

## **Amendment to CB 16-264 by Councilwoman Ortega**

*Explanation of amendment: This amendment would completely change the thrust of the bill from a cap on locations to a cap on licenses, would extend the caps to include marijuana products manufacturing license as well as marijuana sales and cultivation license, and would set the cap at a much lower level than the number of licenses in existence today. The amendment would not require any existing licenses to be surrendered, however. The amendment still leaves in place the possibility of an annual open application process and lottery for new licenses in the future. But as a practical matter, the cap on the total number of permissible licenses is so low, there will be very little chance that capacity for new licensing will be available in the foreseeable future.*

Mr. President, I move to amend CB 16-264 in the following particulars:

On page 1, lines 11-12, amend the title by striking the words, “number of licensed locations where marijuana cultivation and sales may be permitted in the city” and inserting “number of new licenses for marijuana sales, marijuana cultivation, and marijuana products manufacturing that may be issued in the city”

On line 13, after the word “licenses” insert “and both retail and medical marijuana products manufacturing licenses”

On page 2, strike lines 23 through 37 and insert the following:

(2) Cap on marijuana cultivation licenses . A maximum of 275 medical marijuana optional premises cultivation licenses or retail marijuana cultivation facility licenses.

On page 3, strike lines 1-13 and insert the following:

(3) Cap on marijuana sales licenses means a maximum of 250 medical marijuana center licenses or retail marijuana store licenses.

On page 3, line 14 insert a new subsection (4) and renumber succeeding subsections accordingly:

(4) Cap on marijuana manufacturing licenses means a maximum of 150 medical marijuana-infused products licenses or retail marijuana product manufacturing facility licenses.

On page 5, strike lines 37-39 and substitute the following:

“marijuana cultivation licenses, the cap on marijuana sales licenses, and the cap on marijuana manufacturing licenses, with these caps to be administered and enforced by the director in accordance with this section.”

Strike lines 41-46 and renumber each succeeding subsection accordingly.

On line 49, strike “and” and substitute a comma.

On page 6, line 1, after the comma insert "medical marijuana-infused products licenses or retail marijuana product manufacturing facility licenses"

On line 2, strike "licensed locations" and insert "licenses"

Strike lines 3-5 and insert the following: "licenses, the cap on marijuana cultivation licenses, and the cap on marijuana manufacturing licenses, respectively."

On line 6, strike "sales locations."

Strike lines 9-20 and renumber succeeding subsections accordingly.

On page 7, line 11, strike "and" and substitute a comma. After the second "licenses" insert "and marijuana products manufacturing licensing, to the extent capacity for new licenses exists under any of the respective caps."

On Page 8, line 44 insert a new Section 5 of the council bill, and renumber succeeding subsections accordingly:

**Section 5.** That the introductory sentence of section 6-213, D.R.M.C. shall be amended by adding the language underlined to read:

**Sec. 6-213. - Licensing requirements—Retail marijuana products manufacturer.**

Effective May 1, 2016, the director shall not receive or act upon any application for a retail marijuana products manufacturer license except through the annual open application process set forth in Section 6-203. In addition to the requirements set forth in the Colorado Retail Marijuana Code and any rules or regulations adopted pursuant thereto, the following requirements shall apply to the issuance of any local license for ~~medical marijuana-infused products manufacturing~~ a retail marijuana products manufacturer:

On page 12, line 8, insert a new section of the council bill, and renumber succeeding section accordingly

**Section \_\_\_\_.** That Section

**Sec. 24-509. - Licensing requirements—Medical marijuana-infused products manufacturing license.**

Effective May 1, 2016, the director shall not receive or act upon any application for a medical marijuana-infused products manufacturing license except through the annual open application process set forth in Section 6-203. In addition to the requirements set forth in the CMMC, the following requirements shall apply to the issuance of any local license for medical marijuana-infused products manufacturing: