SUMMARY OF COLORADO’S MMJ LAWS:

-Development of Medical Marijuana in Colorado

-Medical Marijuana has a “constitutional” focus

-Originally permitted possession and use; now also includes sale

-Only 3 classes of people can use, possess, sell or grow MJ: with card

-Possession limits: MMJ Patient vs. Primary Caregiver

-No other state’s card is valid in Colorado

-Must be a Colorado resident for 2 years preceding application for MMJ cards

-Waiver system for homebound MMJ patients

-Affirmative Defenses
COLORADO STATE PATROL ENFORCEMENT ISSUES: “DILEMMA”

- Traditional enforcement against illegal marijuana possession/use

- Identification Cards/Applications for MMJ

- Record information sparse to unavailable for Troopers

- Preservation of evidence seized in a MMJ case

- Weathering conflicting legal opinions from prosecutors: plus lack of final Administrative Rules

- Absence of significant case law in our state on MJ

- Increased toxicity levels in the THC in Marijuana: present health dangers

WHAT DOES THE FUTURE HOLD FOR MMJ IN OUR STATE?

- High political “theater” among state legislators and local governmental officials

- Lots of “ideas” floating around right now: Legislature
  - to establish a separate DUI statute for MMJ users: HB 1261 (proposed)
  - to allow Primary Caregivers to exchange MJ with other Caregivers
  - to drop the 2 year Colorado residency requirement for those who “work” in MMJ dispensaries and cultivation operations, but retain the 2 year limit for patients, caregivers, MJ center owners/operators
  - to eliminate the requirement that a person may not possess MMJ if that individual has ever been convicted of a felony drug offense.