

HB1325_L.012

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1325 be amended as follows:

1 Amend reengrossed bill, page 13, line 1, strike "ADMINISTRATIVE
2 SESSIONS PURSUANT TO" and substitute "ADMINISTRATION SESSIONS
3 CONDUCTED IN ACCORDANCE WITH".

4 Page 14, line 10, after "(5)(f);" insert "**repeal (3);**".

5 Page 16, after line 23 insert:

6 "~~(3) The board includes the executive director of the department
7 of revenue, or the executive director's designee, serving as a nonvoting
8 member.~~".

9 Page 17, line 23, strike "IBOGAINE;" and substitute "IBOGAINE SUCH AS
10 THE GENERA TABERNANTHE PLANT, VOACANGA AFRICANA PLANT, AND
11 TABERNAEMONTANA PLANT;".

12 Page 18, strike line 8 and substitute "PROCEEDINGS.

13 **SECTION 7.** In Colorado Revised Statutes, 44-50-103, **amend**
14 (13)(b)(II) and (13)(c) as follows:

15 **44-50-103. Definitions.**

16 As used in this article 50, unless the context otherwise requires:

17 (13) (b) In addition to the substances listed in subsection (13)(a)
18 of this section, "natural medicine" includes:

19 (II) Ibogaine, if recommended by the board and approved by the
20 director and the executive director of the state licensing authority for
21 inclusion, AND IBOGAINE DERIVED FROM A SEMI-SYNTHETIC PROCESS
22 USING THE TABERNANTHE IBOGA PLANT OR VOACANGA AFRICANA PLANT,
23 IF APPROVED BY THE BOARD AS A NATURAL MEDICINE AND, TO THE
24 EXTENT PERMITTED BY THE STATE LICENSING AUTHORITY, FOR USE IN
25 ADMINISTRATION SESSIONS CONDUCTED IN ACCORDANCE WITH THIS
26 ARTICLE 50 AND ARTICLE 170 OF TITLE 12; or

27 (c) "Natural medicine" does not mean a synthetic or synthetic
28 analog of the substances listed in subsections (13)(a) and (13)(b) of this
29 section, including a derivative of a naturally occurring compound of
30 natural medicine that is produced using chemical synthesis, chemical
31 modification, or chemical conversion, EXCEPT FOR IBOGAINE DERIVED
32 FROM A SEMI-SYNTHETIC PROCESS USING THE TABERNANTHE IBOGA
33 PLANT, VOACANA AFRICANA PLANT, OR ANOTHER SOURCE THAT IS
34 RECOMMENDED BY THE BOARD, PURSUANT TO SECTION 12-170-106, FOR
35 USE AS A NATURAL MEDICINE AND, TO THE EXTENT PERMITTED BY THE
36 STATE LICENSING AUTHORITY, FOR USE IN ADMINISTRATION SESSIONS
37 CONDUCTED IN ACCORDANCE WITH THIS ARTICLE 50 AND ARTICLE 170 OF

1 THIS TITLE 12."

2 Renumber succeeding sections accordingly.

3 Page 18, line 19, strike "PARTICIPATE" and substitute "PARTICIPATED".

4 Page 20, line 2, strike "**add**" and substitute "**amend** (2)(r) and (2)(s)(III);
5 and **add** (2)(t),".

6 Page 20, after line 4 insert:

7 "(2) **Permissive rule-making.** Rules adopted pursuant to section
8 44-50-202 (1)(b) may include, but need not be limited to, the following
9 subjects:

10 (r) ~~Such~~ Other matters as are necessary for the fair, impartial,
11 stringent, and comprehensive administration of this article 50; ~~and~~

12 (s) Requirements that healing centers collect data and information
13 related to regulated natural medicine services and provide the data and
14 information to the department of public health and environment in
15 accordance with section 44-50-401 (6), which data and information must
16 include:

17 (III) Other information as determined by the state licensing
18 authority in consultation with the department of public health and
19 environment; AND

20 (t) REQUIREMENTS FOR THE CULTIVATION, MANUFACTURE,
21 TESTING, OR DISPENSING OF IBOGAINE, INCLUDING:

22 (I) LIMITING PRODUCTS CONTAINING IBOGAINE, AS NECESSARY,
23 DUE TO ITS HEALTH AND SAFETY RISKS; AND

24 (II) ESTABLISHING MINIMUM MANUFACTURING AND TESTING
25 STANDARDS FOR IBOGAINE AND IBOGAINE PRODUCTS, INCLUDING
26 REQUIREMENTS THAT LICENSEES MAINTAIN RECORDS REGARDING
27 CULTIVATED AND MANUFACTURED PRODUCTS SOURCE MATERIAL,
28 ADDITIVES AND INGREDIENTS, AND ANY CONDUCTED TEST RESULTS, AND
29 REQUIREMENTS THAT PRODUCTS PROVIDED TO HEALING CENTERS BE
30 LABELED WITH THE SAME INFORMATION."

31 Page 20, after line 19 insert:

32 "(c) FOR PURPOSES OF THIS SUBSECTION (5), "BENEFIT-SHARING
33 PLAN" MEANS AN ARRANGEMENT WITH INDIGENOUS COMMUNITIES
34 TRADITIONALLY CONNECTED TO THE USE OF IBOGAINE OR IBOGA THAT IS
35 INTENDED TO SHARE IN THE BENEFITS THAT ARISE FROM THE RESEARCH,
36 THERAPEUTIC USE, OR COMMERCIALIZATION OF IBOGAINE OR IBOGA.
37 BENEFITS MAY INCLUDE:

- 1 (I) FINANCIAL BENEFIT SHARING;
- 2 (II) COLLABORATIVE RESEARCH OR DATA SHARING;
- 3 (III) CONSERVATION SUPPORT FOR PLANT SPECIES AND HABITATS;
- 4 (IV) COMMUNITY-IDENTIFIED DEVELOPMENT PRIORITIES;
- 5 (V) CULTURAL OR EDUCATIONAL EXCHANGES; AND
- 6 (VI) UTILIZING A SOURCE FOR IBOGAIN THAT ENGAGES IN
- 7 BENEFIT-SHARING AND ETHICAL AND SUSTAINABLE CULTIVATION
- 8 PRACTICES."

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