

Date: January 24, 2014	POLICY BRIEF PREPARED FOR THE BOARD OF DIRECTORS	 OF NORTHERN LARIMER COUNTY
Staff: Dan Sapienza		

[HB14-1122 – KEEP LEGAL MARIJUANA FROM THOSE UNDER 21](#)

Concerning provisions to keep legal marijuana from underage persons

Bill Details

Bill Title:	Keep legal marijuana from those under 21 – Concerning provisions to keep legal marijuana from underage persons
Bill Sponsors:	House – Kagan (D) Senate – None
Committee:	House Judiciary Committee
Bill History:	01/15/2014 Introduced In House - Assigned to Judiciary
Next Action:	Hearing – House Judiciary Committee – Not yet scheduled

Bill Summary

This bill ensures that medical marijuana edibles are sold in child-proof packaging, unless the patient has a note written by a doctor indicating that the patient cannot open the packaging. In addition, the bill increases penalties on retail (non-medical) stores that sell to individuals under 21 and gives the stores the ability to confiscate counterfeit identification provided in an effort to purchase marijuana products illegally.

Background

Medical marijuana infused products (edibles) can be sold in either child proof packaging or in regular packaging with a warning to keep the product away from children. Prior to the passage of Amendment 64, there were reports of children accidentally ingesting edible marijuana products, which led to 2013 regulations that require retail (non-medical) marijuana edibles be sold in child-proof packaging.

Under Amendment 64, marijuana may be sold for recreational purposes to individuals 21 and older. The laws and regulations drafted to implement Amendment 64 prohibit sales to those under 21. 12-43.4-901 says it is illegal to sell marijuana to “a person under twenty-one years of age; without checking the person’s identification” and makes this a class 2 misdemeanor. This bill makes that sale to a person under 21 a class 1 misdemeanor. Further, this bill authorizes a retail store to confiscate the identification presented if the store or its employee believes the identification to be fraudulent. Unlike alcohol businesses, marijuana stores do not currently have this ability under current law.

About this Summary

This summary was prepared by Health District of Northern Larimer County staff to assist the Health District Board of Directors in determining whether to take an official stand on various health-related issues. The Health District is a special district of the northern two-thirds of Larimer County, Colorado, supported by local property tax dollars and governed by a publicly elected five-member board. The Health District provides medical, mental health, dental, preventive and health planning services to the communities it serves. For more information about this summary or the Health District, please contact Dan Sapienza, Policy Coordinator, at (970) 224-5209, or e-mail at dsapienza@healthdistrict.org.