

Natural Medicine Act

From Prop. 122 to SB 23-290 to Implementation

Allison Robinette, Director of Policy & Regulatory Affairs, DOR - Marijuana Enforcement Division

Christopher Poirier, Deputy Director of Policy & Regulatory Affairs, DOR - Marijuana Enforcement Division



COLORADO
Department of Revenue

Proposition 122

Background

- In November 2022 Colorado voted to pass [Proposition 122](#), the Natural Medicine Health Act, which
 - (a) directed the establishment of a regulatory program for access to natural medicine; and
 - (b) decriminalized personal use for adults
- Natural medicine was defined as the following substances in any form that would cause such plant or fungus to be described in the Uniform Controlled Substances Act of 2013: Dimethyltryptamine (DMT), Ibogaine, Mescaline (excluding *Lophophora Williamsii* (i.e. “Peyote”)), Psilocybin, or Psilocyn
- Assigned the Department of Regulatory Agencies (DORA) with all regulatory responsibilities, including establishment of the [Natural Medicine Advisory Board](#)



COLORADO
Department of Revenue

SB 23-290

Overview

- **Natural Medicine** defined to include only Psilocybin & Psilocyn initially
- Makes primary changes to:
 - Title 12
 - Title 25
 - Title 44
 - Titles 16 & 18
- Outline of Provisions
 - DORA Regulatory Program
 - DOR Regulatory Program
 - CDPHE Regulatory Role
 - Criminal provisions
- *Signed May 23, 2023*



COLORADO
Department of Revenue

SB 23-290

Regulatory Program - DORA

DORA maintains the role of licensing and regulating Facilitators (persons licensed to provide natural medicine and related services). SB290 also maintained and added the following duties for DORA:

- Natural Medicine Advisory Board
- Federally Recognized Tribes & Indigenous Community Work Group
- Annual Reporting (in coordination with DOR)



COLORADO
Department of Revenue

SB 23-290

Regulatory Program - DOR

The **Department of Revenue (DOR)** is responsible for licensing and regulating healing centers, cultivations, manufacturers, and testing facilities under a new Natural Medicine Division and assigned the following duties to DOR:

- Testing and certification program (in coordination with CDPHE)
- Data collection (LE incidents, adverse health events, healthcare system impacts, consumer protection claims, behavioral health impacts)
- Public education campaigns
- Training materials for first and multi-responders
- Annual Reporting (in coordination with DORA)



COLORADO
Department of Revenue

SB 23-290

Regulatory Program - Local Authority

Local Jurisdictions may enact ordinances or regulations governing the “time, place, and manner” of licenses issued pursuant to this bill. However, local jurisdictions may not:

- Prohibit the establishment of or operation of any licenses issued pursuant to this bill
- Prohibit the transportation of natural medicine/natural medicine product through their jurisdiction on public roads by a person licensed to do so
- Adopt ordinances or regulations that are unreasonable or in conflict with the bill



COLORADO
Department of Revenue

SB 23-290

Personal Use Provisions

- **Personal Cultivation:** Not more than 12x12 feet (can be non-contiguous) on Private Property (defined) in enclosed & locked space
 - Local authority to exceed the space limit
- **Personal Possession & Use:** No personal possession limit
 - May share with an adult (21+) in context of counseling, spiritual guidance, community-based use, supported use, or related services
 - No Remuneration (except allowed for bona fide harm reduction or support services used concurrently with sharing)
 - No open and public display or consumption
 - Establishes [offenses](#) for violations



COLORADO
Department of Revenue

SB 23-290

What else does the bill cover?



COLORADO
Department of Revenue

Implementation

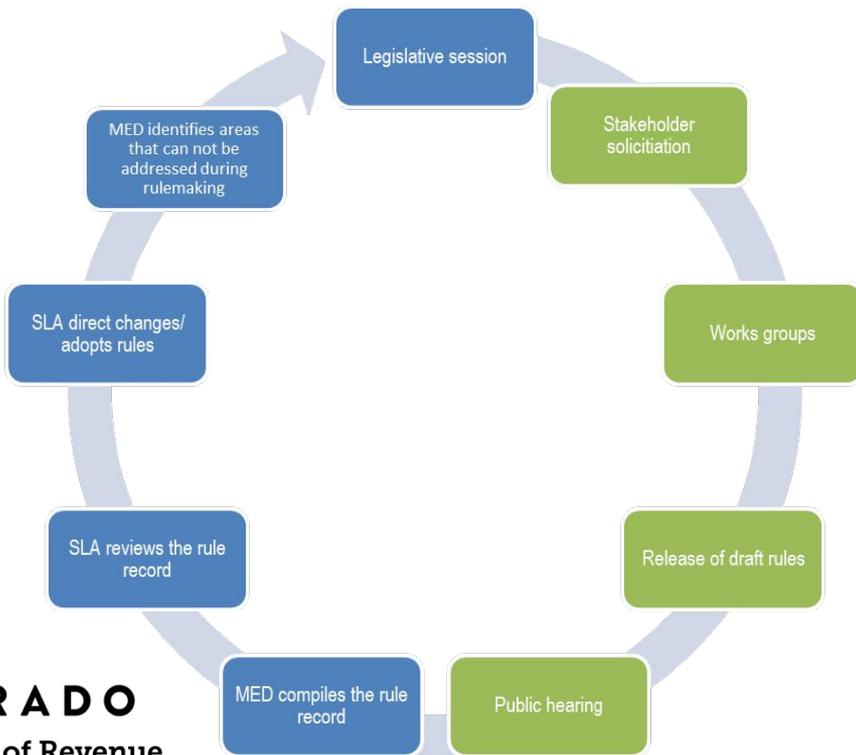
DOR - Natural Medicine Division

- Fiscal note did ask for resources to stand up this new division and program in DOR.
- Timeline is over the next few fiscal years.
- Stay tuned!
- Implementation work on the forefront of our minds:
 - Educational resources
 - Law enforcement coordination
 - Testing Program
 - Data collection needs



COLORADO
Department of Revenue

Implementation



COLORADO
Department of Revenue