



D 2022 034

EXECUTIVE ORDER

Protecting Colorado's Workforce and Expanding Licensing Opportunities

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order directing the Colorado Department of Regulatory Agencies and the Colorado Department of Revenue to protect Colorado's workforce and expand licensing opportunities.

I. Background and Purpose

Colorado was the first state to legalize recreational marijuana use. On November 6, 2012, the people of Colorado voted to amend the Colorado constitution to regulate marijuana like alcohol, allowing the use and possession of marijuana by adults in the State. On May 28, 2013, Governor Hickenlooper signed a series of bills implementing the regulatory framework that led to a statewide marijuana industry creating over 40,000 jobs and over 2 billion dollars in state tax revenue to date.

There is a workforce shortage in Colorado. Employers are having difficulty recruiting and retaining qualified employees, many of whom need professional licenses. The exclusion of people from the workforce because of marijuana-related activities that are lawful in Colorado, but illegal in other states, hinders our economy and our State.

No one who lawfully consumes, possesses, cultivates or processes marijuana pursuant to Colorado law should be subject to professional sanctions or denied a professional license in Colorado. This includes individuals who consume, possess, cultivate or process marijuana in another state in a manner that would be legal in Colorado.

Colorado will not cooperate with out-of-state investigations related to disciplinary action against a professional license, certification, or credential for marijuana-related actions that are lawful in our State.

This Executive Order ensures that all Coloradans are afforded protections and rights under Colorado law and directs the Colorado Department of Regulatory Agencies (DORA) and the Colorado Department of Revenue's Specialized Business Group and Marijuana Enforcement Division (DOR) to protect Colorado's workforce by ensuring Coloradans' professions are not in jeopardy as a result of lawful marijuana-related conduct.

II. Declarations and Directives

- A. I direct the Department of Regulatory Agencies (DORA) to work with all programs and boards of professional licensure operating under its purview to establish policies and promulgate and issue rules as necessary to ensure that no person shall be subject to disciplinary action against a professional license or disqualified from professional licensure for any civil or criminal judgment, discipline, or other sanction threatened or imposed under the laws of another state regarding consumption, possession, cultivation or processing of marijuana so long as the actions are lawful and consistent with professional conduct and standards of care within the State of Colorado. DORA shall report to me on the measures implemented under its purview within ninety (90) days of the date of this Executive Order.
- B. I direct the Colorado Department of Revenue's Specialized Business Group to work with all programs and boards of professional licensure operating under its purview to establish policies and promulgate and issue rules as necessary to ensure that no person shall be subject to disciplinary action against a professional license or disqualified from professional licensure for any civil or criminal judgment, discipline, or other sanction threatened or imposed under the laws of another state regarding consumption, possession, cultivation or processing of marijuana so long as the actions are lawful and consistent with professional conduct and standards of care within the State of Colorado. DOR shall report to me on the measures implemented under its purview within ninety (90) days of the date of this Executive Order.
- C. I direct the Colorado Department of Revenue's Marijuana Enforcement Division to establish policies and promulgate and issue rules as necessary to ensure that no person shall be subject to disciplinary action against a professional license or disqualified from professional licensure for any civil or criminal judgment, discipline, or other sanction threatened or imposed under the laws of another state regarding consumption, possession, cultivation or processing of marijuana so long as the actions are lawful and consistent with professional conduct and standards of care within the State of Colorado. DOR shall report to me on the measures implemented under its purview within ninety (90) days of the date of this Executive Order.
- D. The Colorado Department of Regulatory Agencies and the Colorado Department of Revenue's Specialized Business Group and Marijuana Enforcement Division shall not, unless pursuant to a court order, provide information or data, or expend

time, money, facilities, property, equipment, personnel or other resources to assist or further any investigation or proceeding initiated in or by another state that seeks to impose sanctions upon a person's professional license for the lawful consumption, possession, cultivation or processing of marijuana in Colorado.

III. Duration

This Executive Order shall remain in effect unless modified or rescinded by future Executive Order of the Governor.



GIVEN under my hand and the Executive Seal of the State of Colorado, this fourteenth day of July 2022.

A handwritten signature in blue ink that reads "Jared Polis". The signature is fluid and cursive.

Jared Polis
Governor