 ADMINISTRATION SESSION, AND AN INTEGRATION SESSION, INCLUDING  
9 REQUIREMENTS FOR PROVIDING AND VERIFYING THE COMPLETION OF EACH  
10 SESSION; WHETHER ANY OF THE SESSIONS MAY BE CONDUCTED USING  
11 TELEPHONE OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY; AND ANY  
12 TIMELINESS REQUIREMENTS FOR WHEN EACH SESSION MUST BE COMPLETED  
13 IN RELATION TO THE OTHER SESSIONS;

14 (B) HEALTH AND SAFETY WARNINGS THAT MUST BE PROVIDED TO  
15 A PARTICIPANT BEFORE THE PREPARATION SESSION, ADMINISTRATION  
16 SESSION, AND INTEGRATION SESSION BEGIN;

17 (C) EDUCATIONAL MATERIALS THAT MUST BE PROVIDED TO A  
18 PARTICIPANT BEFORE THE PREPARATION SESSION, ADMINISTRATION  
19 SESSION, AND INTEGRATION SESSION BEGIN;

20 (D) A FORM THAT A PARTICIPANT, FACILITATOR, AND AN  
21 AUTHORIZED REPRESENTATIVE OF THE HEALING CENTER MUST SIGN,  
22 UNLESS THE FACILITATOR IS A SOLE PRACTITIONER, THEN ONLY THE  
23 PARTICIPANT AND FACILITATOR MUST SIGN, BEFORE THE PREPARATION  
24 SESSION, ADMINISTRATION SESSION, AND INTEGRATION SESSION BEGIN. AT  
25 A MINIMUM, THE FORM MUST PROVIDE THAT THE PARTICIPANT PROVIDED  
26 THE PARTICIPANT'S COMPLETE AND ACCURATE HEALTH INFORMATION TO  
27 THE FACILITATOR AND THAT THE FACILITATOR PROVIDED TO THE

1 PARTICIPANT IDENTIFIED RISK FACTORS BASED UPON THE PARTICIPANT'S  
2 PROVIDED HEALTH INFORMATION AND DRUG CONTRAINDICATIONS;  
3 PARTICIPANT EXPECTATIONS OF THE NATURAL MEDICINE SERVICES;  
4 PARAMETERS FOR PHYSICAL CONTACT DURING NATURAL MEDICINE  
5 SERVICES, THE REQUIREMENT OF INFORMED CONSENT PERMITTING  
6 PHYSICAL CONTACT, AND THE RIGHT TO WITHDRAW CONSENT FOR  
7 PHYSICAL CONTACT; AND RISKS OF PARTICIPATING IN NATURAL MEDICINE  
8 SERVICES.

9 (E) PROPER SUPERVISION BY THE FACILITATOR DURING THE  
10 ADMINISTRATION SESSION, AND REQUIREMENTS TO ENSURE THAT THE  
11 PARTICIPANT HAS A DISCHARGE PLAN OR SAFE TRANSPORTATION FROM  
12 THE HEALING CENTER;

13 (F) PROVISIONS FOR GROUP ADMINISTRATION SESSIONS,  
14 INCLUDING REQUIREMENTS FOR AN ADMINISTRATION SESSION THAT HAS  
15 ONE OR MORE FACILITATORS PERFORMING AND SUPERVISING THE  
16 ADMINISTRATION SESSION FOR MORE THAN ONE PARTICIPANT;

17 (G) PROVISIONS TO PERMIT A FACILITATOR TO REFUSE TO PROVIDE  
18 NATURAL MEDICINE SERVICES TO A PERSON BASED UPON HEALTH AND  
19 SAFETY RISKS, OR CIRCUMSTANCES PROMULGATED BY RULE; AND

20 (H) THE DOSAGE LIMIT OF REGULATED NATURAL MEDICINE OR  
21 REGULATED NATURAL MEDICINE PRODUCT THAT MAY BE PROVIDED TO A  
22 PARTICIPANT FOR CONSUMPTION DURING AN ADMINISTRATION SESSION.

23 (II) REQUIREMENTS FOR THE LICENSING OF FACILITATORS,  
24 PRACTICE OF FACILITATION, AND PROFESSIONAL CONDUCT OF  
25 FACILITATORS, INCLUDING:

26 (A) THE FORM AND PROCEDURES FOR APPLYING FOR A NEW  
27 LICENSE OR RENEWING OR REINSTATING A LICENSE ISSUED PURSUANT TO

1 THIS ARTICLE 170;

2 (B) THE EDUCATIONAL AND EXPERIENTIAL REQUIREMENTS AND  
3 QUALIFICATIONS FOR AN INDIVIDUAL TO BECOME A FACILITATOR,  
4 INCLUDING EDUCATION AND TRAINING ON PARTICIPANT SAFETY, DRUG  
5 INTERACTIONS, CONTRAINDICATIONS, MENTAL HEALTH AND STATE,  
6 PHYSICAL HEALTH AND STATE, SOCIAL AND CULTURAL CONSIDERATIONS,  
7 PREPARATION, ADMINISTRATION, INTEGRATION, AND ETHICS. THE  
8 EDUCATIONAL REQUIREMENTS MUST NOT REQUIRE A PROFESSIONAL  
9 LICENSE OR PROFESSIONAL DEGREE OTHER THAN A FACILITATOR LICENSE  
10 ISSUED PURSUANT TO THIS ARTICLE 170, EXCEPT THAT IF THERE ARE  
11 MULTIPLE TIERS OF FACILITATOR LICENSES, AN ADVANCED TIER OF  
12 FACILITATOR LICENSES MAY REQUIRE ANOTHER PROFESSIONAL LICENSE OR  
13 PROFESSIONAL DEGREE;

14 (C) OVERSIGHT AND SUPERVISION REQUIREMENTS, INCLUDING  
15 PROFESSIONAL RESPONSIBILITY STANDARDS AND CONTINUING EDUCATION  
16 REQUIREMENTS;

17 (D) ESTABLISHMENT OF PROFESSIONAL STANDARDS OF CONDUCT  
18 TO PRACTICE FACILITATION, OR A LICENSE, REGISTRATION, PERMIT, OR  
19 CERTIFICATION PURSUANT TO THIS ARTICLE 170;

20 (E) PARAMETERS FOR PHYSICAL CONTACT WITH A PARTICIPANT  
21 DURING NATURAL MEDICINE SERVICES, INCLUDING REQUIREMENTS FOR  
22 OBTAINING SIGNED INFORMED CONSENT FOR PERMISSIBLE PHYSICAL  
23 CONTACT AND PERMITTING A PARTICIPANT TO WITHDRAW CONSENT FOR  
24 PERMISSIBLE PHYSICAL CONTACT WITH A PARTICIPANT IN ANY MANNER  
25 AND AT ANY TIME;

26 (F) PERMITTING REMUNERATION FOR THE PROVISION OF NATURAL  
27 MEDICINE SERVICES;

1 (G) PERMITTING PROVISION OF GROUP ADMINISTRATION SESSIONS  
2 BY ONE FACILITATOR WHO IS PERFORMING AND SUPERVISING THE  
3 ADMINISTRATION SESSION FOR MORE THAN ONE PARTICIPANT, AND  
4 ESTABLISH A LIMIT ON THE TOTAL NUMBER OF PARTICIPANTS WHO MAY  
5 PARTICIPATE IN A GROUP ADMINISTRATION SESSION THAT IS PERFORMED  
6 AND SUPERVISED BY ONE FACILITATOR;

7 (H) RECORD-KEEPING, PRIVACY, AND CONFIDENTIALITY  
8 REQUIREMENTS FOR LICENSEES, REGISTRANTS, PERMITTEES, AND  
9 CERTIFICATE HOLDERS, INCLUDING PROTECTIONS PREVENTING DISCLOSURE  
10 OF A PROSPECTIVE PARTICIPANT'S OR PARTICIPANT'S PERSONALLY  
11 IDENTIFIABLE INFORMATION TO THE PUBLIC, THIRD PARTIES, OR ANY  
12 GOVERNMENT AGENCY, EXCEPT AS ALLOWED FOR PURPOSES EXPRESSLY  
13 STATED PURSUANT TO THIS ARTICLE 170, RULES PROMULGATED PURSUANT  
14 TO THIS ARTICLE 170, ARTICLE 50 OF TITLE 44, OR RULES PROMULGATED  
15 PURSUANT TO ARTICLE 50 OF TITLE 44. THE INFORMATION OR RECORDS  
16 RELATED TO A PARTICIPANT CONSTITUTE MEDICAL DATA AS DESCRIBED IN  
17 SECTION 24-72-204 (3)(a)(I), AND THE INFORMATION OR RECORDS MAY  
18 ONLY BE DISCLOSED TO THOSE PERSONS DIRECTLY INVOLVED WITH AN  
19 ACTIVE INVESTIGATION OR PROCEEDING.

20 (I) PARAMETERS FOR A FACILITATOR'S PERMISSIBLE AND  
21 PROHIBITED FINANCIAL INTERESTS IN A HEALING CENTER, LICENSE  
22 PURSUANT TO THIS ARTICLE 170, OR LICENSE PURSUANT TO ARTICLE 50 OF  
23 TITLE 44; EXCEPT THAT A FACILITATOR MAY NOT HAVE A FINANCIAL  
24 INTEREST IN MORE THAN TWO NATURAL MEDICINE BUSINESS LICENSES  
25 PURSUANT TO ARTICLE 50 OF TITLE 44.

26 (J) PARAMETERS FOR A FACILITATOR TO PROVIDE AND SUPERVISE  
27 NATURAL MEDICINE SERVICES AT AN AUTHORIZED LOCATION THAT IS NOT

1 A HEALING CENTER'S LICENSED PREMISES, INCLUDING A HEALTH-CARE  
2 FACILITY OR A PRIVATE RESIDENCE;

3 (K) STANDARDS FOR ADVERTISING AND MARKETING A LICENSEE'S  
4 SERVICES, INCLUDING: AVOIDING THE MISAPPROPRIATION AND  
5 EXPLOITATION OF INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND  
6 RELIGIONS; AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL  
7 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
8 SERVICES; PROHIBITING ADVERTISING AND MARKETING OF NATURAL  
9 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
10 SERVICES DIRECTED TO INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS  
11 OF AGE; AND OTHER PARAMETERS DETERMINED NECESSARY BY THE  
12 DIRECTOR.

13 (III) ANY RULES NECESSARY TO DIFFERENTIATE BETWEEN THE  
14 TYPES OF REGULATED NATURAL MEDICINE OR REGULATED NATURAL  
15 MEDICINE PRODUCT PROVIDED FOR PARTICIPANT CONSUMPTION DURING AN  
16 ADMINISTRATION SESSION BASED ON QUALITIES, TRADITIONAL USES, AND  
17 SAFETY PROFILE;

18 (IV) ANY RULES DETERMINED NECESSARY BY THE DIRECTOR  
19 RELATED TO THE POWERS OR DUTIES GRANTED OR IMPOSED ON THE  
20 DIRECTOR PURSUANT TO THIS ARTICLE 170 OR BY ANY OTHER LAW; AND

21 (V) ANY OTHER MATTERS DETERMINED NECESSARY BY THE  
22 DIRECTOR TO IMPLEMENT OR ADMINISTER THIS ARTICLE 170.

23 (b) BEGINNING ON OR BEFORE DECEMBER 31, 2024, TO REVIEW  
24 APPLICATIONS IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR  
25 FOR NEW LICENSES, REGISTRATIONS, PERMITS, OR CERTIFICATES AFTER  
26 PAYMENT OF THE REQUIRED FEE AND TO GRANT OR DENY LICENSES,  
27 REGISTRATIONS, PERMITS, OR CERTIFICATES AS PROVIDED IN THIS ARTICLE

1 170 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 170. THE  
2 DIVISION SHALL PRIORITIZE REVIEWING APPLICATIONS FROM APPLICANTS  
3 WHO HAVE ESTABLISHED RESIDENCY IN COLORADO.

4 (c) TO ESTABLISH LICENSES, REGISTRATIONS, PERMITS, OR  
5 CERTIFICATES DETERMINED NECESSARY BY THE DIRECTOR TO IMPLEMENT  
6 OR ADMINISTER THIS ARTICLE 170, AND TO ESTABLISH ELIGIBILITY  
7 REQUIREMENTS AND PRIVILEGES UNDER THE LICENSES, REGISTRATIONS,  
8 PERMITS, OR CERTIFICATES;

9 (d) TO ESTABLISH, WHEN FINANCIALLY FEASIBLE, PROCEDURES,  
10 POLICIES, AND PROGRAMS TO ENSURE THIS ARTICLE 170 AND RULES  
11 PROMULGATED PURSUANT TO THIS ARTICLE 170 ARE EQUITABLE AND  
12 INCLUSIVE AND PROMOTE THE LICENSING, REGISTRATION, AND PERMITTING  
13 OF, AND PROVISION OF NATURAL MEDICINE AND NATURAL MEDICINE  
14 PRODUCT TO, PERSONS FROM COMMUNITIES THAT HAVE BEEN  
15 DISPROPORTIONATELY HARMED BY HIGH RATES OF ARREST FOR  
16 CONTROLLED SUBSTANCES, PERSONS WHO FACE BARRIERS TO  
17 HEALTH-CARE ACCESS, PERSONS WHO HAVE TRADITIONAL OR INDIGENOUS  
18 HISTORY WITH NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, OR  
19 TO PERSONS WHO ARE VETERANS. THE DIRECTOR MAY CONSULT THE  
20 BOARD WHEN CONSIDERING PROCEDURES, POLICIES, AND PROGRAMS  
21 PURSUANT TO THIS SUBSECTION (1)(d).

22 (e) TO CONDUCT INVESTIGATIONS AND HEARINGS, GATHER  
23 EVIDENCE, AND PURSUE DISCIPLINARY ACTIONS PURSUANT TO SECTIONS  
24 12-20-403, 12-20-404, AND 24-4-105, AND THIS ARTICLE 170, WITH  
25 RESPECT TO LICENSES, REGISTRATIONS, PERMITS, OR CERTIFICATES WHEN  
26 THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT AN INDIVIDUAL  
27 OR ENTITY IS VIOLATING THIS ARTICLE 170 OR A RULE PROMULGATED

1 PURSUANT TO THIS ARTICLE 170;

2 (f) TO TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED IN  
3 SECTION 12-20-404 OR LIMIT THE SCOPE OF PRACTICE OF AN APPLICANT,  
4 LICENSEE, REGISTRANT, PERMITTEE, OR CERTIFICATE HOLDER UPON PROOF  
5 OF A VIOLATION OF THIS ARTICLE 170 OR A RULE PROMULGATED  
6 PURSUANT TO THIS ARTICLE 170;

7 (g) TO ISSUE CEASE-AND-DESIST ORDERS UNDER THE  
8 CIRCUMSTANCES AND IN ACCORDANCE WITH THE PROCEDURES SPECIFIED  
9 IN SECTION 12-20-405;

10 (h) (I) TO PETITION A DISTRICT COURT FOR AN INVESTIGATIVE  
11 SUBPOENA APPLICABLE TO A PERSON WHO IS NOT LICENSED, REGISTERED,  
12 PERMITTED, OR CERTIFIED PURSUANT TO THIS ARTICLE 170 TO OBTAIN  
13 DOCUMENTS OR INFORMATION NECESSARY TO ENFORCE A PROVISION OF  
14 THIS ARTICLE 170 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE  
15 170 AFTER REASONABLE EFFORTS HAVE BEEN MADE TO OBTAIN  
16 REQUESTED DOCUMENTS OR INFORMATION WITHOUT A SUBPOENA;

17 (II) TO APPLY TO ANY COURT OF COMPETENT JURISDICTION TO  
18 TEMPORARILY RESTRAIN OR PRELIMINARILY OR PERMANENTLY ENJOIN THE  
19 ACT IN QUESTION OF AN INDIVIDUAL WHO OR ENTITY THAT IS NOT  
20 LICENSED, REGISTERED, PERMITTED, OR CERTIFIED PURSUANT TO THIS  
21 ARTICLE 170 AND TO ENFORCE COMPLIANCE WITH THIS ARTICLE 170 OR A  
22 RULE PROMULGATED PURSUANT TO THIS ARTICLE 170 WHENEVER IT  
23 APPEARS TO THE DIRECTOR UPON SUFFICIENT EVIDENCE SATISFACTORY TO  
24 THE DIRECTOR THAT AN INDIVIDUAL OR ENTITY HAS BEEN OR IS  
25 COMMITTING AN ACT PROHIBITED BY THIS ARTICLE 170 OR A RULE  
26 PROMULGATED PURSUANT TO THIS ARTICLE 170, AND THE ACT:

27 (A) THREATENS PUBLIC HEALTH OR SAFETY; OR

1 (B) CONSTITUTES AN UNLAWFUL ACT FOR WHICH THE INDIVIDUAL  
2 OR ENTITY DOES NOT HOLD THE REQUIRED LICENSE, REGISTRATION,  
3 PERMIT, OR CERTIFICATE PURSUANT TO THIS ARTICLE 170 OR A RULE  
4 PROMULGATED PURSUANT TO THIS ARTICLE 170;

5 (i) TO MAINTAIN AND UPDATE AN ONLINE LIST THAT IS ACCESSIBLE  
6 TO THE PUBLIC OF LICENSEES, REGISTRANTS, PERMITTEES, AND  
7 CERTIFICATE HOLDERS THAT INCLUDES WHETHER THE LICENSEE,  
8 REGISTRANT, PERMITTEE, OR CERTIFICATE HOLDER HAS HAD ITS LICENSE,  
9 REGISTRATION, PERMIT, OR CERTIFICATE LIMITED, SUSPENDED, OR  
10 REVOKED IN ACCORDANCE WITH A DISCIPLINARY ACTION PURSUANT TO  
11 THIS ARTICLE 170;

12 (j) IN COORDINATION WITH THE STATE LICENSING AUTHORITY  
13 PURSUANT TO SECTION 44-50-202 (1)(k), ANNUALLY PUBLISH A PUBLICLY  
14 AVAILABLE REPORT CONCERNING THE IMPLEMENTATION AND  
15 ADMINISTRATION OF THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44. THE  
16 REPORT MUST USE RELEVANT DATA, AS DETERMINED BY THE DIRECTOR  
17 AND THE STATE LICENSING AUTHORITY, AND MUST NOT DISCLOSE THE  
18 IDENTITY OF ANY PARTICIPANT OR INCLUDE ANY INFORMATION THAT  
19 COULD DISCLOSE THE IDENTITY OF A PARTICIPANT.

20 (k) PERFORM OTHER FUNCTIONS AND DUTIES NECESSARY TO  
21 ADMINISTER THIS ARTICLE 170.

22 (2) THE DIRECTOR SHALL CONSULT THE BOARD WHEN  
23 CONSIDERING AND PROMULGATING RULES PURSUANT TO THIS ARTICLE 170.

24 (3) THE DIVISION HAS AUTHORITY TO COLLECT AVAILABLE AND  
25 RELEVANT DATA NECESSARY TO PERFORM FUNCTIONS AND DUTIES  
26 NECESSARY TO ADMINISTER THIS ARTICLE 170.

27 (4) THE DIRECTOR OR A DIVISION EMPLOYEE WITH REGULATORY

1      OVERSIGHT RESPONSIBILITIES FOR LICENSEES, PERMITTEES, REGISTRANTS,  
2      OR CERTIFICATE HOLDERS PURSUANT TO THIS ARTICLE 170 SHALL NOT  
3      WORK FOR, REPRESENT, PROVIDE CONSULTING SERVICES TO, OR  
4      OTHERWISE DERIVE PECUNIARY GAIN FROM A LICENSEE, PERMITTEE,  
5      REGISTRANT, OR CERTIFICATE HOLDER THAT IS REGULATED PURSUANT TO  
6      THIS ARTICLE 170 OR ANY OTHER BUSINESS ESTABLISHED FOR THE  
7      PRIMARY PURPOSE OF PROVIDING SERVICES TO THE NATURAL MEDICINE  
8      INDUSTRY FOR A PERIOD OF SIX MONTHS AFTER THE EMPLOYEE'S LAST DAY  
9      OF EMPLOYMENT WITH THE DIVISION.

10           **SECTION 5.** In Colorado Revised Statutes, **repeal and reenact,**  
11      **with amendments,** 12-170-106 as follows:

12           **12-170-106. Board - creation - appointment - duties - report.**

13      (1) THERE IS CREATED WITHIN THE DIVISION A NATURAL MEDICINE  
14      ADVISORY BOARD, WHICH CONSISTS OF FIFTEEN MEMBERS, TO ADVISE THE  
15      DIVISION AND THE STATE LICENSING AUTHORITY CONCERNING THE  
16      IMPLEMENTATION OF THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44.

17      (2) THE GOVERNOR SHALL APPOINT INITIAL BOARD MEMBERS ON  
18      OR BEFORE JANUARY 31, 2023, WITH CONSENT OF THE SENATE. THE  
19      MEMBERS MUST INCLUDE:

20           (a) SEVEN MEMBERS WITH SIGNIFICANT EXPERTISE AND  
21      EXPERIENCE IN ONE OR MORE OF THE FOLLOWING AREAS: NATURAL  
22      MEDICINE THERAPY, MEDICINE, AND RESEARCH; MYCOLOGY AND NATURAL  
23      MEDICINE CULTIVATION; LICENSEE QUALIFICATIONS; EMERGENCY MEDICAL  
24      SERVICES AND SERVICES PROVIDED BY FIRST RESPONDERS; MENTAL AND  
25      BEHAVIORAL HEALTH CARE; HEALTH-CARE INSURANCE AND HEALTH-CARE  
26      POLICY; AND PUBLIC HEALTH, DRUG POLICY, AND HARM REDUCTION; AND

27           (b) EIGHT MEMBERS WITH SIGNIFICANT EXPERTISE AND

1 EXPERIENCE IN ONE OR MORE OF THE FOLLOWING AREAS: RELIGIOUS USE  
2 OF NATURAL MEDICINES; ISSUES CONFRONTING VETERANS; TRADITIONAL  
3 INDIGENOUS USE OF NATURAL MEDICINES; LEVELS AND DISPARITIES IN  
4 ACCESS TO HEALTH-CARE SERVICES AMONG DIFFERENT COMMUNITIES;  
5 AND PAST CRIMINAL JUSTICE REFORM EFFORTS IN COLORADO. AT LEAST  
6 ONE OF THE EIGHT MEMBERS MUST HAVE EXPERTISE OR EXPERIENCE IN  
7 TRADITIONAL INDIGENOUS USE OF NATURAL MEDICINES.

8 (3) THE BOARD INCLUDES THE EXECUTIVE DIRECTOR OF THE  
9 DEPARTMENT OF REVENUE, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
10 SERVING AS A NON-VOTING MEMBER.

11 (4) (a) FOR THE INITIAL BOARD, SEVEN OF THE MEMBERS ARE  
12 APPOINTED TO A TERM OF TWO YEARS AND EIGHT MEMBERS ARE  
13 APPOINTED TO A TERM OF FOUR YEARS AS DESIGNATED IN THE  
14 GOVERNOR'S APPOINTMENT.

15 (b) AT THE EXPIRATION OF THE TERMS OF THE MEMBERS OF THE  
16 INITIAL BOARD PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE  
17 GOVERNOR SHALL APPOINT MEMBERS TO THE BOARD, WITHOUT CONSENT  
18 OF THE SENATE. EACH MEMBER APPOINTED BY THE GOVERNOR IS  
19 APPOINTED TO A TERM OF FOUR YEARS.

20 (c) EXCEPT FOR THE EXECUTIVE DIRECTOR OF THE STATE  
21 LICENSING AUTHORITY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE,  
22 MEMBERS OF THE BOARD MAY SERVE UP TO TWO CONSECUTIVE TERMS.  
23 MEMBERS ARE SUBJECT TO REMOVAL FOR MISCONDUCT, INCOMPETENCE,  
24 NEGLECT OF DUTY, OR UNPROFESSIONAL CONDUCT.

25 (5) THE BOARD SHALL MAKE RECOMMENDATIONS TO THE  
26 DIRECTOR AND STATE LICENSING AUTHORITY RELATED TO, BUT NOT  
27 LIMITED TO, THE FOLLOWING AREAS:

1 (a) ACCURATE PUBLIC HEALTH APPROACHES REGARDING USE,  
2 EFFECT, AND RISK REDUCTION FOR NATURAL MEDICINE AND NATURAL  
3 MEDICINE PRODUCT AND THE CONTENT AND SCOPE OF EDUCATIONAL  
4 CAMPAIGNS RELATED TO NATURAL MEDICINE AND NATURAL MEDICINE  
5 PRODUCT;

6 (b) RESEARCH RELATED TO THE EFFICACY AND REGULATION OF  
7 NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT, INCLUDING  
8 RECOMMENDATIONS RELATED TO PRODUCT SAFETY, HARM REDUCTION,  
9 AND CULTURAL RESPONSIBILITY;

10 (c) THE PROPER CONTENT OF TRAINING PROGRAMS, EDUCATIONAL  
11 AND EXPERIENTIAL REQUIREMENTS, AND QUALIFICATIONS FOR  
12 FACILITATORS. WHEN CONSIDERING RECOMMENDATIONS MADE PURSUANT  
13 TO THIS SUBSECTION (5)(c), THE BOARD MAY CONSIDER:

14 (I) TIERED FACILITATOR LICENSING, FOR THE PURPOSE OF  
15 REQUIRING VARYING LEVELS OF EDUCATION AND TRAINING DEPENDENT  
16 UPON THE TYPE OF PARTICIPANT THAT THE FACILITATOR WILL BE  
17 PROVIDING SERVICES TO AND THE TYPE OF SERVICES THE FACILITATOR  
18 WILL BE PROVIDING;

19 (II) LIMITED WAIVERS OF EDUCATION AND TRAINING  
20 REQUIREMENTS BASED UPON THE APPLICANT'S PRIOR EXPERIENCE,  
21 TRAINING, OR SKILLS, INCLUDING BUT NOT LIMITED TO NATURAL MEDICINE  
22 OR NATURAL MEDICINE PRODUCT; AND

23 (III) THE REMOVAL OF UNREASONABLE FINANCIAL OR LOGISTICAL  
24 BARRIERS THAT MAKE OBTAINING A FACILITATOR LICENSE COMMERCIALY  
25 UNREASONABLE FOR INDIVIDUALS, INCLUDING LOW-INCOME INDIVIDUALS.

26 (d) AFFORDABLE, EQUITABLE, ETHICAL, AND CULTURALLY  
27 RESPONSIBLE ACCESS TO NATURAL MEDICINE AND NATURAL MEDICINE

1 PRODUCT AND REQUIREMENTS TO ENSURE THIS ARTICLE 170 IS EQUITABLE  
2 AND INCLUSIVE. IN PERFORMING THIS REQUIREMENT, THE BOARD MAY  
3 CONSIDER MAKING RECOMMENDATIONS ON WAYS TO REDUCE THE COSTS  
4 OF LICENSURE FOR LOW-INCOME INDIVIDUALS, FOR PROVIDING INCENTIVES  
5 FOR THE PROVISION OF NATURAL MEDICINE SERVICES AT A REDUCED COST  
6 TO INDIVIDUALS WITH LOW INCOME, AND PROVIDING INCENTIVES FOR THE  
7 PROVISION OF NATURAL MEDICINE SERVICES IN GEOGRAPHIC AND  
8 CULTURALLY DIVERSE REGIONS OF THE STATE.

9 (e) APPROPRIATE REGULATORY CONSIDERATIONS FOR EACH TYPE  
10 OF NATURAL MEDICINE, AND THE PREPARATION SESSION, ADMINISTRATION  
11 SESSION, AND INTEGRATION SESSION;

12 (f) THE ADDITION OF OTHER TYPES OF NATURAL MEDICINE TO THIS  
13 ARTICLE 170 AND ARTICLE 50 OF TITLE 44 PURSUANT TO SECTION  
14 12-170-104 (11)(b)(I), (11)(b)(II), OR (11)(b)(III) BASED ON AVAILABLE  
15 MEDICAL, PSYCHOLOGICAL, AND SCIENTIFIC STUDIES, RESEARCH, AND  
16 OTHER INFORMATION RELATED TO THE SAFETY AND EFFICACY OF EACH  
17 NATURAL MEDICINE, AND SHALL PRIORITIZE CONSIDERING THE ADDITION  
18 OF IBOGAIN PURSUANT TO SECTION 12-170-104 (11)(b)(II), TO THIS  
19 ARTICLE 170, AND ARTICLE 50 OF TITLE 44;

20 (g) ALL RULES TO BE PROMULGATED BY THE DIRECTOR PURSUANT  
21 TO THIS ARTICLE 170, AND THE STATE LICENSING AUTHORITY PURSUANT  
22 TO ARTICLE 50 OF TITLE 44; AND

23 (h) REQUIREMENTS FOR ACCURATE AND COMPLETE DATA  
24 COLLECTION, REPORTING, AND PUBLICATION OF INFORMATION RELATED TO  
25 THE IMPLEMENTATION OF THIS ARTICLE 170.

26 (6) THE BOARD SHALL, ON AN ONGOING BASIS, REVIEW AND  
27 EVALUATE EXISTING RESEARCH, STUDIES, AND REAL-WORLD DATA

1 RELATED TO NATURAL MEDICINE AND MAKE RECOMMENDATIONS TO THE  
2 GENERAL ASSEMBLY AND OTHER RELEVANT STATE AGENCIES AS TO  
3 WHETHER NATURAL MEDICINE, NATURAL MEDICINE PRODUCT, NATURAL  
4 MEDICINE SERVICES, AND ASSOCIATED SERVICES SHOULD BE COVERED  
5 UNDER HEALTH FIRST COLORADO OR OTHER INSURANCE PROGRAMS AS A  
6 COST-EFFECTIVE INTERVENTION FOR VARIOUS MENTAL HEALTH  
7 CONDITIONS, INCLUDING, BUT NOT LIMITED TO, END-OF-LIFE DISTRESS,  
8 SUBSTANCE USE DISORDER, ALCOHOL USE DISORDER, DEPRESSIVE  
9 DISORDERS, NEUROLOGICAL DISORDERS, CLUSTER HEADACHES, AND  
10 POST-TRAUMATIC STRESS DISORDER.

11 (7) THE BOARD SHALL, ON AN ONGOING BASIS, REVIEW AND  
12 EVALUATE SUSTAINABILITY ISSUES RELATED TO NATURAL MEDICINE AND  
13 NATURAL MEDICINE PRODUCT AND THE IMPACT ON INDIGENOUS CULTURES  
14 AND DOCUMENT EXISTING RECIPROCITY EFFORTS AND CONTINUING  
15 SUPPORT MEASURES THAT ARE NEEDED.

16 (8) THE BOARD SHALL PUBLISH AN ANNUAL REPORT DESCRIBING  
17 ITS ACTIVITIES, INCLUDING THE RECOMMENDATIONS AND ADVICE  
18 PROVIDED TO THE DIRECTOR, THE STATE LICENSING AUTHORITY, AND THE  
19 GENERAL ASSEMBLY.

20 (9) THE DIVISION SHALL PROVIDE REASONABLE REQUESTED  
21 TECHNICAL, LOGISTICAL, AND OTHER SUPPORT TO THE BOARD TO ASSIST  
22 THE BOARD WITH ITS DUTIES AND OBLIGATIONS.

23 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**  
24 **with amendments,** 12-170-107 as follows:

25 **12-170-107. Indigenous community working group - creation**  
26 **- duties.** (1) THE DIRECTOR SHALL ESTABLISH AN INDIGENOUS  
27 COMMUNITY WORKING GROUP FOR THE PURPOSE OF ENGAGING AND

1 CREATING A DIALOGUE TO IDENTIFY ISSUES RELATED TO THE  
2 COMMERCIALIZATION OF NATURAL MEDICINE, NATURAL MEDICINE  
3 PRODUCT, AND NATURAL MEDICINE SERVICES FOR INDIGENOUS PEOPLE,  
4 COMMUNITIES, CULTURES, AND RELIGIONS. THE COMMUNITY WORKING  
5 GROUP SHALL STUDY THE FOLLOWING:

6 (a) AVOIDING THE MISAPPROPRIATION AND EXPLOITATION OF  
7 INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND RELIGIONS;

8 (b) AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL  
9 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
10 SERVICES;

11 (c) ANY CONSERVATION ISSUES ASSOCIATED WITH THE  
12 LEGALIZATION AND REGULATION OF NATURAL MEDICINE OR NATURAL  
13 MEDICINE PRODUCT, INCLUDING THE POTENTIAL FOR FURTHER DEPLETION  
14 OF PEYOTE DUE TO PEYOTE BEING A SOURCE OF MESCALINE; AND

15 (d) BEST PRACTICES AND OPEN COMMUNICATION TO BUILD TRUST  
16 AND UNDERSTANDING BETWEEN INDIGENOUS PEOPLE AND COMMUNITIES,  
17 THE BOARD, THE DIVISION, THE STATE LICENSING AUTHORITY, AND LAW  
18 ENFORCEMENT AGENCIES, FOR THE PURPOSE OF AVOIDING UNNECESSARY  
19 BURDENS AND CRIMINALIZATION OF TRADITIONAL INDIGENOUS USES OF  
20 NATURAL MEDICINE.

21 (2) THE WORKING GROUP SHALL ADVISE THE BOARD AND THE  
22 DIVISION ON ITS FINDINGS AND RECOMMENDATIONS PURSUANT TO THE  
23 SUBJECTS IDENTIFIED IN SUBSECTION (1) OF THIS SECTION.

24 (3) THE DIRECTOR IS ENCOURAGED TO ENGAGE WITH INDIGENOUS  
25 PEOPLE WHO HAVE SIGNIFICANT EXPERIENCE WITH TRADITIONAL USE OF  
26 NATURAL MEDICINE AND OTHER PERSONS DEEMED NECESSARY BY THE  
27 DIRECTOR FOR THE PURPOSE OF THIS SECTION.

1           **SECTION 7.** In Colorado Revised Statutes, **repeal and reenact,**  
2 **with amendments,** 12-170-108 as follows:

3           **12-170-108. License required - unauthorized practice -**  
4 **mandatory disclosure of information - rule.** (1) AN INDIVIDUAL SHALL  
5 NOT ENGAGE IN FACILITATION, OR REPRESENT TO THE PUBLIC OR IDENTIFY  
6 THE INDIVIDUAL'S SELF AS A FACILITATOR, IN THIS STATE UNTIL THE  
7 INDIVIDUAL HAS RECEIVED A LICENSE FROM THE DIRECTOR.

8           (2) A FACILITATOR SHALL CONSPICUOUSLY DISPLAY THE LICENSE  
9 ISSUED BY THE DIRECTOR IN THE HEALING CENTER, INCLUDING  
10 INFORMATION CONCERNING HOW TO FILE A COMPLAINT AGAINST THE  
11 FACILITATOR WITH THE DIRECTOR.

12           (3) EVERY LICENSEE, PERMITTEE, REGISTRANT, OR CERTIFICATE  
13 HOLDER SHALL PROVIDE THE FOLLOWING INFORMATION IN WRITING TO  
14 EACH PARTICIPANT PRIOR TO A PREPARATION SESSION, ADMINISTRATION  
15 SESSION, AND INTEGRATION SESSION:

16           (a) THE NAME, ADDRESS, AND PHONE NUMBER OF THE LICENSEE,  
17 PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER;

18           (b) AN EXPLANATION OF THE REGULATIONS APPLICABLE TO THE  
19 LICENSEE, PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER PURSUANT  
20 TO THIS ARTICLE 170 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE  
21 170;

22           (c) A LISTING OF TRAINING, EDUCATIONAL AND EXPERIENTIAL  
23 REQUIREMENTS, AND QUALIFICATIONS THE LICENSEE, PERMITTEE,  
24 REGISTRANT, OR CERTIFICATE HOLDER PURSUANT TO THIS ARTICLE 170 OR  
25 RULES PROMULGATED PURSUANT TO THIS ARTICLE 170 SATISFIED IN ORDER  
26 TO OBTAIN A LICENSE, PERMIT, REGISTRATION, OR CERTIFICATE;

27           (d) A STATEMENT INDICATING THAT THE LICENSEE, PERMITTEE,

1 REGISTRANT, OR CERTIFICATE HOLDER IS REGULATED BY THE DIVISION,  
2 AND AN ADDRESS AND TELEPHONE NUMBER FOR THE DIVISION; AND

3 (e) A STATEMENT INDICATING THAT THE PARTICIPANT IS ENTITLED  
4 TO RECEIVE INFORMATION ABOUT NATURAL MEDICINE SERVICES, MAY  
5 TERMINATE NATURAL MEDICINE SERVICES AT ANY TIME, AND MAY  
6 TERMINATE PREVIOUSLY PROVIDED INFORMED CONSENT FOR PHYSICAL  
7 CONTACT AT ANY TIME.

8 (4) NOTHING IN THIS SECTION PROHIBITS AN INDIVIDUAL FROM  
9 PERFORMING A BONA FIDE RELIGIOUS, CULTURALLY TRADITIONAL, OR  
10 SPIRITUAL CEREMONY, IF THE INDIVIDUAL DOES NOT RECEIVE  
11 REMUNERATION, INFORMS AN INDIVIDUAL ENGAGING IN THE CEREMONY  
12 THAT THE INDIVIDUAL IS NOT A LICENSED FACILITATOR, AND THAT THE  
13 CEREMONY IS NOT ASSOCIATED WITH COMMERCIAL, BUSINESS, OR  
14 FOR-PROFIT ACTIVITY.

15 **SECTION 8.** In Colorado Revised Statutes, **repeal and reenact,**  
16 **with amendments,** 12-170-109 as follows:

17 **12-170-109. Grounds for discipline.** (1) THE DIRECTOR MAY  
18 TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED IN SECTION  
19 12-20-404 UPON PROOF THAT THE LICENSEE, PERMITTEE, REGISTRANT, OR  
20 CERTIFICATE HOLDER:

21 (a) VIOLATED A PROVISION OF THIS ARTICLE 170 OR A RULE  
22 PROMULGATED PURSUANT TO THIS ARTICLE 170;

23 (b) HAS BEEN CONVICTED OF OR HAS ENTERED A PLEA OF NOLO  
24 CONTENDERE TO A FELONY. IN CONSIDERING THE CONVICTION OF OR THE  
25 PLEA TO ANY SUCH CRIME, THE DIRECTOR SHALL BE GOVERNED BY THE  
26 PROVISIONS OF SECTIONS 12-20-202 (5) AND 24-5-101.

27 (c) MADE ANY MISSTATEMENT ON AN APPLICATION FOR A LICENSE,

1 REGISTRATION, OR PERMIT TO PRACTICE PURSUANT TO THIS ARTICLE 170  
2 OR ATTEMPTED TO OBTAIN A LICENSE, REGISTRATION, PERMIT, OR  
3 CERTIFICATE TO PRACTICE BY FRAUD, DECEPTION, OR  
4 MISREPRESENTATION;

5 (d) COMMITTED AN ACT OR FAILED TO PERFORM AN ACT  
6 NECESSARY TO MEET THE GENERALLY ACCEPTED PROFESSIONAL  
7 STANDARDS OF CONDUCT TO PRACTICE A PROFESSION LICENSED PURSUANT  
8 TO THIS ARTICLE 170 OR PROMULGATED BY RULE PURSUANT TO  
9 12-170-105 (1)(a)(II)(D), INCLUDING PERFORMING SERVICES OUTSIDE OF  
10 THE PERSON'S AREA OF TRAINING, EXPERIENCE, OR COMPETENCE;

11 (e) EXCESSIVELY OR HABITUALLY USES OR ABUSES ALCOHOL OR  
12 CONTROLLED SUBSTANCES;

13 (f) VIOLATED ANY OF THE PROVISIONS OF THIS ARTICLE 170, AN  
14 APPLICABLE PROVISION OF ARTICLE 20 OF THIS TITLE 12, OR ANY VALID  
15 ORDER OF THE DIRECTOR;

16 (g) IS GUILTY OF UNPROFESSIONAL OR DISHONEST CONDUCT;

17 (h) ADVERTISES BY MEANS OF FALSE OR DECEPTIVE STATEMENT;

18 (i) FAILS TO DISPLAY THE LICENSE AS PROVIDED IN SECTION  
19 12-170-108 (2);

20 (j) FAILS TO COMPLY WITH THE RULES PROMULGATED BY THE  
21 DIRECTOR PURSUANT TO THIS ARTICLE 170;

22 (k) IS GUILTY OF WILLFUL MISREPRESENTATION;

23 (l) FAILS TO DISCLOSE TO THE DIRECTOR WITHIN FORTY-FIVE DAYS  
24 A CONVICTION FOR A FELONY OR ANY CRIME THAT IS RELATED TO THE  
25 PRACTICE AS A FACILITATOR;

26 (m) AIDS OR ABETS THE UNLICENSED PRACTICE OF FACILITATION;

27 OR

1 (n) FAILS TO TIMELY RESPOND TO A COMPLAINT SENT BY THE  
2 DIRECTOR PURSUANT TO SECTION 12-170-110.

3 **SECTION 9.** In Colorado Revised Statutes, **repeal and reenact,**  
4 **with amendments,** 12-170-110 as follows:

5 **12-170-110. Disciplinary proceedings - administrative law**  
6 **judges - judicial review.** (1) THE DIRECTOR MAY, THROUGH THE  
7 DEPARTMENT, EMPLOY ADMINISTRATIVE LAW JUDGES TO CONDUCT  
8 HEARINGS AS PROVIDED BY THIS SECTION OR ON ANY MATTER WITHIN THE  
9 DIRECTOR'S JURISDICTION UPON SUCH CONDITIONS AND TERMS AS THE  
10 DIRECTOR MAY DETERMINE.

11 (2) A PROCEEDING FOR DISCIPLINE OF A LICENSEE, PERMITTEE,  
12 REGISTRANT, OR CERTIFICATE HOLDER MUST BE COMMENCED WHEN THE  
13 DIRECTOR HAS REASONABLE GROUNDS TO BELIEVE THAT A LICENSEE,  
14 PERMITTEE, REGISTRANT, OR CERTIFICATE HOLDER HAS COMMITTED ACTS  
15 THAT MAY VIOLATE THE PROVISIONS OF THIS ARTICLE 170 OR RULES  
16 PROMULGATED PURSUANT TO THIS ARTICLE 170. THE GROUNDS MAY BE  
17 ESTABLISHED BY AN INVESTIGATION BEGUN BY THE DIRECTOR ON THE  
18 DIRECTOR'S OWN MOTION OR BY AN INVESTIGATION PURSUANT TO A  
19 WRITTEN COMPLAINT. SECTION 12-20-403 AND ARTICLE 4 OF TITLE 24  
20 GOVERN PROCEEDINGS BROUGHT PURSUANT TO THIS SECTION.

21 (3) ANY HEARING ON THE REVOCATION OR SUSPENSION OF A  
22 LICENSE, PERMIT, REGISTRATION, OR CERTIFICATE, OR ON THE DENIAL OF  
23 AN APPLICATION FOR A NEW LICENSE, PERMIT, REGISTRATION, OR  
24 CERTIFICATE, OR FOR RENEWAL OF A PREVIOUSLY ISSUED LICENSE, PERMIT,  
25 REGISTRATION, OR CERTIFICATE MUST BE CONDUCTED BY AN  
26 ADMINISTRATIVE LAW JUDGE.

27 (4) FINAL ACTION BY THE DIRECTOR MAY BE JUDICIALLY

1 REVIEWED PURSUANT TO SECTION 12-20-408.

2 **SECTION 10.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 12-170-111 as follows:

4 **12-170-111. Fees - cash fund - created.** (1) BASED UPON THE  
5 APPROPRIATION MADE AND SUBJECT TO THE APPROVAL OF THE EXECUTIVE  
6 DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES, THE DIRECTOR  
7 SHALL ESTABLISH AND ADJUST FEES THAT THE DIRECTOR IS AUTHORIZED  
8 BY LAW TO COLLECT SO THAT THE REVENUE GENERATED FROM THE FEES  
9 APPROXIMATES ITS DIRECT AND INDIRECT COSTS; EXCEPT THAT FEES MUST  
10 NOT EXCEED THE AMOUNT NECESSARY TO ADMINISTER THIS ARTICLE 170.

11 (2) THE NATURAL MEDICINE FACILITATOR CASH FUND, REFERRED  
12 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.  
13 THE FUND CONSISTS OF FEES CREDITED TO THE FUND PURSUANT TO THIS  
14 ARTICLE 170 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY  
15 APPROPRIATE OR TRANSFER TO THE FUND.

16 (3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
17 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
18 FUND TO THE FUND.

19 (4) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
20 DEPARTMENT FOR THE ADMINISTRATION OF THIS ARTICLE 170.

21 **SECTION 11.** In Colorado Revised Statutes, **repeal and reenact,**  
22 **with amendments,** 12-170-112 as follows:

23 **12-170-112. Local jurisdiction.** (1) A LOCAL JURISDICTION  
24 SHALL NOT PROHIBIT A FACILITATOR FROM PROVIDING NATURAL MEDICINE  
25 SERVICES WITHIN ITS BOUNDARIES IF THE INDIVIDUAL IS A LICENSED  
26 FACILITATOR PURSUANT TO THIS ARTICLE 170.

27 (2) A LOCAL JURISDICTION SHALL NOT ADOPT ORDINANCES OR

1 REGULATIONS THAT ARE UNREASONABLE OR IN CONFLICT WITH THIS  
2 ARTICLE 170.

3 **SECTION 12.** In Colorado Revised Statutes, **repeal and reenact,**  
4 **with amendments,** 12-170-113 as follows:

5 **12-170-113. Protections.** (1) SUBJECT TO THE LIMITATIONS IN  
6 THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44, BUT NOTWITHSTANDING  
7 ANY OTHER PROVISION OF LAW:

8 (a) ACTIONS AND CONDUCT PERMITTED PURSUANT TO A LICENSE,  
9 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED BY THE DIRECTOR  
10 PURSUANT TO THIS ARTICLE 170, OR BY THOSE WHO ALLOW PROPERTY TO  
11 BE USED PURSUANT TO A LICENSE, REGISTRATION, PERMIT, OR CERTIFICATE  
12 ISSUED BY THE DIRECTOR PURSUANT TO THIS ARTICLE 170, ARE LAWFUL  
13 AND ARE NOT AN OFFENSE UNDER STATE LAW, OR THE LAWS OF ANY LOCAL  
14 JURISDICTION WITHIN THIS STATE; ARE NOT SUBJECT TO A CIVIL FINE,  
15 PENALTY, OR SANCTION; ARE NOT A BASIS FOR DETENTION, SEARCH, OR  
16 ARREST; AND ARE NOT A BASIS TO DENY ANY RIGHT OR PRIVILEGE, OR TO  
17 SEIZE OR FORFEIT ASSETS UNDER STATE LAW OR THE LAWS OF ANY LOCAL  
18 JURISDICTION WITHIN THIS STATE.

19 (b) A CONTRACT IS NOT UNENFORCEABLE ON THE BASIS THAT  
20 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS ALLOWED  
21 PURSUANT TO THIS ARTICLE 170, IS PROHIBITED BY FEDERAL LAW;

22 (c) MENTAL HEALTH CARE, SUBSTANCE USE DISORDER  
23 INTERVENTION SERVICES, OR BEHAVIORAL HEALTH SERVICES OTHERWISE  
24 COVERED PURSUANT TO THE "COLORADO MEDICAL ASSISTANCE ACT",  
25 ARTICLES 4 TO 6 OF TITLE 25.5, MUST NOT BE DENIED ON THE BASIS THAT  
26 THEY ARE COVERED IN CONJUNCTION WITH NATURAL MEDICINE SERVICES,  
27 OR THAT NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT ARE

1 PROHIBITED BY FEDERAL LAW. INSURANCE OR AN INSURANCE PROVIDER  
2 IS NOT REQUIRED TO COVER THE COST OF NATURAL MEDICINE OR NATURAL  
3 MEDICINE PRODUCT.

4 (d) NOTHING IN THIS SECTION MAY BE CONSTRUED OR  
5 INTERPRETED TO PREVENT THE DIRECTOR FROM ENFORCING RULES  
6 PROMULGATED BY THE DIRECTOR AGAINST A LICENSEE, REGISTRANT,  
7 PERMITTEE, OR CERTIFICATE HOLDER OR LIMIT A STATE OR LOCAL LAW  
8 ENFORCEMENT AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY  
9 IN RELATION TO A LICENSEE, REGISTRANT, PERMITTEE, OR CERTIFICATE  
10 HOLDER.

11 (2) A PROFESSIONAL OR OCCUPATIONAL LICENSE, REGISTRATION,  
12 PERMIT, OR CERTIFICATE HOLDER IS NOT SUBJECT TO PROFESSIONAL  
13 DISCIPLINE OR LOSS OF A PROFESSIONAL OR OCCUPATIONAL LICENSE,  
14 REGISTRATION, PERMIT, OR CERTIFICATE FOR PROVIDING ADVICE OR  
15 SERVICES ARISING OUT OF OR RELATED TO A NATURAL MEDICINE LICENSE,  
16 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED PURSUANT TO THIS  
17 ARTICLE 170 OR ARTICLE 50 OF TITLE 44 OR APPLICATION FOR LICENSE,  
18 REGISTRATION, PERMIT, OR CERTIFICATE ISSUED PURSUANT TO THIS  
19 ARTICLE 170 OR ARTICLE 50 OF TITLE 44 ON THE BASIS THAT NATURAL  
20 MEDICINE AND NATURAL MEDICINE PRODUCT ARE PROHIBITED BY FEDERAL  
21 LAW, OR FOR PERSONAL USE OF NATURAL MEDICINE OR NATURAL  
22 MEDICINE ALLOWED PURSUANT TO THIS ARTICLE 170. THIS ARTICLE 170  
23 DOES NOT AUTHORIZE AN INDIVIDUAL TO ENGAGE IN CONDUCT THAT IN  
24 THE COURSE OF PRACTICING UNDER THE INDIVIDUAL'S LICENSE,  
25 REGISTRATION, PERMIT, OR CERTIFICATE WOULD VIOLATE STANDARDS OF  
26 CARE OR SCOPE OF PRACTICE OF THE INDIVIDUAL'S PROFESSION OR  
27 OCCUPATION AS REQUIRED BY ANY PROVISION OF LAW OR RULE.

1           **SECTION 13.** In Colorado Revised Statutes, **repeal and reenact,**  
2 **with amendments,** 12-170-114 as follows:

3           **12-170-114. Liberal construction.** THIS ARTICLE 170 MUST BE  
4 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE.

5           **SECTION 14.** In Colorado Revised Statutes, **repeal and reenact,**  
6 **with amendments,** 12-170-115 as follows:

7           **12-170-115. Preemption.** A LOCAL JURISDICTION SHALL NOT  
8 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION THAT  
9 IS OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ARTICLE 170.

10           **SECTION 15.** In Colorado Revised Statutes, **add** 12-170-116 as  
11 follows:

12           **12-170-116. Self-executing, severability, conflicting provisions.**  
13 ALL PROVISIONS OF THIS ARTICLE 170 ARE SELF-EXECUTING EXCEPT AS  
14 SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHEN OTHERWISE  
15 INDICATED, SHALL SUPERSEDE CONFLICTING STATE STATUTORY, LOCAL  
16 CHARTER, ORDINANCE, OR RESOLUTION PROVISIONS, AND OTHER STATE  
17 AND LOCAL PROVISIONS. IF ANY PROVISION OF THIS ARTICLE 170 OR ITS  
18 APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE  
19 INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF  
20 THIS ARTICLE 170 THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID  
21 PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS  
22 ARTICLE 170 ARE SEVERABLE.

23           **SECTION 16.** In Colorado Revised Statutes, **add** 12-170-117 as  
24 follows:

25           **12-170-117. Repeal of article - review of functions.** THIS  
26 ARTICLE 170 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032. BEFORE THE  
27 REPEAL, THIS ARTICLE 170 IS SCHEDULED FOR REVIEW IN ACCORDANCE

1 WITH SECTION 24-34-104.

2 **SECTION 17.** In Colorado Revised Statutes, 12-20-407, **amend**  
3 (1)(a)(V)(V) and (1)(a)(V)(W); and **add** (1)(a)(V)(X) as follows:

4 **12-20-407. Unauthorized practice of profession or occupation**  
5 **- penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor  
6 and shall be punished as provided in section 18-1.3-501 if the person:

7 (V) Practices or offers or attempts to practice any of the following  
8 professions or occupations without an active license, certification, or  
9 registration issued under the part or article of this title 12 governing the  
10 particular profession or occupation:

11 (V) Respiratory therapy, as regulated under article 300 of this title  
12 12; ~~or~~

13 (W) Veterinary medicine or as a veterinary technician, as  
14 regulated under article 315 of this title 12; OR

15 (X) FACILITATING NATURAL MEDICINE SERVICES, AS REGULATED  
16 UNDER ARTICLE 170 OF THIS TITLE 12.

17 **SECTION 18.** In Colorado Revised Statutes, 24-1-117, **amend**  
18 (4)(a)(X) and (4)(a)(XI); and **add** (4)(a)(XII) as follows:

19 **24-1-117. Department of revenue - creation.** (4) (a) The  
20 department of revenue consists of the following divisions:

21 (X) The auto industry division, created in section 44-20-105. The  
22 division is a **type 2** entity, as defined in section 24-1-105, and exercises  
23 its powers and performs its duties and functions under the department of  
24 revenue; ~~and~~

25 (XI) The state licensing authority created in section 44-10-201;  
26 AND

27 (XII) THE NATURAL MEDICINE DIVISION, CREATED IN SECTION

1 44-50-201, WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

2 **SECTION 19.** In Colorado Revised Statutes, 24-34-104, **add**  
3 (33)(a)(IV) and (33)(a)(V) as follows:

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for repeal, continuation, or reestablishment - legislative**  
6 **declaration - repeal.** (33) (a) The following agencies, functions, or both,  
7 are scheduled for repeal on September 1, 2032:

8 (IV) THE "NATURAL MEDICINE HEALTH ACT OF 2022", ARTICLE  
9 170 OF TITLE 12;

10 (V) THE "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF  
11 TITLE 44.

12 **SECTION 20.** In Colorado Revised Statutes, **add** 25-1.5-120 as  
13 follows:

14 **25-1.5-120. Natural medicine testing and standards - rules.**

15 (1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN  
16 COORDINATION WITH THE DEPARTMENT OF REVENUE, TO ENSURE  
17 CONSISTENCY BETWEEN RULES, SHALL PROMULGATE RULES CONCERNING  
18 TESTING STANDARDS AND CERTIFICATION REQUIREMENTS OF NATURAL  
19 MEDICINE AND NATURAL MEDICINE PRODUCT REGULATED BY THE  
20 DEPARTMENT OF REVENUE PURSUANT TO ARTICLE 50 OF TITLE 44.

21 (2) AT A MINIMUM, THE RULES MUST:

22 (a) ESTABLISH NATURAL MEDICINE AND NATURAL MEDICINE  
23 PRODUCT TESTING STANDARDS AND CERTIFICATION REQUIREMENTS;

24 (b) ESTABLISH A NATURAL MEDICINE INDEPENDENT TESTING AND  
25 CERTIFICATION PROGRAM FOR LICENSEES PURSUANT TO ARTICLE 50 OF  
26 TITLE 44, WITHIN AN IMPLEMENTATION TIME FRAME ESTABLISHED BY THE  
27 DEPARTMENT OF REVENUE, REQUIRING LICENSEES TO TEST NATURAL

1 MEDICINE AND NATURAL MEDICINE PRODUCT TO ENSURE, AT A MINIMUM,  
2 THAT PRODUCTS TRANSFERRED FOR HUMAN CONSUMPTION BY NATURAL  
3 PERSONS OR ENTITIES LICENSED PURSUANT TO ARTICLE 50 OF TITLE 44 DO  
4 NOT CONTAIN CONTAMINANTS THAT ARE INJURIOUS TO HEALTH AND TO  
5 ENSURE CORRECT LABELING;

6 (c) ESTABLISH PROCEDURES THAT ENSURE NATURAL MEDICINE  
7 AND NATURAL MEDICINE PRODUCT ARE QUARANTINED AND NOTIFICATION  
8 PROCEDURES IF TEST RESULTS INDICATE THE PRESENCE OF QUANTITIES OF  
9 ANY SUBSTANCE DETERMINED TO BE INJURIOUS TO HEALTH;

10 (d) ENSURE THAT TESTING VERIFIES CONCENTRATION  
11 REPRESENTATIONS AND HOMOGENEITY FOR CORRECT LABELING;

12 (e) ESTABLISH AN ACCEPTABLE VARIANCE FOR CONCENTRATION  
13 REPRESENTATIONS AND PROCEDURES TO ADDRESS CONCENTRATION  
14 MISREPRESENTATIONS; AND

15 (f) ESTABLISH THE PROTOCOLS AND FREQUENCY OF NATURAL  
16 MEDICINE TESTING BY LICENSEES.

17 **SECTION 21.** In Colorado Revised Statutes, **add** article 50 to  
18 title 44 as follows:

19 **ARTICLE 50**

20 **Natural Medicine**

21 **PART 1**

22 **COLORADO NATURAL MEDICINE CODE**

23 **44-50-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 50 IS  
24 THE "COLORADO NATURAL MEDICINE CODE".

25 **44-50-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
26 FINDS AND DECLARES THAT:

27 (a) THE PEOPLE OF COLORADO APPROVED STATUTORY MEASURES

1 THAT, IN PART, INTENDED TO ENSURE THAT PEOPLE IN COLORADO HAVE  
2 ACCESS TO REGULATED NATURAL MEDICINE AND REGULATED NATURAL  
3 MEDICINE PRODUCT;

4 (b) THE DEPARTMENT IS UNIQUELY SUITED TO REGULATE THE  
5 CULTIVATION, MANUFACTURING, TESTING, STORING, DISTRIBUTION,  
6 TRANSPORTATION, TRANSFERRING, AND DISPENSATION OF REGULATED  
7 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT  
8 BECAUSE OF ITS EXPERIENCE AND EXISTING RESOURCES IN REGULATING  
9 ALCOHOL, TOBACCO, AND MARIJUANA; AND

10 (c) IT IS NECESSARY TO ENTRUST THE REGULATION OF THE  
11 CULTIVATION, MANUFACTURING, TESTING, STORING, DISTRIBUTION,  
12 TRANSPORTATION, TRANSFERRING, AND DISPENSATION OF REGULATED  
13 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT TO  
14 THE DEPARTMENT IN ORDER TO IMPLEMENT THE REGULATORY MEASURES  
15 IN A MANNER THAT HONORS THE INTENT OF THE PEOPLE, PROMOTES PUBLIC  
16 TRUST, SUPPORTS THE INTEGRITY AND SUSTAINABILITY OF THE  
17 REGULATORY MEASURES, AND ENSURES REGULATORY EFFICIENCY.

18 (2) THE GENERAL ASSEMBLY DECLARES THAT THIS ARTICLE 50 IS  
19 DEEMED AN EXERCISE OF THE POLICE POWERS OF THE STATE FOR THE  
20 PROTECTION OF THE ECONOMIC AND SOCIAL WELFARE AND THE HEALTH,  
21 PEACE, AND MORALS OF THE PEOPLE OF THIS STATE.

22 (3) THE GENERAL ASSEMBLY DECLARES THAT IT IS UNLAWFUL  
23 UNDER STATE LAW TO CULTIVATE, MANUFACTURE, TEST, STORE,  
24 DISTRIBUTE, TRANSPORT, TRANSFER, AND DISPENSE NATURAL MEDICINE  
25 OR NATURAL MEDICINE PRODUCT, EXCEPT IN COMPLIANCE WITH THE  
26 TERMS, CONDITIONS, LIMITATIONS, AND RESTRICTIONS IN THIS ARTICLE 50;  
27 RULES PROMULGATED PURSUANT TO THIS ARTICLE 50; ARTICLE 170 OF

1 TITLE 12; RULES PROMULGATED PURSUANT TO ARTICLE 170 OF TITLE 12;  
2 ARTICLE 1.5 OF TITLE 25; RULES PROMULGATED PURSUANT TO ARTICLE 1.5  
3 OF TITLE 25; TITLE 16; AND TITLE 18.

4 **44-50-103. Definitions.** AS USED IN THIS ARTICLE 50, UNLESS THE  
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "ADMINISTRATION SESSION" MEANS A SESSION CONDUCTED AT  
7 A HEALING CENTER, OR OTHER LOCATION IF PERMITTED BY THIS ARTICLE  
8 50 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE 50, DURING  
9 WHICH A PARTICIPANT CONSUMES AND EXPERIENCES THE EFFECTS OF  
10 NATURAL MEDICINE UNDER THE SUPERVISION OF A FACILITATOR.

11 (2) "BOARD" MEANS THE STATE NATURAL MEDICINE ADVISORY  
12 BOARD CREATED IN SECTION 12-170-106.

13 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF  
14 PROFESSIONS AND OCCUPATIONS OR THE DIRECTOR'S DESIGNEE.

15 (4) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND  
16 OCCUPATIONS CREATED IN THE DEPARTMENT PURSUANT TO SECTION  
17 12-20-103.

18 (5) "FACILITATOR" MEANS A NATURAL PERSON WHO IS  
19 TWENTY-ONE YEARS OF AGE OR OLDER, HAS THE NECESSARY  
20 QUALIFICATIONS, TRAINING, EXPERIENCE, AND KNOWLEDGE TO PERFORM  
21 AND SUPERVISE NATURAL MEDICINE SERVICES FOR A PARTICIPANT, AND IS  
22 LICENSED BY THE DIRECTOR TO ENGAGE IN THE PRACTICE OF  
23 FACILITATION.

24 (6) "HEALING CENTER" MEANS AN ENTITY LICENSED BY THE STATE  
25 LICENSING AUTHORITY THAT PERMITS A FACILITATOR TO PROVIDE AND  
26 SUPERVISE NATURAL MEDICINE SERVICES FOR A PARTICIPANT.

27 (7) "HEALTH-CARE FACILITY" MEANS AN ENTITY THAT IS

1 LICENSED, CERTIFIED, OR OTHERWISE PERMITTED BY LAW TO ADMINISTER  
2 MEDICAL TREATMENT IN THIS STATE, INCLUDING A HOSPITAL, HOSPICE  
3 FACILITY, COMMUNITY MENTAL HEALTH CENTER, FEDERALLY QUALIFIED  
4 HEALTH CENTER, RURAL HEALTH CLINIC, ORGANIZATION PROVIDING A  
5 PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY, LONG-TERM CARE  
6 FACILITY, CONTINUING CARE RETIREMENT COMMUNITY, OR OTHER TYPE OF  
7 ENTITY WHERE HEALTH CARE IS PROVIDED.

8 (8) "INTEGRATION SESSION" MEANS A MEETING BETWEEN A  
9 PARTICIPANT AND FACILITATOR THAT OCCURS AFTER THE COMPLETION OF  
10 AN ADMINISTRATION SESSION.

11 (9) "LICENSE" MEANS TO GRANT A LICENSE, PERMIT, OR  
12 REGISTRATION PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
13 PURSUANT TO THIS ARTICLE 50.

14 (10) "LICENSED PREMISES" MEANS THE PREMISES SPECIFIED IN AN  
15 APPLICATION FOR A LICENSE PURSUANT TO THIS ARTICLE 50 THAT THE  
16 LICENSEE OWNS OR IS IN POSSESSION OF AND WITHIN WHICH THE LICENSEE  
17 IS AUTHORIZED TO CULTIVATE, MANUFACTURE, TEST, STORE, DISTRIBUTE,  
18 TRANSPORT, TRANSFER, OR DISPENSE NATURAL MEDICINE OR NATURAL  
19 MEDICINE PRODUCT IN ACCORDANCE WITH THIS ARTICLE 50.

20 (11) "LICENSEE" MEANS A PERSON LICENSED, REGISTERED, OR  
21 PERMITTED PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
22 PURSUANT TO THIS ARTICLE 50.

23 (12) "LOCAL JURISDICTION" MEANS A COUNTY, MUNICIPALITY, OR  
24 CITY AND COUNTY.

25 (13) (a) "NATURAL MEDICINE" MEANS THE FOLLOWING  
26 SUBSTANCES:

27 (I) PSILOCYBIN; OR

1 (II) PSILOCYN.

2 (b) IN ADDITION TO THE SUBSTANCES LISTED IN SUBSECTION  
3 (13)(a) OF THIS SECTION, "NATURAL MEDICINE" INCLUDES:

4 (I) DIMETHYLTRYPTAMINE, IF RECOMMENDED BY THE BOARD AND  
5 APPROVED BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE  
6 LICENSING AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026;

7 (II) IBOGAIN, IF RECOMMENDED BY THE BOARD AND APPROVED  
8 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
9 AUTHORITY FOR INCLUSION; OR

10 (III) MESCALINE, IF RECOMMENDED BY THE BOARD AND APPROVED  
11 BY THE DIRECTOR AND THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
12 AUTHORITY FOR INCLUSION ON OR AFTER JUNE 1, 2026.

13 (c) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR  
14 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN SUBSECTIONS (13)(a)  
15 AND (13)(b) OF THIS SECTION, INCLUDING A DERIVATIVE OF A NATURALLY  
16 OCCURRING COMPOUND OF NATURAL MEDICINE THAT IS PRODUCED USING  
17 CHEMICAL SYNTHESIS, CHEMICAL MODIFICATION, OR CHEMICAL  
18 CONVERSION.

19 (d) NOTWITHSTANDING SUBSECTION (13)(b)(III) OF THIS SECTION,  
20 "MESCALINE" DOES NOT INCLUDE PEYOTE, MEANING ALL PARTS OF THE  
21 PLANT CLASSIFIED BOTANICALLY AS LOPHOPHORA WILLIAMSII LEMAIRE,  
22 WHETHER GROWING OR NOT; ITS SEEDS; ANY EXTRACT FROM ANY PART OF  
23 THE PLANT, AND EVERY COMPOUND, SALT, DERIVATIVE, MIXTURE, OR  
24 PREPARATION OF THE PLANT; OR ITS SEEDS OR EXTRACTS.

25 (14) "NATURAL MEDICINE BUSINESS" MEANS ANY OF THE  
26 FOLLOWING ENTITIES LICENSED PURSUANT TO THIS ARTICLE 50: A  
27 NATURAL MEDICINE HEALING CENTER, A NATURAL MEDICINE CULTIVATION

1 FACILITY, A NATURAL MEDICINE PRODUCTS MANUFACTURER, OR A  
2 NATURAL MEDICINE TESTING FACILITY, OR ANOTHER LICENSED ENTITY  
3 CREATED BY THE STATE LICENSING AUTHORITY.

4 (15) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
5 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

6 (16) "NATURAL MEDICINE SERVICES" MEANS A PREPARATION  
7 SESSION, ADMINISTRATION SESSION, AND INTEGRATION SESSION PROVIDED  
8 PURSUANT TO ARTICLE 170 OF TITLE 12.

9 (17) "PARTICIPANT" MEANS A PERSON WHO IS TWENTY-ONE YEARS  
10 OF AGE OR OLDER AND WHO RECEIVES NATURAL MEDICINE SERVICES  
11 PERFORMED BY AND UNDER THE SUPERVISION OF A FACILITATOR.

12 (18) "PERSON" MEANS A NATURAL PERSON OR AN ENTITY.

13 (19) "PREPARATION SESSION" MEANS A MEETING BETWEEN A  
14 PARTICIPANT AND FACILITATOR THAT OCCURS BEFORE THE START OF AN  
15 ADMINISTRATION SESSION. "PREPARATION SESSION" DOES NOT MEAN AN  
16 INITIAL CONSULTATION OR AN INQUIRY RESPONSE ABOUT NATURAL  
17 MEDICINE SERVICES.

18 (20) "PRINCIPLE FILE" MEANS A FILE THAT IS ESTABLISHED BY THE  
19 STATE LICENSING AUTHORITY AND CONTAINS LICENSING AND  
20 BACKGROUND INFORMATION FOR AN APPLICANT SEEKING LICENSES  
21 PURSUANT TO THIS ARTICLE 50.

22 (21) "REGULATED NATURAL MEDICINE" MEANS NATURAL  
23 MEDICINE THAT IS CULTIVATED, MANUFACTURED, TESTED, STORED,  
24 DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED PURSUANT TO  
25 THIS ARTICLE 50.

26 (22) "REGULATED NATURAL MEDICINE PRODUCT" MEANS NATURAL  
27 MEDICINE PRODUCT THAT IS CULTIVATED, MANUFACTURED, TESTED,

1 STORED, DISTRIBUTED, TRANSPORTED, TRANSFERRED, OR DISPENSED  
2 PURSUANT TO THIS ARTICLE 50.

3 (23) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
4 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
5 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, AND ANY RIGHT  
6 OF USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
7 THEREWITH.

8 (24) "STATE LICENSING AUTHORITY" MEANS THE AUTHORITY  
9 CREATED FOR THE PURPOSE OF REGULATING AND CONTROLLING THE  
10 LICENSING OF THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
11 DISTRIBUTION, TRANSPORTATION, TRANSFER, AND DISPENSATION OF  
12 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
13 PRODUCT IN THIS STATE PURSUANT TO SECTION 44-50-201.

14 (25) "TRANSFER" MEANS TO GRANT, CONVEY, HAND OVER, ASSIGN,  
15 SELL, EXCHANGE, DONATE, OR BARTER, IN ANY MANNER AND BY ANY  
16 MEANS, WITH OR WITHOUT REMUNERATION.

17 **44-50-104. Applicability.** (1) ALL BUSINESSES, FOR THE PURPOSE  
18 OF CULTIVATION, MANUFACTURING, TESTING, STORAGE, DISTRIBUTION,  
19 TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED NATURAL  
20 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT, AS DEFINED IN  
21 THIS ARTICLE 50, ARE SUBJECT TO THE TERMS AND CONDITIONS OF THIS  
22 ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE 50.

23 (2) A PERSON APPLYING FOR LICENSURE PURSUANT TO THIS  
24 ARTICLE 50 MUST COMPLETE FORMS AS PROVIDED BY THE STATE  
25 LICENSING AUTHORITY AND MUST PAY THE APPLICATION FEE AND THE  
26 LICENSING FEE, WHICH MUST BE CREDITED TO THE REGULATED NATURAL  
27 MEDICINE DIVISION CASH FUND ESTABLISHED PURSUANT TO SECTION

1 44-50-601. THE STATE LICENSING AUTHORITY SHALL PRIORITIZE  
2 REVIEWING APPLICATIONS FROM APPLICANTS WHO HAVE ESTABLISHED  
3 RESIDENCY IN COLORADO.

4 (3) THIS ARTICLE 50 SETS FORTH THE EXCLUSIVE MEANS THAT  
5 CULTIVATION, MANUFACTURING, TESTING, STORAGE, DISTRIBUTION,  
6 TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED NATURAL  
7 MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT MAY OCCUR IN  
8 THIS STATE.

9 (4) (a) NOTHING IN THIS ARTICLE 50 IS INTENDED TO REQUIRE AN  
10 EMPLOYER TO PERMIT OR ACCOMMODATE THE USE, CONSUMPTION,  
11 POSSESSION, CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
12 DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF NATURAL  
13 MEDICINE OR NATURAL MEDICINE PRODUCT IN THE WORKPLACE OR TO  
14 AFFECT THE ABILITY OF EMPLOYERS TO HAVE POLICIES RESTRICTING THE  
15 USE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT BY  
16 EMPLOYEES IN THE WORKPLACE.

17 (b) NOTHING IN THIS ARTICLE 50 PROHIBITS A PERSON, EMPLOYER,  
18 SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION, OR ANY OTHER  
19 ENTITY THAT OCCUPIES, OWNS, OR CONTROLS A PROPERTY FROM  
20 PROHIBITING OR OTHERWISE REGULATING THE CULTIVATION,  
21 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSPORT,  
22 TRANSFER, AND DISPENSATION OF NATURAL MEDICINE OR NATURAL  
23 MEDICINE PRODUCT ON OR IN THAT PROPERTY.

24 (5) (a) A LOCAL JURISDICTION MAY ENACT ORDINANCES OR  
25 REGULATIONS GOVERNING THE TIME, PLACE, AND MANNER OF THE  
26 OPERATION OF LICENSES ISSUED PURSUANT TO THIS ARTICLE 50 WITHIN ITS  
27 BOUNDARIES.

1 (b) A LOCAL JURISDICTION MAY NOT PROHIBIT THE  
2 ESTABLISHMENT OR OPERATION OF LICENSES PURSUANT TO THIS ARTICLE  
3 50 WITHIN ITS BOUNDARIES.

4 (c) A LOCAL JURISDICTION MAY NOT PROHIBIT THE  
5 TRANSPORTATION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
6 WITHIN ITS BOUNDARIES ON PUBLIC ROADS BY A PERSON LICENSED TO  
7 EXERCISE SUCH PRIVILEGES PURSUANT TO THIS ARTICLE 50.

8 (d) A LOCAL JURISDICTION MAY NOT ADOPT ORDINANCES OR  
9 REGULATIONS THAT ARE UNREASONABLE OR CONFLICT WITH THIS ARTICLE  
10 50.

11 PART 2

12 STATE LICENSING AUTHORITY

13 **44-50-201. State licensing authority - creation.** (1) FOR THE  
14 PURPOSE OF REGULATING AND LICENSING THE CULTIVATION,  
15 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSPORT,  
16 TRANSFER, AND DISPENSATION OF NATURAL MEDICINE OR NATURAL  
17 MEDICINE PRODUCT BY AND BETWEEN NATURAL MEDICINE LICENSEES IN  
18 THIS STATE, THERE IS CREATED THE STATE LICENSING AUTHORITY, WHICH  
19 IS THE EXECUTIVE DIRECTOR, OR THE DIRECTOR OF THE NATURAL  
20 MEDICINE DIVISION IF DESIGNATED BY THE EXECUTIVE DIRECTOR.

21 (2) THE EXECUTIVE DIRECTOR IS THE CHIEF ADMINISTRATIVE  
22 OFFICER OF THE STATE LICENSING AUTHORITY AND MAY EMPLOY,  
23 PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION,  
24 SUCH OFFICERS AND EMPLOYEES AS DETERMINED TO BE NECESSARY. THE  
25 OFFICERS AND EMPLOYEES ARE A PART OF THE DEPARTMENT.

26 (3) THE EXECUTIVE DIRECTOR OF THE STATE LICENSING  
27 AUTHORITY OR A STATE LICENSING AUTHORITY EMPLOYEE WITH

1 REGULATORY OVERSIGHT RESPONSIBILITIES FOR THE NATURAL MEDICINE  
2 LICENSEES THAT ARE LICENSED BY THE STATE LICENSING AUTHORITY  
3 SHALL NOT WORK FOR, REPRESENT, PROVIDE CONSULTING SERVICES TO, OR  
4 OTHERWISE DERIVE PECUNIARY GAIN FROM A NATURAL MEDICINE  
5 LICENSEE THAT IS LICENSED BY THE STATE LICENSING AUTHORITY OR ANY  
6 OTHER BUSINESS ESTABLISHED FOR THE PRIMARY PURPOSE OF PROVIDING  
7 SERVICES TO THE NATURAL MEDICINE INDUSTRY FOR A PERIOD OF SIX  
8 MONTHS AFTER THE EMPLOYEE'S LAST DAY OF EMPLOYMENT WITH THE  
9 STATE LICENSING AUTHORITY.

10 **44-50-202. Powers and duties of state licensing authority -**  
11 **report.** (1) THE STATE LICENSING AUTHORITY SHALL:

12 (a) BEGINNING ON OR BEFORE DECEMBER 31, 2024, GRANT OR  
13 REFUSE STATE LICENSES FOR THE CULTIVATION, MANUFACTURING,  
14 TESTING, STORAGE, DISTRIBUTION, TRANSPORT, TRANSFER, AND  
15 DISPENSATION OF REGULATED NATURAL MEDICINE OR REGULATED  
16 NATURAL MEDICINE PRODUCT; SUSPEND, FINE, RESTRICT, OR REVOKE SUCH  
17 LICENSES, WHETHER ACTIVE, EXPIRED, OR SURRENDERED, UPON A  
18 VIOLATION OF THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO  
19 THIS ARTICLE 50; AND IMPOSE ANY PENALTY AUTHORIZED BY THIS  
20 ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50. THE  
21 STATE LICENSING AUTHORITY MAY TAKE ANY ACTION WITH RESPECT TO A  
22 REGISTRATION OR PERMIT PURSUANT TO THIS ARTICLE 50 AS IT MAY WITH  
23 RESPECT TO A LICENSE ISSUED PURSUANT TO THIS ARTICLE 50, IN  
24 ACCORDANCE WITH THE PROCEDURES ESTABLISHED PURSUANT TO THIS  
25 ARTICLE 50.

26 (b) PROMULGATE RULES FOR THE PROPER REGULATION AND  
27 CONTROL OF THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,

1 DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED  
2 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT AND  
3 FOR THE ENFORCEMENT OF THIS ARTICLE 50 AND PROMULGATE AMENDED  
4 RULES AND SUCH SPECIAL RULINGS AND FINDINGS AS NECESSARY;

5 (c) CONDUCT INVESTIGATIONS AND HEARINGS, GATHER EVIDENCE,  
6 AND PURSUE DISCIPLINARY ACTIONS WITH RESPECT TO LICENSES WHEN  
7 THE STATE LICENSING AUTHORITY HAS REASONABLE CAUSE TO BELIEVE  
8 THAT A PERSON OR ENTITY IS VIOLATING THIS ARTICLE 50 OR A RULE  
9 PROMULGATED PURSUANT TO THIS ARTICLE 50;

10 (d) (I) PETITION A DISTRICT COURT FOR AN INVESTIGATIVE  
11 SUBPOENA APPLICABLE TO A PERSON WHO IS NOT LICENSED PURSUANT TO  
12 THIS ARTICLE 50 TO OBTAIN DOCUMENTS OR INFORMATION NECESSARY TO  
13 ENFORCE A PROVISION OF THIS ARTICLE 50 OR A RULE PROMULGATED  
14 PURSUANT TO THIS ARTICLE 50 AFTER REASONABLE EFFORTS HAVE BEEN  
15 MADE TO OBTAIN REQUESTED DOCUMENTS OR INFORMATION WITHOUT A  
16 SUBPOENA;

17 (II) APPLY TO ANY COURT OF COMPETENT JURISDICTION TO  
18 TEMPORARILY RESTRAIN OR PRELIMINARILY OR PERMANENTLY ENJOIN THE  
19 ACT IN QUESTION OF A PERSON WHO IS NOT LICENSED PURSUANT TO THIS  
20 ARTICLE 50 AND TO ENFORCE COMPLIANCE WITH THIS ARTICLE 50 OR A  
21 RULE PROMULGATED PURSUANT TO THIS ARTICLE 50 WHENEVER IT  
22 APPEARS TO THE DIRECTOR UPON SUFFICIENT EVIDENCE SATISFACTORY TO  
23 THE DIRECTOR THAT A PERSON HAS BEEN OR IS COMMITTING AN ACT  
24 PROHIBITED BY THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO  
25 THIS ARTICLE 50, AND THE ACT:

26 (A) THREATENS PUBLIC HEALTH OR SAFETY; OR

27 (B) CONSTITUTES AN UNLAWFUL ACT FOR WHICH THE PERSON

1 DOES NOT HOLD THE REQUIRED LICENSE PURSUANT TO THIS ARTICLE 50;

2 (e) HEAR AND DETERMINE AT A PUBLIC HEARING ANY CONTESTED  
3 STATE LICENSE DENIAL AND ANY COMPLAINTS AGAINST A LICENSEE, AND  
4 ADMINISTER OATHS AND ISSUE SUBPOENAS TO REQUIRE THE PRESENCE OF  
5 PERSONS AND THE PRODUCTION OF PAPERS, BOOKS, AND RECORDS  
6 NECESSARY TO THE DETERMINATION OF ANY HEARING SO HELD, ALL IN  
7 ACCORDANCE WITH ARTICLE 4 OF TITLE 24. THE STATE LICENSING  
8 AUTHORITY MAY, IN ITS DISCRETION, DELEGATE TO THE DEPARTMENT'S  
9 HEARING OFFICERS THE AUTHORITY TO CONDUCT LICENSING,  
10 DISCIPLINARY, AND RULE-MAKING HEARINGS PURSUANT TO SECTION  
11 24-4-105. WHEN CONDUCTING THE HEARINGS, THE HEARING OFFICERS ARE  
12 EMPLOYEES OF THE STATE LICENSING AUTHORITY UNDER THE DIRECTION  
13 AND SUPERVISION OF THE EXECUTIVE DIRECTOR AND THE STATE LICENSING  
14 AUTHORITY.

15 (f) DEVELOP FORMS, LICENSES, IDENTIFICATION CARDS, AND  
16 APPLICATIONS AS NECESSARY OR CONVENIENT IN THE DISCRETION OF THE  
17 STATE LICENSING AUTHORITY FOR THE ADMINISTRATION OF THIS ARTICLE  
18 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50;

19 (g) IN COORDINATION WITH THE DIVISION OF PROFESSIONS AND  
20 OCCUPATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES  
21 PURSUANT TO SECTION 12-170-105 (1)(j), ANNUALLY PUBLISH A PUBLICLY  
22 AVAILABLE REPORT CONCERNING THE IMPLEMENTATION AND  
23 ADMINISTRATION OF THIS ARTICLE 50 AND ARTICLE 170 OF TITLE 12. THE  
24 REPORT MUST USE RELEVANT DATA, AS DETERMINED BY THE STATE  
25 LICENSING AUTHORITY AND THE DIRECTOR, AND MUST NOT DISCLOSE THE  
26 IDENTITY OF ANY PARTICIPANT OR INCLUDE ANY INFORMATION THAT  
27 COULD DISCLOSE THE IDENTITY OF A PARTICIPANT.

1           (h) DEVELOP AND PROMOTE ACCURATE PUBLIC EDUCATION  
2 CAMPAIGNS RELATED TO THE USE OF NATURAL MEDICINE OR NATURAL  
3 MEDICINE PRODUCT, INCLUDING PUBLIC SERVICE ANNOUNCEMENTS,  
4 EDUCATIONAL MATERIALS, AND APPROPRIATE CRISIS RESPONSE  
5 MATERIALS, AND DEVELOP AND PROMOTE TRAINING MATERIALS FOR FIRST  
6 RESPONDERS AND MULTI-RESPONDERS, INCLUDING LAW ENFORCEMENT,  
7 EMERGENCY MEDICAL PROVIDERS, SOCIAL SERVICES PROVIDERS, AND FIRE  
8 FIGHTERS.

9           (2) NOTHING IN THIS ARTICLE 50 DELEGATES TO THE STATE  
10 LICENSING AUTHORITY THE POWER TO FIX PRICES FOR REGULATED  
11 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT.

12           (3) NOTHING IN THIS ARTICLE 50 LIMITS A LAW ENFORCEMENT  
13 AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY IN RELATION TO  
14 A NATURAL MEDICINE LICENSEE. A LAW ENFORCEMENT AGENCY HAS THE  
15 AUTHORITY TO RUN A COLORADO CRIME INFORMATION CENTER CRIMINAL  
16 HISTORY RECORD CHECK OF A LICENSEE OR EMPLOYEE OF A LICENSEE  
17 DURING AN INVESTIGATION OF UNLAWFUL ACTIVITY RELATED TO NATURAL  
18 MEDICINE OR NATURAL MEDICINE PRODUCT.

19           (4) THE STATE LICENSING AUTHORITY SHALL COORDINATE WITH  
20 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND  
21 ENVIRONMENT CONCERNING THE ESTABLISHMENT OF STANDARDS FOR  
22 LICENSING LABORATORIES PURSUANT TO THE REQUIREMENTS OUTLINED  
23 IN SECTION 25-1.5-120 FOR REGULATED NATURAL MEDICINE AND  
24 REGULATED NATURAL MEDICINE PRODUCT.

25           (5) THE STATE LICENSING AUTHORITY SHALL, WHEN FINANCIALLY  
26 FEASIBLE, ESTABLISH PROCEDURES, POLICIES, AND PROGRAMS TO ENSURE  
27 THIS ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE

1 50 ARE EQUITABLE AND INCLUSIVE, PROMOTE THE LICENSING,  
2 REGISTRATION, AND PERMITTING OF, AND PROVISION OF NATURAL  
3 MEDICINE AND NATURAL MEDICINE PRODUCT TO, PERSONS FROM  
4 COMMUNITIES THAT HAVE BEEN DISPROPORTIONATELY HARMED BY HIGH  
5 RATES OF ARREST FOR CONTROLLED SUBSTANCES, PERSONS WHO FACE  
6 BARRIERS TO HEALTH-CARE ACCESS, PERSONS WHO HAVE TRADITIONAL OR  
7 INDIGENOUS HISTORY WITH NATURAL MEDICINE OR NATURAL MEDICINE  
8 PRODUCT, OR TO PERSONS WHO ARE VETERANS. THE STATE LICENSING  
9 AUTHORITY MAY CONSULT THE BOARD WHEN CONSIDERING PROCEDURES,  
10 POLICIES, AND PROGRAMS PURSUANT TO THIS SUBSECTION (5).

11 (6) THE STATE LICENSING AUTHORITY HAS AUTHORITY TO COLLECT  
12 AVAILABLE AND RELEVANT DATA NECESSARY TO PERFORM FUNCTIONS  
13 AND DUTIES NECESSARY TO ADMINISTER THIS ARTICLE 50.

14 (7) THE STATE LICENSING AUTHORITY SHALL PERFORM OTHER  
15 FUNCTIONS AND DUTIES NECESSARY TO ADMINISTER THIS ARTICLE 50.

16 **44-50-203. State licensing authority - rules - legislative**  
17 **declaration. (1) Mandatory rule-making.** RULES PROMULGATED  
18 PURSUANT TO SECTION 44-50-202 (1)(b) MUST INCLUDE THE FOLLOWING  
19 SUBJECTS:

20 (a) PROCEDURES AND REQUIREMENTS CONSISTENT WITH THIS  
21 ARTICLE 50 FOR THE ISSUANCE, DENIAL, RENEWAL, REINSTATEMENT,  
22 MODIFICATION, SUSPENSION, AND REVOCATION OF LICENSES;

23 (b) OVERSIGHT REQUIREMENTS FOR LICENSEES;

24 (c) A SCHEDULE OF APPLICATION, LICENSING, AND RENEWAL FEES  
25 FOR LICENSES;

26 (d) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR  
27 LICENSURE PURSUANT TO THIS ARTICLE 50, INCLUDING CONTINUING

1 ELIGIBILITY EXPECTATIONS, INCLUDING TIMELY PAYING TAXES OWED TO  
2 THE DEPARTMENT OF REVENUE, TIMELY FILING TAX RETURNS, AND TIMELY  
3 CURING ANY TAX DEFICIENCIES, AND AUTHORIZATION FOR THE  
4 DEPARTMENT OF REVENUE TO HAVE ACCESS TO LICENSING INFORMATION  
5 TO ENSURE TAX PAYMENT FOR THE EFFECTIVE ADMINISTRATION OF THIS  
6 ARTICLE 50 ;

7 (e) PERMISSIBLE AND PROHIBITED FINANCIAL INTERESTS IN A  
8 LICENSE ISSUED PURSUANT TO THIS ARTICLE 50 OR A LICENSE ISSUED  
9 PURSUANT TO ARTICLE 170 OF TITLE 12; EXCEPT THAT A PERSON MAY NOT  
10 HAVE A FINANCIAL INTEREST IN MORE THAN TWO NATURAL MEDICINE  
11 BUSINESS LICENSES;

12 (f) (I) ESTABLISHMENT OF A NATURAL MEDICINE INDEPENDENT  
13 TESTING AND CERTIFICATION PROGRAM FOR LICENSEES WITHIN AN  
14 IMPLEMENTATION TIME FRAME ESTABLISHED BY THE DIVISION, REQUIRING  
15 LICENSEES TO TEST REGULATED NATURAL MEDICINE AND REGULATED  
16 NATURAL MEDICINE PRODUCT TO ENSURE, AT A MINIMUM, THAT  
17 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
18 PRODUCT TRANSFERRED FOR HUMAN CONSUMPTION BY PERSONS LICENSED  
19 PURSUANT TO THIS ARTICLE 50 DO NOT CONTAIN CONTAMINANTS THAT  
20 ARE INJURIOUS TO HEALTH AND TO ENSURE CORRECT LABELING, AS WELL  
21 AS:

22 (A) CERTIFICATION REQUIREMENTS FOR LABORATORIES THAT TEST  
23 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE  
24 PRODUCT, AND REQUIREMENTS THAT THE TEST RESULTS PRODUCED BY A  
25 LABORATORY MUST NOT BE USED UNLESS THE LABORATORY IS CERTIFIED;

26 (B) TESTING PROCEDURES AND FREQUENCY OF REGULATED  
27 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT BY

1 LICENSEES;

2 (C) WHETHER TO ALLOW FOR ANY NATURAL PERSON TO REQUEST  
3 AND UTILIZE TESTING SERVICES OF NATURAL MEDICINE AND NATURAL  
4 MEDICINE PRODUCT IF THE NATURAL PERSON IS TWENTY-ONE YEARS OF  
5 AGE OR OLDER;

6 (D) DEFINITIONS, PERMISSIONS, AND PROHIBITIONS CONCERNING  
7 CONFLICTS OF INTEREST RELATED TO, AND ECONOMIC INTERESTS FOR,  
8 PERSONS WHO OWN OR ARE ASSOCIATED WITH A NATURAL MEDICINE  
9 TESTING LICENSE AND OTHER LICENSES; AND

10 (E) PROCEDURES AND REQUIREMENTS NECESSARY TO FACILITATE  
11 THE COORDINATION OF DUTIES WITH RESPECT TO THE NATURAL MEDICINE  
12 TESTING AND CERTIFICATION PROGRAM WITH THE DEPARTMENT OF PUBLIC  
13 HEALTH AND ENVIRONMENT.

14 (II) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES  
15 PURSUANT TO THIS SUBSECTION (1)(f) IN COORDINATION WITH THE  
16 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO ENSURE  
17 CONSISTENCY BETWEEN RULES.

18 (g) THE REGULATION OF A LICENSED PREMISES, INCLUDING RULES  
19 THAT ALLOW A NATURAL MEDICINE HEALING CENTER LICENSEE'S LICENSED  
20 PREMISES TO BE CO-LOCATED WITH ANOTHER NATURAL MEDICINE HEALING  
21 CENTER LICENSEE'S LICENSED PREMISES OR A HEALTH-CARE FACILITY;

22 (h) REQUIREMENTS FOR THE TRANSPORTATION OF REGULATED  
23 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT,  
24 INCLUDING:

25 (I) SECURITY REQUIREMENTS;

26 (II) TRANSPORTATION VEHICLE REQUIREMENTS, INCLUDING  
27 REQUIREMENTS FOR SURVEILLANCE;

1 (III) LIMITS ON THE AMOUNT OF REGULATED NATURAL MEDICINE  
2 AND REGULATED NATURAL MEDICINE PRODUCT THAT MAY BE CARRIED IN  
3 A TRANSPORTATION VEHICLE;

4 (IV) RECORD-KEEPING REQUIREMENTS; AND

5 (V) TRANSPORTATION MANIFEST REQUIREMENTS;

6 (i) LIMITS ON THE AMOUNT OF REGULATED NATURAL MEDICINE  
7 AND REGULATED NATURAL MEDICINE PRODUCT THAT IS ALLOWED FOR  
8 PRODUCTION BY A NATURAL MEDICINE CULTIVATION FACILITY LICENSE OR  
9 NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE BASED ON A  
10 METRIC OR SET OF METRICS. WHEN CONSIDERING ANY LIMITATIONS, THE  
11 STATE LICENSING AUTHORITY SHALL CONSIDER THE TOTAL CURRENT AND  
12 ANTICIPATED DEMAND FOR REGULATED NATURAL MEDICINE AND  
13 REGULATED NATURAL MEDICINE PRODUCT IN COLORADO AND ATTEMPT TO  
14 MINIMIZE THE MARKET FOR UNLAWFUL NATURAL MEDICINE AND NATURAL  
15 MEDICINE PRODUCT.

16 (j) RECORDS TO BE KEPT BY LICENSEES AND THE REQUIRED  
17 AVAILABILITY OF THE RECORDS FOR INSPECTION BY THE STATE LICENSING  
18 AUTHORITY;

19 (k) REQUIREMENTS TO PREVENT THE TRANSFER OR DIVERSION OF  
20 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT TO PERSONS UNDER  
21 TWENTY-ONE YEARS OF AGE;

22 (l) PERMITTED AND PROHIBITED TRANSFERS OF REGULATED  
23 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT  
24 BETWEEN LICENSEES;

25 (m) STANDARDS FOR ADVERTISING AND MARKETING A LICENSEE'S  
26 SERVICES, INCLUDING: AVOIDING THE MISAPPROPRIATION AND  
27 EXPLOITATION OF INDIGENOUS PEOPLE, COMMUNITIES, CULTURES, AND

1 RELIGIONS; AVOIDING THE EXCESSIVE COMMERCIALIZATION OF NATURAL  
2 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
3 SERVICES; PROHIBITING ADVERTISING AND MARKETING OF NATURAL  
4 MEDICINE, NATURAL MEDICINE PRODUCT, AND NATURAL MEDICINE  
5 SERVICES DIRECTED TO INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS  
6 OF AGE; AND OTHER PARAMETERS DETERMINED NECESSARY BY THE STATE  
7 LICENSING AUTHORITY.

8 (n) THE STANDARDS FOR QUALIFICATION AS A LICENSEE,  
9 INCLUDING ENVIRONMENTAL, SOCIAL, AND GOVERNANCE CRITERIA  
10 DIRECTED TO THE FINDINGS AND DECLARATIONS SET FORTH IN SECTION  
11 12-170-102.

12 (2) **Permissive rule-making.** RULES PROMULGATED PURSUANT TO  
13 SECTION 44-50-202 (1)(b) MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
14 THE FOLLOWING SUBJECTS:

15 (a) ESTABLISHMENT OF LICENSES, AND THE PRIVILEGES AND  
16 RESTRICTIONS PURSUANT TO SUCH LICENSES, DETERMINED NECESSARY BY  
17 THE STATE LICENSING AUTHORITY TO IMPLEMENT OR ADMINISTER THIS  
18 ARTICLE 50;

19 (b) ESTABLISHMENT OF A PRINCIPLE FILE PROCESS AND  
20 REQUIREMENTS FOR AN APPLICANT SEEKING TO EXERCISE THE PRIVILEGES  
21 OF A LICENSE TYPE IN MULTIPLE LOCATIONS OR SEEKING TO EXERCISE THE  
22 PRIVILEGES OF MULTIPLE LICENSE TYPES;

23 (c) REQUIREMENTS FOR ISSUANCE OF CO-LOCATION PERMITS TO A  
24 LICENSEE AUTHORIZING CO-LOCATION WITH ANOTHER LICENSED PREMISES;

25 (d) REQUIREMENTS AND RESTRICTIONS ON DIFFERENT TYPES OF  
26 REGULATED NATURAL MEDICINE OR REGULATED NATURAL MEDICINE  
27 PRODUCT;

1 (e) PACKAGING AND LABELING REQUIREMENTS FOR REGULATED  
2 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT,  
3 INCLUDING:

4 (I) WARNING LABELS;

5 (II) INDIVIDUAL SERVING AND PER-PACKAGE SERVING AMOUNTS;

6 AND

7 (III) CONCENTRATION OF THE REGULATED NATURAL MEDICINE OR  
8 REGULATED NATURAL MEDICINE PRODUCT;

9 (f) SECURITY REQUIREMENTS FOR LICENSED PREMISES, INCLUDING  
10 LIGHTING, PHYSICAL SECURITY, VIDEO, AND ALARM REQUIREMENTS, AND  
11 OTHER MINIMUM PROCEDURES FOR INTERNAL CONTROL AS DEEMED  
12 NECESSARY BY THE STATE LICENSING AUTHORITY TO PROPERLY  
13 ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ARTICLE 50,  
14 INCLUDING REPORTING REQUIREMENTS FOR CHANGES, ALTERATIONS,  
15 MODIFICATIONS TO THE PREMISES, OR ACTIVITIES OR INCIDENTS ON THE  
16 PREMISES;

17 (g) HEALTH AND SAFETY REGULATIONS AND STANDARDS;

18 (h) SANITARY REQUIREMENTS;

19 (i) WASTE, DISPOSAL, AND DESTRUCTION REQUIREMENTS OF  
20 REGULATED NATURAL MEDICINE OR REGULATED NATURAL MEDICINE  
21 PRODUCT, INCLUDING RECORD-KEEPING REQUIREMENTS;

22 (j) STORAGE AND TRANSPORTATION OF REGULATED NATURAL  
23 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT;

24 (k) REQUIREMENTS OF LICENSEES TO TRACK AND MANAGE  
25 INVENTORY;

26 (l) COMPLIANCE WITH, ENFORCEMENT OF, OR VIOLATION OF ANY  
27 PROVISION OF THIS ARTICLE 50, ARTICLE 18 OF TITLE 18, OR ANY RULE

1 PROMULGATED PURSUANT TO THIS ARTICLE 50, INCLUDING PROCEDURES  
2 AND GROUNDS FOR DENYING, SUSPENDING, FINING, MODIFYING,  
3 RESTRICTING, OR REVOKING A STATE LICENSE ISSUED PURSUANT TO THIS  
4 ARTICLE 50 OR ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE 50;

5 (m) ESTABLISHING A SCHEDULE OF PENALTIES FOR ALLEGED  
6 VIOLATIONS OF STATUTES AND RULES;

7 (n) SPECIFICATIONS OF DUTIES OF OFFICERS AND EMPLOYEES OF  
8 THE STATE LICENSING AUTHORITY;

9 (o) INSTRUCTIONS FOR LAW ENFORCEMENT OFFICERS;

10 (p) REQUIREMENTS FOR INSPECTIONS, INVESTIGATIONS, SEARCHES,  
11 SEIZURES, FORFEITURES, EMBARGO, QUARANTINE, RECALLS, AND SUCH  
12 ADDITIONAL ACTIVITIES AS MAY BECOME NECESSARY;

13 (q) PROHIBITION OF MISREPRESENTATION AND UNFAIR PRACTICES;

14 AND

15 (r) SUCH OTHER MATTERS AS ARE NECESSARY FOR THE FAIR,  
16 IMPARTIAL, STRINGENT, AND COMPREHENSIVE ADMINISTRATION OF THIS  
17 ARTICLE 50.

18 (3) THE STATE LICENSING AUTHORITY SHALL CONSULT THE BOARD  
19 WHEN CONSIDERING AND PROMULGATING RULES PURSUANT TO THIS  
20 SECTION.

21 (4) (a) THE STATE LICENSING AUTHORITY MAY, BY RULE,  
22 ESTABLISH PROCEDURES FOR THE CONDITIONAL ISSUANCE OF AN  
23 EMPLOYEE LICENSE IDENTIFICATION CARD AT THE TIME OF APPLICATION.

24 (b) (I) THE STATE LICENSING AUTHORITY SHALL BASE ITS  
25 ISSUANCE OF AN EMPLOYEE LICENSE IDENTIFICATION CARD PURSUANT TO  
26 THIS SUBSECTION (4) ON THE RESULTS OF AN INITIAL INVESTIGATION THAT  
27 DEMONSTRATES THE APPLICANT IS QUALIFIED TO HOLD A LICENSE. THE

1 EMPLOYEE LICENSE APPLICATION FOR WHICH AN EMPLOYEE LICENSE  
2 IDENTIFICATION CARD WAS ISSUED PURSUANT TO THIS SUBSECTION (4)  
3 REMAINS SUBJECT TO DENIAL PENDING THE COMPLETE RESULTS OF THE  
4 APPLICANT'S INITIAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
5 CHECK.

6 (II) RESULTS OF A FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
7 CHECK THAT DEMONSTRATE THAT AN APPLICANT POSSESSING AN  
8 EMPLOYEE LICENSE IDENTIFICATION CARD PURSUANT TO THIS SUBSECTION  
9 (4) IS NOT QUALIFIED TO HOLD A LICENSE ISSUED PURSUANT TO THIS  
10 ARTICLE 50 ARE GROUNDS FOR DENIAL OF THE EMPLOYEE LICENSE  
11 APPLICATION. IF THE EMPLOYEE LICENSE APPLICATION IS DENIED, THE  
12 APPLICANT SHALL RETURN THE EMPLOYEE LICENSE IDENTIFICATION CARD  
13 TO THE STATE LICENSING AUTHORITY WITHIN A TIME PERIOD THAT THE  
14 STATE LICENSING AUTHORITY ESTABLISHES BY RULE.

15 **44-50-204. Confidentiality.** (1) THE STATE LICENSING  
16 AUTHORITY SHALL MAINTAIN THE CONFIDENTIALITY OF:

17 (a) REPORTS OR OTHER INFORMATION OBTAINED FROM A LICENSEE  
18 OR A LICENSE APPLICANT CONTAINING ANY INDIVIDUALIZED DATA,  
19 INFORMATION, OR RECORDS RELATED TO THE APPLICANT; LICENSEE;  
20 LICENSEE'S OPERATION, INCLUDING SALES INFORMATION, LEASES,  
21 BUSINESS ORGANIZATION RECORDS, FINANCIAL RECORDS, TAX RETURNS,  
22 CREDIT REPORTS, CULTIVATION INFORMATION, TESTING RESULTS, AND  
23 SECURITY INFORMATION AND PLANS; ANY PARTICIPANT INFORMATION; OR  
24 ANY OTHER RECORDS THAT ARE EXEMPT FROM PUBLIC INSPECTION  
25 PURSUANT TO STATE LAW. SUCH REPORTS OR OTHER INFORMATION MAY  
26 BE USED ONLY FOR A PURPOSE AUTHORIZED BY THIS ARTICLE 50 OR A RULE  
27 PROMULGATED PURSUANT TO THIS ARTICLE 50 FOR INVESTIGATION OR

1 ENFORCEMENT OF ANY INTERNATIONAL, FEDERAL, STATE, OR LOCAL  
2 SECURITIES LAW OR REGULATION, OR FOR ANY OTHER STATE OR LOCAL  
3 LAW ENFORCEMENT PURPOSE. ANY INFORMATION RELEASED RELATED TO  
4 A PARTICIPANT MAY BE USED ONLY FOR A PURPOSE AUTHORIZED BY THIS  
5 ARTICLE 50, AS A PART OF AN ACTIVE INVESTIGATION, AS A PART OF A  
6 PROCEEDING AUTHORIZED BY THIS ARTICLE 50, OR FOR ANY STATE OR  
7 LOCAL LAW ENFORCEMENT PURPOSE INVOLVING EVIDENCE OF SALES  
8 TRANSACTIONS IN VIOLATION OF THIS ARTICLE 50 OR EVIDENCE OF  
9 CRIMINAL ACTIVITY. THE INFORMATION OR RECORDS RELATED TO A  
10 PARTICIPANT CONSTITUTE MEDICAL DATA AS DESCRIBED BY SECTION  
11 24-72-204 (3)(a)(I), AND THE INFORMATION OR RECORDS MAY ONLY BE  
12 DISCLOSED TO THOSE PERSONS DIRECTLY INVOLVED WITH AN ACTIVE  
13 INVESTIGATION OR PROCEEDING.

14 (b) INVESTIGATIVE RECORDS AND DOCUMENTS RELATED TO  
15 ONGOING INVESTIGATIONS. THOSE RECORDS AND DOCUMENTS MAY BE  
16 USED ONLY FOR A PURPOSE AUTHORIZED BY THIS ARTICLE 50 OR RULES  
17 PROMULGATED BY THIS ARTICLE 50, OR FOR ANY OTHER STATE OR LOCAL  
18 LAW ENFORCEMENT PURPOSE.

19 (c) COMPUTER SYSTEMS MAINTAINED BY THE STATE LICENSING  
20 AUTHORITY AND THE VENDORS WITH WHICH THE STATE LICENSING  
21 AUTHORITY HAS CONTRACTED.

22 (2) THE STATE LICENSING AUTHORITY SHALL MAKE AVAILABLE  
23 FOR PUBLIC INSPECTION:

24 (a) DOCUMENTS RELATED TO FINAL AGENCY ACTIONS AND  
25 ORDERS;

26 (b) RECORDS RELATED TO TESTING ON AN AGGREGATED AND  
27 DE-IDENTIFIED BASIS;

1 (c) DEMOGRAPHIC INFORMATION RELATED TO APPLICANTS AND  
2 LICENSEES AVAILABLE ON AN AGGREGATED AND DE-IDENTIFIED BASIS;  
3 AND

4 (d) ENFORCEMENT FORMS AND COMPLIANCE CHECKLISTS.

5 PART 3

6 LICENSE TYPES

7 **44-50-301. Classes of licenses.** (1) FOR THE PURPOSE OF  
8 REGULATING THE CULTIVATION, MANUFACTURING, TESTING, STORAGE,  
9 DISTRIBUTION, TRANSPORT, TRANSFER, AND DISPENSATION OF REGULATED  
10 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT, THE  
11 STATE LICENSING AUTHORITY IN ITS DISCRETION, UPON APPLICATION IN  
12 THE PRESCRIBED FORM, MAY ISSUE AND GRANT TO THE APPLICANT A  
13 LICENSE FROM ANY OF THE CLASSES LISTED IN SUBSECTION (2) OF THIS  
14 SECTION, SUBJECT TO THE PROVISIONS AND RESTRICTIONS PROVIDED BY  
15 THIS ARTICLE 50 OR A RULE PROMULGATED PURSUANT TO THIS ARTICLE 50.

16 (2) (a) THE FOLLOWING ARE NATURAL MEDICINE BUSINESS  
17 LICENSES:

18 (I) NATURAL MEDICINE HEALING CENTER LICENSE;

19 (II) NATURAL MEDICINE CULTIVATION FACILITY LICENSE;

20 (III) NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE;

21 (IV) NATURAL MEDICINE TESTING FACILITY LICENSE; AND

22 (V) ANY NATURAL MEDICINE BUSINESS LICENSE DETERMINED  
23 NECESSARY BY THE STATE LICENSING AUTHORITY.

24 (b) THE FOLLOWING ARE NATURAL MEDICINE LICENSES OR  
25 REGISTRATIONS: OCCUPATIONAL LICENSES AND REGISTRATIONS FOR  
26 OWNERS, MANAGERS, OPERATORS, EMPLOYEES, CONTRACTORS, AND  
27 OTHER SUPPORT STAFF EMPLOYED BY, WORKING IN, OR HAVING ACCESS TO

1 RESTRICTED AREAS OF THE LICENSED PREMISES, AS DETERMINED BY THE  
2 STATE LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY MAY  
3 TAKE ANY ACTION WITH RESPECT TO A REGISTRATION OR PERMIT  
4 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
5 THIS ARTICLE 50 AS IT MAY, WITH RESPECT TO A LICENSE ISSUED  
6 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
7 THIS ARTICLE 50 IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED  
8 PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED PURSUANT TO  
9 THIS ARTICLE 50.

10 (3) A STATE CHARTERED BANK OR A CREDIT UNION MAY LOAN  
11 MONEY TO ANY PERSON LICENSED PURSUANT TO THIS ARTICLE 50 OR  
12 RULES PROMULGATED PURSUANT TO THIS ARTICLE 50 FOR THE OPERATION  
13 OF A LICENSED NATURAL MEDICINE BUSINESS.

14 (4) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO  
15 THIS ARTICLE 50 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED  
16 PURSUANT TO ARTICLE 3, 4, 5, OR 10 OF THIS TITLE 44.

17 **44-50-302. Restrictions for applications for new licenses.**

18 (1) THE STATE LICENSING AUTHORITY SHALL NOT RECEIVE OR ACT UPON  
19 AN APPLICATION FOR THE ISSUANCE OF A NATURAL MEDICINE BUSINESS  
20 LICENSE PURSUANT TO THIS ARTICLE 50:

21 (a) IF THE APPLICATION FOR A LICENSE CONCERNS A PARTICULAR  
22 LOCATION THAT IS THE SAME AS OR WITHIN ONE THOUSAND FEET OF A  
23 LOCATION FOR WHICH, WITHIN THE TWO YEARS IMMEDIATELY PRECEDING  
24 THE DATE OF THE APPLICATION, THE STATE LICENSING AUTHORITY DENIED  
25 AN APPLICATION FOR THE SAME CLASS OF LICENSE DUE TO THE NATURE OF  
26 THE USE OR OTHER CONCERN RELATED TO THE LOCATION;

27 (b) UNTIL IT IS ESTABLISHED THAT THE APPLICANT IS, OR WILL BE,

1 ENTITLED TO POSSESSION OF THE PREMISES FOR WHICH APPLICATION IS  
2 MADE UNDER A LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT  
3 FOR POSSESSION OF THE PREMISES OR BY VIRTUE OF OWNERSHIP OF THE  
4 PREMISES;

5 (c) FOR A LOCATION IN AN AREA WHERE THE CULTIVATION,  
6 MANUFACTURING, TESTING, STORAGE, DISTRIBUTION, TRANSFER, AND  
7 DISPENSATION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT AS  
8 CONTEMPLATED IS NOT PERMITTED UNDER THE APPLICABLE ZONING LAWS  
9 OF THE LOCAL JURISDICTION;

10 (d) (I) IF THE BUILDING WHERE NATURAL MEDICINE SERVICES ARE  
11 PROVIDED IS WITHIN ONE THOUSAND FEET OF A CHILD CARE CENTER;  
12 PRESCHOOL; ELEMENTARY, MIDDLE, JUNIOR, OR HIGH SCHOOL; OR A  
13 RESIDENTIAL CHILD CARE FACILITY. THE PROVISIONS OF THIS SECTION DO  
14 NOT AFFECT THE RENEWAL OR REISSUANCE OF A LICENSE ONCE GRANTED  
15 OR APPLY TO LICENSED PREMISES LOCATED OR TO BE LOCATED ON LAND  
16 OWNED BY A MUNICIPALITY, NOR DO THE PROVISIONS OF THIS SECTION  
17 APPLY TO AN EXISTING LICENSED PREMISES ON LAND OWNED BY THE STATE  
18 OR APPLY TO A LICENSE IN EFFECT AND ACTIVELY DOING BUSINESS BEFORE  
19 THE SCHOOL OR FACILITY WAS CONSTRUCTED. THE GOVERNING BODY OF  
20 A MUNICIPALITY, BY ORDINANCE; AND THE GOVERNING BODY OF A  
21 COUNTY, BY RESOLUTION, MAY VARY THE DISTANCE RESTRICTIONS  
22 IMPOSED BY THIS SUBSECTION (1)(d)(I) FOR A LICENSE OR MAY ELIMINATE  
23 ONE OR MORE TYPES OF SCHOOLS OR FACILITIES FROM THE APPLICATION  
24 OF A DISTANCE RESTRICTION ESTABLISHED BY OR PURSUANT TO THIS  
25 SUBSECTION (1)(d)(I).

26 (II) THE DISTANCES REFERRED TO IN THIS SUBSECTION (1)(d) MUST  
27 BE COMPUTED BY DIRECT MEASUREMENT FROM THE NEAREST PROPERTY

1 LINE OF THE LAND USED FOR A SCHOOL OR FACILITY TO THE NEAREST  
2 PORTION OF THE BUILDING IN WHICH NATURAL MEDICINE SERVICES ARE  
3 PROVIDED, USING A ROUTE OF DIRECT PEDESTRIAN ACCESS.

4 (III) THE STATE LICENSING AUTHORITY SHALL CONSIDER THE  
5 EVIDENCE AND MAKE A SPECIFIC FINDING OF FACT AS TO WHETHER THE  
6 BUILDING IN WHICH THE NATURAL MEDICINE BUSINESS IS LOCATED IS  
7 WITHIN ANY DISTANCE RESTRICTIONS ESTABLISHED BY OR PURSUANT TO  
8 THIS SUBSECTION (1)(d).

9 (2) THE STATE LICENSING AUTHORITY SHALL NOT APPROVE AN  
10 APPLICATION FOR THE ISSUANCE OF A NATURAL MEDICINE BUSINESS  
11 LICENSE PURSUANT TO THIS ARTICLE 50 UNTIL THE STATE LICENSING  
12 AUTHORITY ESTABLISHES THAT THE APPLICANT IS, OR WILL BE, ENTITLED  
13 TO POSSESSION OF THE PREMISES FOR WHICH APPLICATION IS MADE UNDER  
14 A LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT FOR POSSESSION  
15 OF THE PREMISES OR BY VIRTUE OF OWNERSHIP OF THE PREMISES.

#### 16 PART 4

#### 17 NATURAL MEDICINE LICENSE TYPES

#### 18 **44-50-401. Natural medicine healing center license - rules.**

19 (1) A NATURAL MEDICINE HEALING CENTER LICENSE MAY BE ISSUED ONLY  
20 TO A PERSON THAT EMPLOYS OR CONTRACTS WITH A FACILITATOR WHO  
21 PROVIDES NATURAL MEDICINE SERVICES PURSUANT TO THE TERMS AND  
22 CONDITIONS OF ARTICLE 170 OF TITLE 12.

23 (2) A NATURAL MEDICINE HEALING CENTER LICENSEE MAY  
24 TRANSFER REGULATED NATURAL MEDICINE OR REGULATED NATURAL  
25 MEDICINE PRODUCT TO ANOTHER NATURAL MEDICINE HEALING CENTER  
26 LICENSEE PURSUANT TO RULES PROMULGATED BY THE STATE LICENSING  
27 AUTHORITY.

1 (3) PRIOR TO INITIATING NATURAL MEDICINE SERVICES, THE  
2 FACILITATOR OF THE NATURAL MEDICINE HEALING CENTER LICENSEE  
3 SHALL VERIFY THAT THE PARTICIPANT IS TWENTY-ONE YEARS OF AGE OR  
4 OLDER.

5 (4) A NATURAL MEDICINE HEALING CENTER LICENSEE SHALL  
6 COMPLY WITH ALL PROVISIONS OF ARTICLE 34 OF TITLE 24, AS THE  
7 PROVISIONS RELATE TO PERSONS WITH DISABILITIES.

8 (5) (a) EXCEPT AS PROVIDED IN SUBSECTION (5)(b) OF THIS  
9 SECTION, A NATURAL MEDICINE HEALING CENTER LICENSEE SHALL NOT  
10 TRANSFER, INDIVIDUALLY OR IN ANY COMBINATION, MORE THAN AN  
11 AMOUNT PROMULGATED BY RULE OF NATURAL MEDICINE AND NATURAL  
12 MEDICINE PRODUCT TO A PARTICIPANT IN A SINGLE ADMINISTRATION  
13 SESSION.

14 (b) THE STATE LICENSING AUTHORITY MAY PROMULGATE RULES  
15 TO ESTABLISH CERTAIN EXEMPTIONS TO THE NATURAL MEDICINE OR  
16 NATURAL MEDICINE PRODUCT LIMITATION AND MAY ESTABLISH  
17 RECORD-KEEPING REQUIREMENTS FOR NATURAL MEDICINE HEALING  
18 CENTER LICENSEES PURSUANT TO ANY EXEMPTION TO THE  
19 ADMINISTRATION LIMITATION.

20 **44-50-402. Natural medicine cultivation facility license.** (1) A  
21 NATURAL MEDICINE CULTIVATION FACILITY LICENSE MAY BE ISSUED ONLY  
22 TO A PERSON WHO CULTIVATES REGULATED NATURAL MEDICINE FOR  
23 TRANSFER AND DISTRIBUTION TO NATURAL MEDICINE HEALING CENTER  
24 LICENSEES, NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEES, OR  
25 OTHER NATURAL MEDICINE CULTIVATION FACILITY LICENSEES.

26 (2) NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT MUST  
27 NOT BE CONSUMED ON THE NATURAL MEDICINE CULTIVATION FACILITY

1 LICENSEE'S LICENSED PREMISES, UNLESS THE LICENSED PREMISES IS  
2 CO-LOCATED WITH A NATURAL MEDICINE HEALING CENTER LICENSEE'S  
3 LICENSED PREMISES.

4 **44-50-403. Natural medicine product manufacturer license.**

5 (1) (a) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSE MAY BE  
6 ISSUED TO A PERSON WHO MANUFACTURES REGULATED NATURAL  
7 MEDICINE PRODUCT PURSUANT TO THE TERMS AND CONDITIONS OF THIS  
8 ARTICLE 50 AND RULES PROMULGATED PURSUANT TO THIS ARTICLE 50.

9 (b) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEE  
10 MAY CULTIVATE ITS OWN REGULATED NATURAL MEDICINE PURSUANT TO  
11 A NATURAL MEDICINE CULTIVATION FACILITY LICENSEE.

12 (c) A NATURAL MEDICINE PRODUCT MANUFACTURER LICENSEE  
13 SHALL NOT:

14 (I) ADD ANY REGULATED NATURAL MEDICINE TO A FOOD PRODUCT  
15 IF THE MANUFACTURER OF THE FOOD PRODUCT HOLDS A TRADEMARK TO  
16 THE FOOD PRODUCT'S NAME; EXCEPT THAT A NATURAL MEDICINE PRODUCT  
17 MANUFACTURER LICENSEE MAY USE A TRADEMARKED FOOD PRODUCT IF  
18 THE MANUFACTURER USES THE PRODUCT AS A COMPONENT OR AS PART OF  
19 A RECIPE AND IF THE NATURAL MEDICINE PRODUCT MANUFACTURER  
20 LICENSEE DOES NOT STATE OR ADVERTISE TO THE CONSUMER THAT THE  
21 FINAL NATURAL MEDICINE PRODUCT CONTAINS A TRADEMARKED FOOD  
22 PRODUCT;

23 (II) INTENTIONALLY OR KNOWINGLY LABEL OR PACKAGE NATURAL  
24 MEDICINE OR NATURAL MEDICINE PRODUCT IN A MANNER THAT WOULD  
25 CAUSE A REASONABLE CONSUMER CONFUSION AS TO WHETHER THE  
26 NATURAL MEDICINE PRODUCT WAS A TRADEMARKED FOOD PRODUCT; OR

27 (III) LABEL OR PACKAGE A PRODUCT IN A MANNER THAT VIOLATES

1 ANY FEDERAL TRADEMARK LAW OR REGULATION.

2 (2) NATURAL MEDICINE AND NATURAL MEDICINE PRODUCT MUST  
3 NOT BE CONSUMED ON A NATURAL MEDICINE PRODUCT MANUFACTURER  
4 LICENSEE'S LICENSED PREMISES, UNLESS THE LICENSED PREMISES IS  
5 CO-LOCATED WITH A NATURAL MEDICINE HEALING CENTER LICENSEE'S  
6 LICENSED PREMISES.

7 **44-50-404. Natural medicine testing facility license - rules.**

8 (1) (a) A NATURAL MEDICINE TESTING FACILITY LICENSE MAY BE ISSUED  
9 TO A PERSON WHO PERFORMS TESTING AND RESEARCH ON NATURAL  
10 MEDICINE AND NATURAL MEDICINE PRODUCT.

11 (b) THE TESTING OF NATURAL MEDICINE AND NATURAL MEDICINE  
12 PRODUCT, AND THE ASSOCIATED STANDARDS, IS A MATTER OF STATEWIDE  
13 CONCERN.

14 (2) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES  
15 RELATED TO ACCEPTABLE TESTING AND RESEARCH PRACTICES, INCLUDING  
16 BUT NOT LIMITED TO TESTING, STANDARDS, QUALITY CONTROL ANALYSIS,  
17 EQUIPMENT CERTIFICATION AND CALIBRATION, IDENTIFICATION OF  
18 CHEMICALS AND OTHER SUBSTANCES USED IN BONA FIDE RESEARCH  
19 METHODS, AND WHETHER TO ALLOW A NATURAL PERSON TO REQUEST AND  
20 UTILIZE TESTING SERVICES OF NATURAL MEDICINE AND NATURAL  
21 MEDICINE PRODUCT IF THE NATURAL PERSON IS TWENTY-ONE YEARS OF  
22 AGE OR OLDER.

23 (3) A PERSON WHO HAS AN INTEREST IN A NATURAL MEDICINE  
24 TESTING FACILITY LICENSE SHALL NOT HAVE ANY INTEREST IN A LICENSED  
25 NATURAL MEDICINE HEALING CENTER, A LICENSED NATURAL MEDICINE  
26 CULTIVATION FACILITY, A LICENSED NATURAL MEDICINE PRODUCT  
27 MANUFACTURER, OR A NATURAL MEDICINE LICENSE ISSUED BY THE STATE

1 LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 50 OR RULES  
2 PROMULGATED PURSUANT TO THIS ARTICLE 50.

3 PART 5

4 UNLAWFUL ACTS

5 **44-50-501. Unlawful acts.** (1) EXCEPT AS OTHERWISE PROVIDED  
6 IN THIS ARTICLE 50, IT IS UNLAWFUL FOR A LICENSEE TO:

7 (a) TRANSFER NATURAL MEDICINE OR A NATURAL MEDICINE  
8 PRODUCT TO A PERSON UNDER TWENTY-ONE YEARS OF AGE; OR

9 (b) KNOWINGLY ADULTERATE OR ALTER, OR ATTEMPT TO  
10 ADULTERATE OR ALTER, ANY SAMPLE OF REGULATED NATURAL MEDICINE  
11 OR A NATURAL MEDICINE PRODUCT FOR THE PURPOSE OF CIRCUMVENTING  
12 TESTING REQUIREMENTS.

13 PART 6

14 FEES

15 **44-50-601. Regulated natural medicine cash fund - created -**  
16 **rules.** (1) (a) ALL MONEY COLLECTED BY THE STATE LICENSING  
17 AUTHORITY PURSUANT TO THIS ARTICLE 50 OR RULES PROMULGATED  
18 PURSUANT TO THIS ARTICLE 50 MUST BE TRANSMITTED TO THE STATE  
19 TREASURER, WHO SHALL CREDIT THE SAME TO THE REGULATED NATURAL  
20 MEDICINE DIVISION CASH FUND, WHICH IS HEREBY CREATED. THE  
21 REGULATED NATURAL MEDICINE DIVISION CASH FUND, REFERRED TO IN  
22 THIS SECTION AS THE "FUND", CONSISTS OF:

23 (I) THE MONEY COLLECTED BY THE STATE LICENSING AUTHORITY;  
24 AND

25 (II) ANY ADDITIONAL GENERAL FUND MONEY APPROPRIATED TO  
26 THE FUND THAT IS NECESSARY FOR THE OPERATION OF THE STATE  
27 LICENSING AUTHORITY.

1 (b) MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION  
2 BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND  
3 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE 50.

4 (c) ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSES  
5 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS  
6 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE  
7 INVESTMENT AND DEPOSIT OF MONEY IN THE FUND SHALL BE CREDITED TO  
8 THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING  
9 IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND  
10 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR  
11 ANOTHER FUND.

12 (2) THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE  
13 PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE  
14 FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3) TO REDUCE THE  
15 UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF  
16 ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED  
17 RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE  
18 DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE  
19 THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION  
20 24-75-402 (4).

21 (3) (a) THE STATE LICENSING AUTHORITY SHALL ESTABLISH FEES  
22 FOR PROCESSING THE APPLICATIONS OR LICENSES PURSUANT TO SECTION  
23 44-50-301.

24 (b) THE AMOUNTS OF SUCH FEES, WHEN ADDED TO THE OTHER FEES  
25 TRANSFERRED TO THE FUND PURSUANT TO THIS SECTION, MUST REFLECT  
26 THE ACTUAL DIRECT AND INDIRECT COSTS OF THE STATE LICENSING  
27 AUTHORITY IN THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE

1 50 SO THAT THE FEES AVOID EXCEEDING THE STATUTORY LIMIT ON  
2 UNCOMMITTED RESERVES IN ADMINISTRATIVE AGENCY CASH FUNDS AS SET  
3 FORTH IN SECTION 24-75-402 (3).

4 (c) THE STATE LICENSING AUTHORITY MAY CHARGE APPLICANTS  
5 LICENSED PURSUANT TO THIS ARTICLE 50 A FEE FOR THE COST OF EACH  
6 FINGERPRINT ANALYSIS AND BACKGROUND INVESTIGATION UNDERTAKEN  
7 TO QUALIFY NEW OFFICERS, DIRECTORS, MANAGERS, OR EMPLOYEES.

8 (d) AT LEAST ANNUALLY, THE STATE LICENSING AUTHORITY SHALL  
9 REVIEW THE AMOUNTS OF THE FEES AND, IF NECESSARY, ADJUST THE  
10 AMOUNTS TO REFLECT THE DIRECT AND INDIRECT COSTS OF THE STATE  
11 LICENSING AUTHORITY.

12 (e) THE FEES ESTABLISHED AND COLLECTED PURSUANT TO THIS  
13 SECTION MUST NOT EXCEED THE AMOUNT NECESSARY TO ADMINISTER THIS  
14 ARTICLE 50.

15 (4) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION, THE  
16 STATE LICENSING AUTHORITY SHALL ESTABLISH A BASIC FEE THAT SHALL  
17 BE PAID AT THE TIME OF SERVICE OF ANY SUBPOENA UPON THE STATE  
18 LICENSING AUTHORITY, PLUS A FEE FOR MEALS AND A FEE FOR MILEAGE AT  
19 THE RATE PRESCRIBED FOR STATE OFFICERS AND EMPLOYEES IN SECTION  
20 24-9-104 FOR EACH MILE ACTUALLY AND NECESSARILY TRAVELED IN  
21 GOING TO AND RETURNING FROM THE PLACE NAMED IN THE SUBPOENA. IF  
22 THE PERSON NAMED IN THE SUBPOENA IS REQUIRED TO ATTEND THE PLACE  
23 NAMED IN THE SUBPOENA FOR MORE THAN ONE DAY, THERE SHALL BE  
24 PAID, IN ADVANCE, A SUM TO BE ESTABLISHED BY THE STATE LICENSING  
25 AUTHORITY FOR EACH DAY OF ATTENDANCE TO COVER THE EXPENSES OF  
26 THE PERSON NAMED IN THE SUBPOENA.

27 (5) THE SUBPOENA FEE ESTABLISHED PURSUANT TO SUBSECTION

1 (4) OF THIS SECTION DOES NOT APPLY TO ANY FEDERAL, STATE, OR LOCAL  
2 GOVERNMENTAL AGENCY.

3 **44-50-602. Fees - allocation.** (1) EXCEPT AS OTHERWISE  
4 PROVIDED, ALL FEES AND FINES PROVIDED FOR BY THIS ARTICLE 50 SHALL  
5 BE PAID TO THE STATE LICENSING AUTHORITY, WHICH SHALL TRANSMIT  
6 THE FEES TO THE STATE TREASURER. THE STATE TREASURER SHALL CREDIT  
7 THE FEES TO THE REGULATED NATURAL MEDICINE DIVISION CASH FUND  
8 CREATED IN SECTION 44-50-601.

9 (2) THE EXPENDITURES OF THE STATE LICENSING AUTHORITY ARE  
10 PAID OUT OF APPROPRIATIONS FROM THE REGULATED NATURAL MEDICINE  
11 DIVISION CASH FUND CREATED IN SECTION 44-50-601.

## 12 PART 7

### 13 DISCIPLINARY ACTIONS

14 **44-50-701. Suspension - revocation - fines.** (1) IN ADDITION TO  
15 ANY OTHER SANCTIONS PRESCRIBED BY THIS ARTICLE 50 OR RULES  
16 PROMULGATED PURSUANT TO THIS ARTICLE 50, THE STATE LICENSING  
17 AUTHORITY HAS THE POWER, ON ITS OWN MOTION OR ON COMPLAINT,  
18 AFTER INVESTIGATION AND OPPORTUNITY FOR A PUBLIC HEARING AT  
19 WHICH THE LICENSEE MUST BE AFFORDED AN OPPORTUNITY TO BE HEARD,  
20 TO FINE A LICENSEE OR TO SUSPEND OR REVOKE A LICENSE ISSUED BY THE  
21 AUTHORITY FOR A VIOLATION BY THE LICENSEE OR BY ANY OF THE AGENTS  
22 OR EMPLOYEES OF THE LICENSEE OF THE PROVISIONS OF THIS ARTICLE 50,  
23 OR ANY OF THE RULES PROMULGATED PURSUANT TO THIS ARTICLE 50, OR  
24 OF ANY OF THE TERMS, CONDITIONS, OR PROVISIONS OF THE LICENSE  
25 ISSUED BY THE STATE LICENSING AUTHORITY. THE STATE LICENSING  
26 AUTHORITY HAS THE POWER TO ADMINISTER OATHS AND ISSUE SUBPOENAS  
27 TO REQUIRE THE PRESENCE OF PERSONS AND THE PRODUCTION OF PAPERS,

1 BOOKS, AND RECORDS NECESSARY TO THE DETERMINATION OF A HEARING  
2 THAT THE STATE LICENSING AUTHORITY IS AUTHORIZED TO CONDUCT.

3 (2) THE STATE LICENSING AUTHORITY SHALL PROVIDE NOTICE OF  
4 SUSPENSION, REVOCATION, FINE, OR OTHER SANCTION, AS WELL AS THE  
5 REQUIRED NOTICE OF THE HEARING PURSUANT TO SUBSECTION (1) OF THIS  
6 SECTION, BY MAILING THE SAME IN WRITING TO THE LICENSEE AT THE  
7 ADDRESS CONTAINED IN THE LICENSE AND, IF DIFFERENT, AT THE LAST  
8 ADDRESS FURNISHED TO THE AUTHORITY BY THE LICENSEE. EXCEPT IN THE  
9 CASE OF A SUMMARY SUSPENSION, A SUSPENSION MAY NOT EXCEED SIX  
10 MONTHS. IF A LICENSE IS SUSPENDED OR REVOKED, A PART OF THE FEES  
11 PAID FOR THE LICENSE ARE NOT RETURNED TO THE LICENSEE. ANY  
12 LICENSE, REGISTRATION, OR PERMIT MAY BE SUMMARILY SUSPENDED BY  
13 THE STATE LICENSING AUTHORITY WITHOUT NOTICE PENDING ANY  
14 PROSECUTION, INVESTIGATION, OR PUBLIC HEARING PURSUANT TO THE  
15 TERMS OF SECTION 24-4-104 (4). NOTHING IN THIS SECTION PREVENTS THE  
16 SUMMARY SUSPENSION OF A LICENSE PURSUANT TO SECTION 24-4-104 (4).

17 PART 8

18 JUDICIAL REVIEW

19 **44-50-801. Judicial review.** DECISIONS BY THE STATE LICENSING  
20 AUTHORITY ARE SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION  
21 24-4-106.

22 PART 9

23 PROTECTIONS, CONSTRUCTION,  
24 PREEMPTION, AND SEVERABILITY

25 **44-50-901. Protections.** (1) SUBJECT TO THE LIMITATIONS IN THIS  
26 ARTICLE 50 AND ARTICLE 170 OF TITLE 12, BUT NOTWITHSTANDING ANY  
27 OTHER PROVISION OF LAW:

1           (a) ACTIONS AND CONDUCT PERMITTED PURSUANT TO A LICENSE,  
2 REGISTRATION, OR PERMIT ISSUED BY THE STATE LICENSING AUTHORITY  
3 PURSUANT TO THIS ARTICLE 50, OR BY THOSE WHO ALLOW PROPERTY TO  
4 BE USED PURSUANT TO A LICENSE ISSUED PURSUANT TO THIS ARTICLE 50,  
5 ARE LAWFUL AND ARE NOT AN OFFENSE UNDER STATE LAW OR THE LAWS  
6 OF ANY LOCAL JURISDICTION WITHIN THE STATE; ARE NOT SUBJECT TO A  
7 CIVIL FINE, PENALTY, OR SANCTION; ARE NOT A BASIS FOR DETENTION,  
8 SEARCH, OR ARREST; ARE NOT A BASIS TO DENY ANY RIGHT OR PRIVILEGE;  
9 AND ARE NOT A BASIS TO SEIZE OR FORFEIT ASSETS UNDER STATE LAW OR  
10 THE LAWS OF ANY LOCAL JURISDICTION WITHIN THIS STATE;

11           (b) A CONTRACT IS NOT UNENFORCEABLE ON THE BASIS THAT  
12 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, AS ALLOWED  
13 PURSUANT TO THIS ARTICLE 50, IS PROHIBITED BY FEDERAL LAW;

14           (c) A LICENSEE, REGISTRANT, OR PERMITTEE PURSUANT TO THIS  
15 ARTICLE 50 IS NOT SUBJECT TO DISCIPLINE OR LOSS OF A PROFESSIONAL  
16 LICENSE OR CERTIFICATION FOR PROVIDING ADVICE OR SERVICES ARISING  
17 OUT OF OR RELATED TO NATURAL MEDICINE OR NATURAL MEDICINE  
18 PRODUCT, APPLICATIONS FOR LICENSES ON THE BASIS THAT NATURAL  
19 MEDICINE OR NATURAL MEDICINE PRODUCT IS PROHIBITED BY FEDERAL  
20 LAW, OR FOR PERSONAL USE OF NATURAL MEDICINE OR NATURAL  
21 MEDICINE PRODUCT AS ALLOWED PURSUANT TO THIS ARTICLE 50. THIS  
22 SUBSECTION (1)(c) DOES NOT PERMIT A LICENSEE, REGISTRANT, OR  
23 PERMITTEE TO ENGAGE IN MALPRACTICE.

24           (d) MENTAL HEALTH CARE, SUBSTANCE USE DISORDER  
25 INTERVENTION, OR BEHAVIORAL HEALTH SERVICES OTHERWISE COVERED  
26 UNDER THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4 TO 6 OF  
27 TITLE 25.5, MUST NOT BE DENIED ON THE BASIS THAT THEY ARE COVERED

1 IN CONJUNCTION WITH NATURAL MEDICINE SERVICES, OR THAT NATURAL  
2 MEDICINE OR NATURAL MEDICINE PRODUCT IS PROHIBITED BY FEDERAL  
3 LAW. INSURANCE OR AN INSURANCE PROVIDER IS NOT REQUIRED TO COVER  
4 THE COST OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT.

5 (e) NOTHING IN THIS SECTION MAY BE CONSTRUED OR  
6 INTERPRETED TO PREVENT THE DIRECTOR FROM ENFORCING ITS RULES  
7 AGAINST A LICENSEE OR TO LIMIT A STATE OR LOCAL LAW ENFORCEMENT  
8 AGENCY'S ABILITY TO INVESTIGATE UNLAWFUL ACTIVITY IN RELATION TO  
9 A LICENSEE.

10 **44-50-902. Liberal construction.** THIS ARTICLE 50 MUST BE  
11 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE.

12 **44-50-903. Preemption.** A LOCAL JURISDICTION SHALL NOT  
13 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION THAT  
14 ARE OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ARTICLE 50.

15 **44-50-904. Severability.** IF ANY PROVISION OF THIS ARTICLE 50 IS  
16 FOUND BY A COURT OF COMPETENT JURISDICTION TO BE  
17 UNCONSTITUTIONAL, THE REMAINING PROVISIONS OF THIS ARTICLE 50 ARE  
18 VALID, UNLESS IT APPEARS TO THE COURT THAT THE VALID PROVISIONS OF  
19 THE STATUTE ARE SO ESSENTIALLY AND INSEPARABLY CONNECTED WITH,  
20 AND SO DEPENDENT UPON, THE VOID PROVISION THAT IT CANNOT BE  
21 PRESUMED THAT THE GENERAL ASSEMBLY WOULD HAVE ENACTED THE  
22 VALID PROVISIONS WITHOUT THE VOID ONE; OR UNLESS THE COURT  
23 DETERMINES THAT THE VALID PROVISIONS, STANDING ALONE, ARE  
24 INCOMPLETE AND ARE INCAPABLE OF BEING EXECUTED IN ACCORDANCE  
25 WITH THE LEGISLATIVE INTENT.

26 PART 10

27 SUNSET REVIEW - ARTICLE REPEAL

1           **44-50-1001. Sunset review - repeal of article.** (1) THIS ARTICLE  
2 50 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2032.

3           (2) PRIOR TO THE REPEAL OF THIS ARTICLE 50, THE DEPARTMENT  
4 OF REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW AS  
5 DESCRIBED IN SECTION 24-34-104 (5).

6           **SECTION 22.** In Colorado Revised Statutes, 16-13-303, **amend**  
7 (9) as follows:

8           **16-13-303. Class 1 public nuisance.** (9) ~~A person acting in~~  
9 ~~compliance with the "Natural Medicine Health Act of 2022", article 170~~  
10 ~~of title 12 does not violate this section~~ IT IS NOT A VIOLATION OF THIS  
11 SECTION IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434,  
12 ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

13           **SECTION 23.** In Colorado Revised Statutes, 16-13-304, **amend**  
14 (2) as follows:

15           **16-13-304. Class 2 public nuisance.** (2) ~~A person acting in~~  
16 ~~compliance with the "Natural Medicine Health Act of 2022", article 170~~  
17 ~~of title 12 does not violate this section~~ IT IS NOT A VIOLATION OF THIS  
18 SECTION IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434,  
19 ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

20           **SECTION 24.** In Colorado Revised Statutes, 18-18-403.5,  
21 **amend** (1) as follows:

22           **18-18-403.5. Unlawful possession of a controlled substance -**  
23 **notice to revisor of statutes - repeal.** (1) Except as authorized by part  
24 1 or 3 of article 280 of title 12, part 2 of article 80 of title 27, section  
25 18-1-711, section 18-18-428 (1)(b), part 2 or 3 of this article 18, ~~or the~~  
26 ~~"Natural Medicine Health Act of 2022", article 170 of title 12~~ SECTION  
27 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, it is

1 unlawful for a person knowingly to possess a controlled substance.

2 **SECTION 25.** In Colorado Revised Statutes, 18-18-404, **amend**  
3 (1)(a) as follows:

4 **18-18-404. Unlawful use of a controlled substance.**

5 (1) (a) Except as is otherwise provided for offenses concerning marijuana  
6 and marijuana concentrate in sections 18-18-406 and 18-18-406.5, ~~or by~~  
7 ~~the "Natural Medicine Health Act of 2022", article 170 of title 12~~ OR FOR  
8 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT IN SECTION  
9 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, any  
10 person who uses any controlled substance, except when it is dispensed by  
11 or under the direction of a person licensed or authorized by law to  
12 prescribe, administer, or dispense the controlled substance for bona fide  
13 medical needs, commits a level 2 drug misdemeanor.

14 **SECTION 26.** In Colorado Revised Statutes, 18-18-405, **amend**  
15 (1)(a) as follows:

16 **18-18-405. Unlawful distribution, manufacturing, dispensing,**  
17 **or sale.** (1) (a) Except as authorized by part 1 of article 280 of title 12,  
18 part 2 of article 80 of title 27, part 2 or 3 of this article 18, ~~or by the~~  
19 ~~"Natural Medicine Health Act of 2022", article 170 of title 12~~ SECTION  
20 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, it is  
21 unlawful for any person knowingly to manufacture, dispense, sell, or  
22 distribute, or to possess with intent to manufacture, dispense, sell, or  
23 distribute, a controlled substance; or induce, attempt to induce, or  
24 conspire with one or more other persons, to manufacture, dispense, sell,  
25 distribute, or possess with intent to manufacture, dispense, sell, or  
26 distribute, a controlled substance; or possess one or more chemicals or  
27 supplies or equipment with intent to manufacture a controlled substance.

1           **SECTION 27.** In Colorado Revised Statutes, **amend** 18-18-410  
2 as follows:

3           **18-18-410. Declaration of class 1 public nuisance.** Except as  
4 ~~permitted by the "Natural Medicine Health Act of 2022", article 170 of~~  
5 ~~title 12~~ AUTHORIZED BY SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR  
6 ARTICLE 50 OF TITLE 44, any store, shop, warehouse, dwelling house,  
7 building, vehicle, boat, or aircraft or any place whatsoever ~~which~~ THAT  
8 is frequented by controlled substance addicts for the unlawful use of  
9 controlled substances or which is used for the unlawful storage,  
10 manufacture, sale, or distribution of controlled substances is declared to  
11 be a class 1 public nuisance and subject to the provisions of section  
12 16-13-303. ~~C.R.S.~~ Any real or personal property ~~which~~ THAT is seized or  
13 confiscated as a result of an action to abate a public nuisance shall be  
14 disposed of pursuant to part 7 of article 13 of title 16. ~~C.R.S.~~

15           **SECTION 28.** In Colorado Revised Statutes, 18-18-411, **repeal**  
16 (5); and **add** (3.5) as follows:

17           **18-18-411. Keeping, maintaining, controlling, renting, or**  
18 **making available property for unlawful distribution or manufacture**  
19 **of controlled substances.** (3.5) IT IS NOT A VIOLATION OF THIS SECTION  
20 IF A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434, ARTICLE  
21 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

22           (5) ~~A person acting in compliance with the "Natural Medicine~~  
23 ~~Health Act of 2022", article 170 of title 12 does not violate this section.~~

24           **SECTION 29.** In Colorado Revised Statutes, 18-18-412.7, **repeal**  
25 (3); and **add** (1.5) as follows:

26           **18-18-412.7. Sale or distribution of materials to manufacture**  
27 **controlled substances.** (1.5) IT IS NOT A VIOLATION OF THIS SECTION IF

1 A PERSON IS ACTING IN COMPLIANCE WITH SECTION 18-18-434, ARTICLE  
2 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

3 (3) ~~A person acting in compliance with the "Natural Medicine~~  
4 ~~Health Act of 2022", article 170 of title 12 does not violate this section.~~

5 **SECTION 30.** In Colorado Revised Statutes, 18-18-430.5,  
6 **amend** (1)(c) as follows:

7 **18-18-430.5. Drug paraphernalia - exemption.** (1) A person is  
8 exempt from sections 18-18-425 to 18-18-430 if the person is:

9 (c) Using equipment, products, or materials in compliance with  
10 ~~the "Natural Medicine Health Act of 2022", article 170 of title 12~~  
11 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44.

12 The manufacture, possession, and distribution of such equipment,  
13 products, or materials ~~shall be~~ is authorized within the meaning of 21  
14 U.S.C. 863 sec. (f).

15 **SECTION 31.** In Colorado Revised Statutes, **add** 18-18-434 as  
16 follows:

17 **18-18-434. Offenses relating to natural medicine and natural**  
18 **medicine product - definitions.** (1) A PERSON WHO IS UNDER  
19 TWENTY-ONE YEARS OF AGE WHO KNOWINGLY POSSESSES OR CONSUMES  
20 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT COMMITS A DRUG  
21 PETTY OFFENSE AND, UPON CONVICTION THEREOF, IS SUBJECT TO A FINE OF  
22 NOT MORE THAN ONE HUNDRED DOLLARS OR NOT MORE THAN FOUR HOURS  
23 OF SUBSTANCE USE EDUCATION OR COUNSELING; EXCEPT THAT A SECOND  
24 OR SUBSEQUENT CONVICTION FOR A VIOLATION OF THIS SUBSECTION (1) IS  
25 SUBJECT TO A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS, NOT MORE  
26 THAN FOUR HOURS OF SUBSTANCE USE EDUCATION OR COUNSELING, AND  
27 NOT MORE THAN TWENTY-FOUR HOURS OF USEFUL PUBLIC SERVICE.

1           (2) A PERSON WHO OPENLY AND PUBLICLY DISPLAYS OR CONSUMES  
2 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT COMMITS A DRUG  
3 PETTY OFFENSE AND, UPON CONVICTION THEREOF, IS SUBJECT TO A FINE OF  
4 NOT MORE THAN ONE HUNDRED DOLLARS AND NOT MORE THAN  
5 TWENTY-FOUR HOURS OF USEFUL PUBLIC SERVICE.

6           (3) (a) A PERSON WHO CULTIVATES NATURAL MEDICINE THAT  
7 CUMULATIVELY EXCEEDS AN AREA OF MORE THAN TWELVE FEET WIDE BY  
8 TWELVE FEET LONG IN ONE OR MORE CULTIVATION AREAS ON THE PRIVATE  
9 PROPERTY, OR ALLOWS SUCH CULTIVATION ON PRIVATE PROPERTY THAT  
10 THE PERSON OWNS, OCCUPIES, OR CONTROLS, AND DOES NOT CULTIVATE  
11 NATURAL MEDICINE IN AN ENCLOSED AND LOCKED SPACE ON THE PRIVATE  
12 PROPERTY, COMMITS A DRUG PETTY OFFENSE, AND UPON CONVICTION  
13 THEREOF, IS SUBJECT TO A FINE OF NOT MORE THAN ONE THOUSAND  
14 DOLLARS.

15           (b) IT IS NOT A VIOLATION OF THIS SUBSECTION (3)(a) IF THE  
16 PERSON WHO IS CULTIVATING NATURAL MEDICINE IS TWENTY-ONE YEARS  
17 OF AGE OR OLDER, IF THE CULTIVATION AREA IS LOCATED IN A DWELLING  
18 ON THE PRIVATE PROPERTY, AND:

19           (I) IF A PERSON UNDER TWENTY-ONE YEARS OF AGE LIVES AT THE  
20 DWELLING, THE CULTIVATION AREA ITSELF IS ENCLOSED AND LOCKED; OR

21           (II) IF NO PERSON UNDER TWENTY-ONE YEARS OF AGE LIVES AT  
22 THE DWELLING, THE EXTERNAL LOCKS ON THE DWELLING CONSTITUTE AN  
23 ENCLOSED AND LOCKED SPACE, BUT IF A PERSON UNDER TWENTY-ONE  
24 YEARS OF AGE ENTERS THE DWELLING, THE PERSON CULTIVATING THE  
25 NATURAL MEDICINE SHALL ENSURE THAT ACCESS TO THE CULTIVATION  
26 AREA IS REASONABLY RESTRICTED FOR THE DURATION OF THE PERSON  
27 UNDER TWENTY-ONE YEARS OF AGE'S PRESENCE IN THE PRIVATE

1 PROPERTY.

2 (c) IT IS NOT A VIOLATION OF SUBSECTION (3)(a) OF THIS SECTION  
3 IF A COUNTY, MUNICIPALITY, OR CITY AND COUNTY LAW EXPRESSLY  
4 PERMITS THE CULTIVATION OF NATURAL MEDICINE THAT CUMULATIVELY  
5 EXCEEDS AN AREA OF MORE THAN TWELVE FEET WIDE BY TWELVE FEET  
6 LONG IN ONE OR MORE CULTIVATION AREAS ON THE PRIVATE PROPERTY  
7 AND THE PERSON CULTIVATES THE NATURAL MEDICINE IN AN ENCLOSED  
8 AND LOCKED SPACE WITHIN THE LIMIT SET BY THE COUNTY, MUNICIPALITY,  
9 OR CITY AND COUNTY WHERE THE NATURAL MEDICINE IS LOCATED.

10 (4) (a) IT IS UNLAWFUL FOR A PERSON WHO IS NOT LICENSED  
11 PURSUANT TO ARTICLE 50 OF TITLE 44 TO KNOWINGLY MANUFACTURE  
12 NATURAL MEDICINE PRODUCT USING AN INHERENTLY HAZARDOUS  
13 SUBSTANCE.

14 (b) IT IS UNLAWFUL FOR A PERSON WHO IS NOT LICENSED  
15 PURSUANT TO ARTICLE 50 OF TITLE 44 WHO OWNS, MANAGES, OPERATES,  
16 OR OTHERWISE CONTROLS THE USE OF A PROPERTY TO KNOWINGLY ALLOW  
17 NATURAL MEDICINE PRODUCT TO BE MANUFACTURED ON THE PREMISES  
18 USING AN INHERENTLY HAZARDOUS SUBSTANCE.

19 (c) A PERSON WHO VIOLATES THIS SUBSECTION (4) COMMITS A  
20 LEVEL 2 DRUG FELONY.

21 (5) (a) UNLESS EXPRESSLY LIMITED BY THIS SECTION, A PERSON  
22 WHO FOR THE PURPOSE OF PERSONAL USE AND WITHOUT REMUNERATION,  
23 POSSESSES, CONSUMES, SHARES, CULTIVATES, OR MANUFACTURES  
24 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT, DOES NOT VIOLATE  
25 STATE LAW, OR COUNTY, MUNICIPALITY, OR CITY AND COUNTY  
26 ORDINANCE, RULE, OR RESOLUTION.

27 (b) NOTHING IN THIS SECTION PERMITS A PERSON TO:

1 (I) DISPENSE, SELL, DISTRIBUTE, OR POSSESS WITH INTENT TO  
2 DISPENSE, SELL, OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL  
3 MEDICINE PRODUCT TO A PERSON UNDER TWENTY-ONE YEARS OF AGE;

4 (II) DISPENSE, SELL, DISTRIBUTE, OR POSSESS WITH INTENT TO  
5 DISPENSE, SELL, OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL  
6 MEDICINE PRODUCT FOR REMUNERATION, EXCEPT AS PROVIDED BY  
7 ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44;

8 (III) MANUFACTURE, CULTIVATE, POSSESS, CONSUME, USE,  
9 DISPENSE, OR DISTRIBUTE NATURAL MEDICINE OR NATURAL MEDICINE  
10 PRODUCT, OR POSSESS WITH INTENT TO MANUFACTURE, CULTIVATE,  
11 POSSESS, CONSUME, USE, DISPENSE, OR DISTRIBUTE NATURAL MEDICINE OR  
12 NATURAL MEDICINE PRODUCT FOR A PURPOSE OTHER THAN PERSONAL USE  
13 OR AS PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44;

14 (IV) DISPENSE, DISTRIBUTE, OR POSSESS WITH INTENT TO DISPENSE  
15 OR DISTRIBUTE, NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT AS  
16 A PART OF A BUSINESS PROMOTION OR COMMERCIAL ACTIVITY, EXCEPT AS  
17 PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44; OR

18 (V) DISPENSE, SELL, OR DISTRIBUTE, OR POSSESS WITH INTENT TO  
19 DISPENSE, SELL, OR DISTRIBUTE, IBOGAININE OR NATURAL MEDICINE  
20 PRODUCT THAT CONTAINS IBOGAININE TO ANOTHER PERSON, EXCEPT AS  
21 PROVIDED BY ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44.

22 (c) A PEACE OFFICER SHALL NOT ARREST A PERSON, AND A  
23 DISTRICT ATTORNEY SHALL NOT CHARGE OR PROSECUTE A PERSON FOR A  
24 CRIMINAL OFFENSE INVOLVING NATURAL MEDICINE OR NATURAL MEDICINE  
25 PRODUCT PURSUANT TO THIS PART 4, EXCEPT AS EXPRESSLY PROVIDED IN  
26 THIS SECTION.

27 (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE

1 CONTRARY, A PEACE OFFICER MAY ARREST A PERSON, OR A DISTRICT  
2 ATTORNEY MAY CHARGE OR PROSECUTE A PERSON FOR A CRIMINAL  
3 OFFENSE PURSUANT TO SECTION 18-18-405 THAT IS NOT EXPRESSLY  
4 LAWFUL PURSUANT TO THIS SECTION OR ARTICLE 170 OF TITLE 12 AND  
5 ARTICLE 50 OF TITLE 44.

6 (6) NOTWITHSTANDING ANY LAW TO THE CONTRARY, AN ACTION  
7 THAT IS LAWFUL PURSUANT TO THIS SECTION, ARTICLE 170 OF TITLE 12, OR  
8 ARTICLE 50 OF TITLE 44, INDIVIDUALLY OR IN COMBINATION WITH  
9 ANOTHER ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION, MUST NOT  
10 BE THE SOLE REASON TO:

11 (a) SUBJECT A PERSON TO A CIVIL FINE, PENALTY, OR SANCTION;

12 (b) DENY A PERSON A RIGHT OR PRIVILEGE; OR

13 (c) SEIZE OR FORFEIT ASSETS.

14 (7) (a) EXCEPT AS PROVIDED IN SUBSECTION (7)(b) OF THIS  
15 SECTION, AN ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION,  
16 INDIVIDUALLY OR IN COMBINATION WITH ANOTHER ACTION THAT IS  
17 LAWFUL PURSUANT TO THIS SECTION, MUST NOT SOLELY BE USED AS A  
18 FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION  
19 DETERMINATION OF ANY CRIMINAL OFFENSE.

20 (b) AN ACTION THAT IS LAWFUL PURSUANT TO THIS SECTION MAY  
21 BE USED AS A FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION  
22 DETERMINATION OF ANY CRIMINAL OFFENSE IF THE ORIGINAL STOP OR  
23 SEARCH WAS LAWFUL AND OTHER FACTORS ARE PRESENT TO SUPPORT A  
24 PROBABLE CAUSE OR REASONABLE SUSPICION DETERMINATION OF ANY  
25 CRIMINAL OFFENSE.

26 (8) THE FACT THAT A PERSON IS ENTITLED TO CONSUME NATURAL  
27 MEDICINE OR NATURAL MEDICINE PRODUCT UNDER THE LAWS OF THIS

1 STATE DOES NOT CONSTITUTE A DEFENSE AGAINST ANY CHARGE FOR  
2 VIOLATION OF AN OFFENSE RELATED TO THE OPERATION OF A VEHICLE,  
3 AIRCRAFT, BOAT, MACHINERY, OR OTHER DEVICE.

4 (9) A COUNTY, MUNICIPALITY, OR CITY AND COUNTY SHALL NOT  
5 ADOPT, ENACT, OR ENFORCE ANY ORDINANCE, RULE, OR RESOLUTION  
6 IMPOSING ANY GREATER CRIMINAL OR CIVIL PENALTY THAN PROVIDED BY  
7 THIS SECTION OR THAT IS OTHERWISE IN CONFLICT WITH THIS SECTION.

8 (10) NOTHING IN THIS SECTION PROHIBITS A PERSON OR ANY  
9 ENTITY WHO OCCUPIES, OWNS, OR CONTROLS A PROPERTY FROM  
10 PROHIBITING OR OTHERWISE REGULATING THE CULTIVATION OR  
11 MANUFACTURE OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
12 ON OR IN THAT PROPERTY.

13 (11) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
14 REQUIRES:

15 (a) "INHERENTLY HAZARDOUS SUBSTANCE" MEANS ANY LIQUID  
16 CHEMICAL, COMPRESSED GAS, OR COMMERCIAL PRODUCT THAT HAS A  
17 FLASH POINT AT OR LOWER THAN THIRTY-EIGHT DEGREES CELSIUS OR ONE  
18 HUNDRED DEGREES FAHRENHEIT, INCLUDING BUTANE, PROPANE, AND  
19 DIETHYL ETHER, AND EXCLUDING ALL FORMS OF ALCOHOL AND ETHANOL.

20 (b) (I) "NATURAL MEDICINE" MEANS THE FOLLOWING  
21 SUBSTANCES:

22 (A) DIMETHYLTRYPTAMINE;

23 (B) Mescaline;

24 (C) IBOGAININE;

25 (D) PSILOCYBIN; OR

26 (E) PSILOCYN.

27 (II) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR

1 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN THIS SUBSECTION  
2 (11)(b), INCLUDING A DERIVATIVE OF A NATURALLY OCCURRING  
3 COMPOUND OF NATURAL MEDICINE THAT IS PRODUCED USING CHEMICAL  
4 SYNTHESIS, CHEMICAL MODIFICATION, OR CHEMICAL CONVERSION.

5 (III) NOTWITHSTANDING SUBSECTION (11)(b)(I) OF THIS SECTION,  
6 "MESCALINE" DOES NOT INCLUDE PEYOTE, MEANING ALL PARTS OF THE  
7 PLANT CLASSIFIED BOTANICALLY AS LOPHOPHORA WILLIAMSII LEMAIRE,  
8 WHETHER GROWING OR NOT; ITS SEEDS; ANY EXTRACT FROM ANY PART OF  
9 THE PLANT, AND EVERY COMPOUND, SALT, DERIVATIVE, MIXTURE, OR  
10 PREPARATION OF THE PLANT; OR ITS SEEDS OR EXTRACTS.

11 (c) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
12 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

13 (d) "PERSONAL USE" MEANS THE CONSUMPTION OR USE OF  
14 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT; OR THE AMOUNT OF  
15 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT A PERSON MAY  
16 LAWFULLY POSSESS, CULTIVATE, OR MANUFACTURE THAT IS NECESSARY  
17 TO SHARE WITH ANOTHER PERSON WHO IS TWENTY-ONE YEARS OF AGE OR  
18 OLDER WITHIN THE CONTEXT OF COUNSELING, SPIRITUAL GUIDANCE,  
19 BENEFICIAL COMMUNITY-BASED USE AND HEALING, SUPPORTED USE, OR  
20 RELATED SERVICES. "PERSONAL USE" DOES NOT MEAN THE SALE OF  
21 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT FOR  
22 REMUNERATION; THE POSSESSION, CULTIVATION, OR MANUFACTURE OF  
23 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT WITH INTENT TO  
24 SELL THE NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT FOR  
25 REMUNERATION; OR THE POSSESSION, CULTIVATION, MANUFACTURE, OR  
26 DISTRIBUTION OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT  
27 FOR BUSINESS OR COMMERCIAL PURPOSES, EXCEPT AS PROVIDED BY

1 ARTICLE 170 OF TITLE 12 AND ARTICLE 50 OF TITLE 44.

2 (e) "PRIVATE PROPERTY" MEANS A DWELLING, ITS CURTILAGE, AND  
3 A STRUCTURE WITHIN THE CURTILAGE THAT IS BEING USED BY A NATURAL  
4 PERSON OR NATURAL PERSONS FOR HABITATION AND THAT IS NOT OPEN TO  
5 THE PUBLIC.

6 (f) "REMUNERATION" MEANS ANYTHING OF VALUE, INCLUDING  
7 MONEY, REAL PROPERTY, TANGIBLE AND INTANGIBLE PERSONAL  
8 PROPERTY, CONTRACT RIGHT, CHOSE IN ACTION, SERVICE, ANY RIGHT OF  
9 USE OR EMPLOYMENT OR PROMISE OR AGREEMENT CONNECTED  
10 THEREWITH, BUSINESS PROMOTION, OR COMMERCIAL ACTIVITY.

11 **SECTION 32.** In Colorado Revised Statutes, **add** 10-16-158 as  
12 follows:

13 **10-16-158. Prohibition on discrimination for coverage based**  
14 **solely on natural medicine consumption - definitions.** (1) A CARRIER  
15 THAT OFFERS, ISSUES, OR RENEWS A HEALTH BENEFIT PLAN SHALL NOT,  
16 SOLELY ON THE BASIS OF A PERSON'S CONSUMPTION OF NATURAL MEDICINE  
17 OR NATURAL MEDICINE PRODUCT:

18 (a) DECLINE OR LIMIT COVERAGE OF A PERSON; OR

19 (b) PENALIZE A COVERED PERSON OR REDUCE OR LIMIT COVERAGE  
20 FOR A PERSON.

21 (2) A CARRIER THAT OFFERS, ISSUES, OR RENEWS A HEALTH  
22 BENEFIT PLAN THAT PROVIDES COVERAGE FOR ANATOMICAL GIFTS, ORGAN  
23 TRANSPLANTS, OR RELATED TREATMENTS OR SERVICES SHALL NOT,  
24 SOLELY ON THE BASIS OF A COVERED PERSON'S CONSUMPTION OF NATURAL  
25 MEDICINE OR NATURAL MEDICINE PRODUCT:

26 (a) DENY COVERAGE TO A COVERED PERSON FOR AN ORGAN  
27 TRANSPLANT OR RELATED TREATMENT OR SERVICES;

1 (b) DECLINE OR LIMIT COVERAGE OF A COVERED PERSON SOLELY  
2 FOR THE PURPOSE OF AVOIDING THE REQUIREMENTS OF THIS SECTION; OR

3 (c) PENALIZE A COVERED PERSON OR REDUCE OR LIMIT COVERAGE  
4 FOR A COVERED PERSON FOR HEALTH-CARE SERVICES RELATED TO ORGAN  
5 TRANSPLANTATION, AS DETERMINED IN CONSULTATION WITH THE  
6 ATTENDING PHYSICIAN AND THE COVERED PERSON OR THE COVERED  
7 PERSON'S REPRESENTATIVE.

8 (3) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN TO  
9 PROVIDE COVERAGE FOR THE DONATION OF AN ANATOMICAL GIFT, AN  
10 ORGAN TRANSPLANT, OR RELATED TREATMENT OR SERVICES.

11 (4) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT  
12 OTHERWISE REQUIRES:

13 (a) "ANATOMICAL GIFT" MEANS THE DONATION OF PART OF A  
14 HUMAN BODY FOR THE PURPOSE OF TRANSPLANTATION TO ANOTHER  
15 PERSON.

16 (b) (I) "NATURAL MEDICINE" MEANS THE FOLLOWING  
17 SUBSTANCES:

18 (A) DIMETHYLTRYPTAMINE;

19 (B) MESCALINE;

20 (C) IBOGAINE;

21 (D) PSILOCYBIN; OR

22 (E) PSILOCYN.

23 (II) "NATURAL MEDICINE" DOES NOT MEAN A SYNTHETIC OR  
24 SYNTHETIC ANALOG OF THE SUBSTANCES LISTED IN THIS SUBSECTION  
25 (4)(b), INCLUDING A DERIVATIVE OF A NATURALLY OCCURRING COMPOUND  
26 OF NATURAL MEDICINE THAT IS PRODUCED USING CHEMICAL SYNTHESIS,  
27 CHEMICAL MODIFICATION, OR CHEMICAL CONVERSION.

1 (c) "NATURAL MEDICINE PRODUCT" MEANS A PRODUCT INFUSED  
2 WITH NATURAL MEDICINE THAT IS INTENDED FOR CONSUMPTION.

3 **SECTION 33.** In Colorado Revised Statutes, 19-3-103, **add** (4)  
4 as follows:

5 **19-3-103. Child not neglected - when.** (4) (a) A PERSON WHO  
6 PERFORMS OR HAS PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO  
7 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44  
8 DOES NOT, BY ITSELF, CONSTITUTE CHILD ABUSE OR NEGLECT BY A PARENT  
9 OR LEGAL GUARDIAN FOR PURPOSES OF THIS ARTICLE 3.

10 (b) THE COURT SHALL NOT RESTRICT OR PROHIBIT FAMILY TIME, OR  
11 DETERMINE THAT FAMILY TIME IS NOT IN THE CHILD'S BEST INTERESTS,  
12 BASED SOLELY ON THE FACT THAT A PERSON PERFORMS OR HAS  
13 PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO SECTION  
14 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44, UNLESS  
15 THE COURT FINDS THAT FAMILY TIME WOULD ENDANGER THE CHILD'S  
16 PHYSICAL HEALTH OR SIGNIFICANTLY IMPAIR THE CHILD'S EMOTIONAL  
17 DEVELOPMENT.

18 **SECTION 34.** In Colorado Revised Statutes, 24-72-706, **amend**  
19 (1)(h); and **add** (1)(f.5) as follows:

20 **24-72-706. Sealing of criminal conviction and criminal justice**  
21 **records - processing fee.** (1) **Sealing of conviction records.**  
22 (f.5) (I) NOTWITHSTANDING ANY PROVISION OF THIS PART 7 TO THE  
23 CONTRARY, IF A MOTION IS FILED FOR THE SEALING OF A CIVIL INFRACTION,  
24 A PETTY OFFENSE, A PETTY DRUG OFFENSE, A DRUG MISDEMEANOR, OR A  
25 DRUG FELONY FOR AN OFFENSE THAT WAS UNLAWFUL AT THE TIME OF  
26 CONVICTION, BUT IS AN ACT THAT IS NOT UNLAWFUL PURSUANT TO  
27 SECTION 18-18-434, THE COURT SHALL ORDER THE RECORDS SEALED

1 AFTER THE MOTION IS FILED AND THE CRIMINAL HISTORY FILED WITH THE  
2 COURT DOCUMENTS TO THE COURT THAT THE DEFENDANT HAS NOT BEEN  
3 CONVICTED OF AN OFFENSE SINCE THE DATE OF THE FINAL DISPOSITION OF  
4 ALL PROCEEDINGS AGAINST THE DEFENDANT OR SINCE THE DATE OF THE  
5 DEFENDANT'S RELEASE FROM SUPERVISION, WHICHEVER IS LATER.

6 (II) IF A MOTION IS FILED FOR THE SEALING OF AN OFFENSE  
7 DESCRIBED IN THIS SUBSECTION (1)(f.5), THE DEFENDANT SHALL PROVIDE  
8 NOTICE OF THE MOTION TO THE DISTRICT ATTORNEY. THE DISTRICT  
9 ATTORNEY SHALL DETERMINE WHETHER TO OBJECT TO THE MOTION AFTER  
10 CONSIDERING THE FACTORS LISTED IN SUBSECTION (1)(g) OF THIS SECTION.  
11 IF THE DISTRICT ATTORNEY DOES NOT OBJECT, THE COURT MAY GRANT  
12 THE MOTION WITH OR WITHOUT THE BENEFIT OF A HEARING. IF THE  
13 DISTRICT ATTORNEY OBJECTS TO THE MOTION, THE COURT SHALL SET THE  
14 MATTER FOR HEARING. THE COURT MAY ONLY SEAL THE RECORDS IF THE  
15 CRIMINAL HISTORY FILED WITH THE MOTION AS REQUIRED BY SUBSECTION  
16 (1)(c) OF THIS SECTION DOCUMENTS TO THE COURT THAT THE DEFENDANT  
17 HAS NOT BEEN CONVICTED OF A CRIMINAL OFFENSE SINCE THE DATE OF  
18 THE FINAL DISPOSITION OF ALL CRIMINAL PROCEEDINGS AGAINST THE  
19 DEFENDANT OR SINCE THE DATE OF THE DEFENDANT'S RELEASE FROM  
20 SUPERVISION, WHICHEVER IS LATER. THE COURT SHALL DECIDE THE  
21 MOTION AFTER CONSIDERING THE POSITION OF THE DISTRICT ATTORNEY  
22 AND THE FACTORS LISTED IN SUBSECTION (1)(g) OF THIS SECTION.

23 (h) A defendant who files a motion to seal criminal justice records  
24 pursuant to this section shall pay a processing fee of sixty-five dollars to  
25 cover the actual costs related to the sealing of the criminal justice records.  
26 The defendant shall pay to the Colorado bureau of investigation any costs  
27 related to the sealing of the defendant's criminal justice records in the

1 custody of the bureau. The court shall waive the processing fee upon a  
2 determination that:

3 (I) The defendant is indigent; or

4 (II) The defendant's records should have been automatically  
5 sealed pursuant to section 13-3-117, 24-72-704, or 24-72-705; OR

6 (III) THE DEFENDANT FILED A MOTION TO SEAL PURSUANT TO  
7 SUBSECTION (1)(f.5) OF THIS SECTION.

8 **SECTION 35.** In Colorado Revised Statutes, **add** 24-76.5-104 as  
9 follows:

10 **24-76.5-104. Natural medicine consumption consideration**  
11 **prohibited - exception.** CONSIDERATION OF WHETHER A PERSON  
12 PERFORMS OR HAS PERFORMED AN ACTION THAT IS LAWFUL PURSUANT TO  
13 SECTION 18-18-434, ARTICLE 170 OF TITLE 12, OR ARTICLE 50 OF TITLE 44  
14 IS NOT A REQUIREMENT FOR ELIGIBILITY FOR A PUBLIC ASSISTANCE  
15 PROGRAM, UNLESS CONSIDERATION IS REQUIRED PURSUANT TO FEDERAL  
16 LAW.

17 **SECTION 36.** In Colorado Revised Statutes, **add** 25-56-104.5 as  
18 follows:

19 **25-56-104.5. Prohibition on discrimination for organ**  
20 **transplants based solely on natural medicine consumption -**  
21 **applicability.** (1) THIS ARTICLE 56 APPLIES TO ALL STAGES OF THE ORGAN  
22 TRANSPLANT PROCESS.

23 (2) A COVERED ENTITY SHALL NOT, SOLELY ON THE BASIS OF A  
24 PERSON'S CONSUMPTION OF NATURAL MEDICINE OR NATURAL MEDICINE  
25 PRODUCT:

26 (a) CONSIDER THE INDIVIDUAL INELIGIBLE TO RECEIVE AN  
27 ANATOMICAL GIFT OR ORGAN TRANSPLANT;

1 (b) DENY MEDICAL SERVICES OR OTHER SERVICES RELATED TO  
2 ORGAN TRANSPLANTATION, INCLUDING DIAGNOSTIC SERVICES,  
3 EVALUATION, SURGERY, COUNSELING, AND POST-OPERATIVE TREATMENT  
4 AND SERVICES;

5 (c) REFUSE TO REFER THE INDIVIDUAL TO A TRANSPLANT CENTER  
6 OR OTHER RELATED SPECIALIST FOR THE PURPOSE OF BEING EVALUATED  
7 FOR OR RECEIVING AN ORGAN TRANSPLANT;

8 (d) REFUSE TO PLACE A QUALIFIED RECIPIENT ON AN ORGAN  
9 TRANSPLANT WAITING LIST; OR

10 (e) PLACE A QUALIFIED RECIPIENT ON AN ORGAN TRANSPLANT  
11 WAITING LIST AT A LOWER PRIORITY POSITION THAN THE POSITION AT  
12 WHICH THE PERSON WOULD HAVE BEEN PLACED IF THE PERSON DID NOT  
13 CONSUME NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT.

14 (3) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, A  
15 COVERED ENTITY MAY TAKE A PERSON'S CONSUMPTION OF NATURAL  
16 MEDICINE OR NATURAL MEDICINE PRODUCT INTO ACCOUNT WHEN MAKING  
17 TREATMENT OR COVERAGE RECOMMENDATIONS OR DECISIONS, SOLELY TO  
18 THE EXTENT THAT THE NATURAL MEDICINE OR NATURAL MEDICINE  
19 PRODUCT CONSUMPTION HAS BEEN FOUND BY A PHYSICIAN OR SURGEON,  
20 FOLLOWING AN INDIVIDUALIZED EVALUATION OF THE PERSON, TO BE  
21 MEDICALLY SIGNIFICANT TO THE PROVISION OF THE ANATOMICAL GIFT OR  
22 ORGAN TRANSPLANT.

23 (4) A COVERED ENTITY SHALL:

24 (a) MAKE REASONABLE MODIFICATIONS TO ITS POLICIES,  
25 PRACTICES, AND PROCEDURES TO ALLOW A PERSON WHO CONSUMES  
26 NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT ACCESS TO  
27 TRANSPLANTATION-RELATED SERVICES, INCLUDING DIAGNOSTIC SERVICES,

1 SURGERY, COVERAGE, POST-OPERATIVE TREATMENT, AND COUNSELING,  
2 UNLESS THE COVERED ENTITY DEMONSTRATES THAT MAKING SUCH  
3 MODIFICATIONS WOULD FUNDAMENTALLY ALTER THE NATURE OF THE  
4 SERVICES PROVIDED; AND

5 (b) TAKE REASONABLE AND NECESSARY STEPS TO ENSURE THAT A  
6 PERSON'S CONSUMPTION OF NATURAL MEDICINE OR NATURAL MEDICINE  
7 PRODUCT IS NOT THE REASON THE PERSON IS DENIED MEDICAL SERVICES  
8 OR OTHER SERVICES RELATED TO ORGAN TRANSPLANTATION, INCLUDING  
9 DIAGNOSTIC SERVICES, SURGERY, POST-OPERATIVE TREATMENT, OR  
10 COUNSELING, DUE TO THE ABSENCE OF AUXILIARY AIDS OR SERVICES,  
11 UNLESS THE COVERED ENTITY DEMONSTRATES THAT TAKING SUCH STEPS  
12 WOULD FUNDAMENTALLY ALTER THE NATURE OF THE MEDICAL SERVICES  
13 OR OTHER SERVICES RELATED TO ORGAN TRANSPLANTATION OR WOULD  
14 RESULT IN AN UNDUE BURDEN FOR THE COVERED ENTITY.

15 (5) NOTHING IN THIS ARTICLE 56 REQUIRES A COVERED ENTITY TO  
16 MAKE A REFERRAL OR RECOMMENDATION FOR OR PERFORM A MEDICALLY  
17 INAPPROPRIATE ORGAN TRANSPLANT.

18 **SECTION 37.** In Colorado Revised Statutes, 35-36-102, **amend**  
19 (14)(b) as follows:

20 **35-36-102. Rules - definitions.** As used in this article 36, unless  
21 the context otherwise requires:

22 (14) (b) "Farm products" does not include poultry and poultry  
23 products, timber products, nursery stock, commodities, ~~or~~ marijuana, OR  
24 NATURAL MEDICINE AS DEFINED IN SECTION 12-170-104 (11).

25 **SECTION 38.** In Colorado Revised Statutes, 39-22-104, **add**  
26 (4)(r.5) as follows:

27 **39-22-104. Income tax imposed on individuals, estates, and**

1 **trusts - single rate - report - legislative declaration - definitions -**  
2 **repeal.** (4) There shall be subtracted from federal taxable income:

3 (r.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
4 JANUARY 1, 2024, IF A TAXPAYER IS LICENSED PURSUANT TO THE  
5 "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE 44, AN  
6 AMOUNT EQUAL TO ANY EXPENDITURE THAT IS ELIGIBLE TO BE CLAIMED  
7 AS A FEDERAL INCOME TAX DEDUCTION BUT IS DISALLOWED BY SECTION  
8 280E OF THE INTERNAL REVENUE CODE BECAUSE NATURAL MEDICINE IS A  
9 CONTROLLED SUBSTANCE UNDER FEDERAL LAW;

10 **SECTION 39.** In Colorado Revised Statutes, 39-22-304, **add**  
11 (3)(m.5) as follows:

12 **39-22-304. Net income of corporation - legislative declaration**  
13 **- definitions - repeal.** (3) There shall be subtracted from federal taxable  
14 income:

15 (m.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
16 JANUARY 1, 2024, IF A TAXPAYER IS LICENSED PURSUANT TO THE  
17 "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE 44, AN  
18 AMOUNT EQUAL TO ANY EXPENDITURE THAT IS ELIGIBLE TO BE CLAIMED  
19 AS A FEDERAL INCOME TAX DEDUCTION BUT IS DISALLOWED BY SECTION  
20 280E OF THE INTERNAL REVENUE CODE BECAUSE NATURAL MEDICINE IS A  
21 CONTROLLED SUBSTANCE UNDER FEDERAL LAW;

22 **SECTION 40. Effective date.** This act takes effect July 1, 2023.

23 **SECTION 41. 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, or safety.