

R 1101– Magazine Sales

Basis and Purpose

On May 28, 2013, Governor Hickenlooper signed into law House Bill 13-1317 which includes subsections 12-43.4-202(2)(b) and (3)(c)(II), C.R.S., and requires the State Licensing Authority, on or before July 1, 2013, to adopt a regulation on the subject of: “Requiring that magazines whose primary focus is marijuana or marijuana businesses are only sold in retail marijuana stores or behind the counter in establishments where persons under twenty-one years of age are present.” The State Licensing Authority hereby finds that immediate adoption of this regulation is imperatively necessary to comply with state law and that compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest.

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No magazine whose primary focus is marijuana or marijuana businesses is required to be sold only in retail marijuana stores or behind the counter in establishments where persons under twenty-one years of age are present, because such a requirement would violate the United States Constitution, the Colorado Constitution, and section 24-4-103(4)(a.5)(IV), C.R.S.