



## MEDICAL MARIJUANA ACTION ALERT VOL 13

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### A 72 PAGE MONSTROSITY

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HB10-1284 has passed the house. It's now 72 pages long. Here's a link to the PDF version of the bill: [http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont/0C6B6577EC6DB1E8872576A80029D7E2?Open&file=1284\\_ren.pdf](http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont/0C6B6577EC6DB1E8872576A80029D7E2?Open&file=1284_ren.pdf)

It is impossible to summarize the bill in this newsletter. However, numerous unfriendly amendments were made to the bill by the full house.

Some of you may have seen the video of Senator Romer speaking about the bill. He mentioned that there will be people with guns checking dispensaries every week. He was referring to inspectors from the Department of Revenue whose job it is to go inspect wellness centers and inspect the paperwork. C.R.S. §16-2.5-121.

See C.R.S. §16-2.5-124.5 - Medical Marijuana Enforcement Investigators. The investigators are medical marijuana cops. They will also enforce all Colorado laws. They can arrest for any Violation of Any Colorado Law. The State authority that issue licenses will also hire the investigators. How many? As many as are believed to be necessary. See C.R.S. §12-43.3-201. The licensing authority will also decide the reasons for inspections. C.R.S. §12-43.3-202(2)(a)(IV).

An investigator can investigate dispensaries anytime the dispensary is open, or appears to be open. Even a locked area in the dispensary must be opened upon demand of the investigator. Cops cannot search the house or office of an alleged criminal just because they want to. They usually need a search warrant. However, medical marijuana inspectors will not need a search warrant.

How can the State Legislature take away the Constitutional Rights to be free from unreasonable searches and seizures? Easy. The Medical Marijuana Amendment to the Colorado Constitution did not create dispensaries. Currently, dispensaries operate in a legal gray zone. There is no law banning them and there is no law allowing them.

HB10-1284 makes dispensaries legal. However, legal dispensaries will have to be licensed and the State Legislature can create whatever licensing rules they want. The State Licensing Authority will also make additional rules.

How often might you be inspected? That depends on how many inspectors are hired. Surely, the State doesn't have the money to hire lots of inspectors. So, how many inspectors will the State of Colorado pay for? None. Your licensing fees will pay for the inspectors. The higher the fee, the more inspectors can be hired. Who gets to decide this. As noted above, the State Licensing Authority.

Please learn the law and make sure you have professional help available just in case.

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You can find back issues of the Medical Marijuana Action Alert. It has links to key pending legislation and the Colorado Constitutional Amendment on medical marijuana.