

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0782.02 Chelsea Princell x4335

HOUSE BILL 26-1325

HOUSE SPONSORSHIP

Caldwell and Feret, Bacon, Barron, Boesenecker, Brown, Clifford, Duran, Flanell, Froelich, Gonzalez R., Lieder, McCormick, Nguyen, Phillips, Rutinel, Rydin, Soper, Winter T.

SENATE SPONSORSHIP

Ball and Pelton R.,

House Committees

Health & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING NATURAL MEDICINE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes the ibogaine research pilot program (pilot program) in the behavioral health administration (BHA) to research the safety and effectiveness of using ibogaine to treat mental health conditions and substance use disorders.

The bill requires the BHA to establish a committee to review pilot program site applications and make recommendations to the BHA on which applicants to accept. The BHA may select up to 5 ibogaine pilot sites.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
May 9, 2026

HOUSE
Amended 2nd Reading
May 7, 2026

The bill allows the BHA to seek, accept, and expend gifts, grants, and donations and establishes the ibogaine research pilot program cash fund (cash fund). Money from the cash fund may be used to administer the pilot program and award grants to the selected ibogaine pilot sites to help with financing needs.

The bill allows the state licensing authority for natural medicine or natural medicine product (state licensing authority) to adopt rules related to the administration, manufacturing, and use of ibogaine.

Under current law, the division of natural medicine advisory board consists of 15 voting members; 8 of whom must have general expertise and experience related to natural medicine and 7 of whom must have specialized expertise and experience in various areas of natural medicine. The bill amends the expertise and experience requirements to apply equally to all 15 voting members.

The bill adds that a facilitator of natural medicine services is not liable for a physical or psychological injury that a participant may experience as a result of the facilitator's performance or supervision of the natural medicine services that a participant receives, unless the injury is the result of the facilitator's intentional misconduct, gross negligence, or a deviation from the recognized standard of care.

The bill sets requirements for how the state licensing authority must prioritize reviewing applications for licensure to facilitate natural medicine services and allows the state licensing authority to set different licensing fees depending on the type of natural medicine the applicant is seeking licensure for.

The bill allows the state licensing authority to accept gifts, grants, and donations from public or private sources and requires gifts, grants, or donations received to be deposited in the regulated natural medicine division cash fund.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado is facing a severe and worsening mental health crisis
5 due to high rates of mental health conditions and substance use disorders,
6 including opioid use disorder;

7 (b) Existing treatment approaches for treating mental health
8 conditions and substance use disorders are often inadequate for long-term

1 remission and recovery, necessitating the exploration of innovative
2 options;

3 (c) Ibogaine is a psychoactive indole alkaloid derived from the
4 root bark of the tabernanthe iboga plant and other plants, such as the
5 voacanga africana plant, that have shown significant potential as
6 life-saving treatment options for substance use disorders and mental
7 health conditions;

8 (d) A carefully regulated, medically supervised, and therapeutic
9 framework for administering ibogaine is necessary to make ibogaine
10 accessible, facilitate rigorous research, and ensure patient safety;

11 (e) The mental health and well-being of veterans is a priority of
12 the general assembly, and ibogaine treatment has shown promise in
13 treating severe service-related post-traumatic stress disorder and other
14 mental health conditions related to combat deployments; and

15 (f) Establishing a research pilot program to explore the therapeutic
16 uses of ibogaine, better understand potential risks of ibogaine use, and lay
17 the groundwork for a future comprehensive regulatory program is
18 necessary to find additional treatment options for people suffering from
19 a mental health condition or a substance use disorder.

20 **SECTION 2.** In Colorado Revised Statutes, **add 27-60-207** as
21 follows:

22 **27-60-207. Ibogaine research pilot program - creation - federal**
23 **approval - fund - rules - reporting - definitions - repeal.**

24 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "BENEFIT-SHARING PLAN" MEANS AN ARRANGEMENT WITH
27 INDIGENOUS COMMUNITIES TRADITIONALLY CONNECTED TO THE USE OF

1 IBOGAININE OR IBOGA THAT IS INTENDED TO SHARE IN THE BENEFITS THAT
2 ARISE FROM THE RESEARCH, THERAPEUTIC USE, OR COMMERCIALIZATION
3 OF IBOGAININE OR IBOGA. BENEFITS MAY INCLUDE:

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

12 (b) "FUND" MEANS THE IBOGAININE RESEARCH PILOT PROGRAM CASH
13 FUND CREATED IN SUBSECTION (10) OF THIS SECTION.

14 (c) "IBOGAININE PILOT SITE" MEANS A FACILITATION SITE SELECTED
15 AND AUTHORIZED BY THE BHA TO ADMINISTER THE PILOT PROGRAM.

16 (d) "PILOT PROGRAM" MEANS THE IBOGAININE RESEARCH PILOT
17 PROGRAM ESTABLISHED IN SUBSECTION (2) OF THIS SECTION.

18 (2) THERE IS ESTABLISHED IN THE BHA THE IBOGAININE RESEARCH
19 PILOT PROGRAM FOR THE PURPOSE OF SUPPORTING RESEARCH ON THE
20 SAFETY AND EFFECTIVENESS OF USING IBOGAININE TO TREAT MENTAL
21 HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS.

22 (3) THE BHA SHALL OPERATE THE PILOT PROGRAM. IN OPERATING
23 THE PILOT PROGRAM, THE BHA:

- 24 (a) MAY APPROVE UP TO FIVE IBOGAININE PILOT SITES;
- 25 (b) MAY REQUIRE A MEMORANDUM OF UNDERSTANDING WITH
26 EACH PILOT SITE TO ENSURE PROPER ADMINISTRATION OF THE PILOT
27 PROGRAM;

1 (c) IN PARTNERSHIP WITH THE IBOGAINES PILOT SITES, AND IN
2 COORDINATION WITH OTHER APPROPRIATE STATE AGENCIES, MAY SEEK
3 FEDERAL AUTHORIZATION PURSUANT TO 21 U.S.C. SEC. 872(e) OR OTHER
4 APPLICABLE FEDERAL LAW FOR PURPOSES OF EXPANDING OR ADVANCING
5 IBOGAINES RESEARCH EFFORTS;

6 (d) SHALL ASSIST THE IBOGAINES PILOT SITES TO COMPLETE AND
7 SUBMIT AN INVESTIGATIONAL NEW DRUG APPLICATION, OR REVISE AND
8 EXPAND UPON AN EXISTING INVESTIGATIONAL NEW DRUG APPLICATION
9 WITH THE UNITED STATES FOOD AND DRUG ADMINISTRATION IN
10 ACCORDANCE WITH 21 CFR PART 312;

11 (e) SHALL CONSIDER WHETHER TO OBTAIN FEDERAL RESEARCH
12 PROGRAM STATUS UNDER 21 U.S.C. SEC. 872 OR OTHER APPLICABLE
13 FEDERAL LAW FOR THE PURPOSES OF EXPANDING OR ADVANCING
14 RESEARCH EFFORTS OF THE PILOT SITES;

15 (f) MAY NEGOTIATE A MEMORANDUM OF UNDERSTANDING WITH
16 THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, UNITED
17 STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, UNITED STATES
18 FOOD AND DRUG ADMINISTRATION, UNITED STATES ATTORNEY GENERAL,
19 OR ANY OTHER APPROPRIATE FEDERAL AGENCY, AS NECESSARY TO ENSURE
20 FEDERAL COMPLIANCE AND PROPER ADMINISTRATION OF THE PILOT
21 PROGRAM;

22 (g) MAY CONTRACT WITH INDIVIDUALS WITH EXPERTISE IN
23 BEHAVIORAL HEALTH, NURSING, RESEARCHING A SCHEDULE I CONTROLLED
24 SUBSTANCE, DRUG DEVELOPMENT, INSTITUTIONAL REVIEW BOARD AND
25 UNITED STATES FOOD AND DRUG ADMINISTRATION REGULATORY
26 COMPLIANCE, AND PHYSICIAN CONSULTATION SERVICES TO ASSIST IN THE
27 ADMINISTRATION OF THE PILOT PROGRAM;

1 (h) MAY ASSIST IBOGAINÉ PILOT SITES WITH FUNDING
2 OPPORTUNITIES, INCLUDING IDENTIFYING AND APPLYING FOR STATE,
3 FEDERAL, OR PRIVATE GRANTS;

4 (i) MAY AWARD GRANTS TO SELECTED IBOGAINÉ PILOT SITES TO
5 ASSIST WITH OPERATIONAL COSTS; AND

6 (j) MAY COLLABORATE AND ENTER INTO AGREEMENTS WITH
7 OTHER STATES, STATE AGENCIES, FEDERALLY RECOGNIZED TRIBES, AND
8 PUBLIC OR PRIVATE ENTITIES TO PARTICIPATE IN MULTI-STATE CONSORTIA
9 OR SIMILAR EFFORTS, INCLUDING THE SHARING OF DATA, FUNDING,
10 RESEARCH, CLINICAL PROTOCOLS, AND REGULATORY BEST PRACTICES
11 RELATED TO IBOGAINÉ AND IBOGAINÉ-RELATED THERAPIES.

12 (4) (a) THE BHA SHALL ESTABLISH A PROCESS TO SOLICIT AND
13 SELECT IBOGAINÉ PILOT SITES.

14 (b) THE BHA SHALL ESTABLISH A PILOT PROPOSAL REVIEW
15 COMMITTEE TO REVIEW APPLICATIONS RECEIVED FROM THE SOLICITATION
16 PROCESS REQUIRED IN SUBSECTION (4)(a) OF THIS SECTION AND MAKE A
17 RECOMMENDATION TO THE BHA ON THE SELECTION OR DENIAL OF EACH
18 APPLICATION. THE BHA SHALL NOTIFY EACH APPLICANT OF THE
19 SELECTION DECISION WITHIN NINETY DAYS AFTER THE APPLICATION
20 DEADLINE SET BY THE BHA.

21 (5) TO BE ELIGIBLE AS AN IBOGAINÉ PILOT SITE, AN APPLICANT
22 MUST:

23 (a) DEMONSTRATE AN INTENT TO PURSUE THE FEDERAL APPROVAL
24 TO OPERATE AN IBOGAINÉ PILOT SITE TO STUDY SAFETY AND TREATMENT
25 EFFECTIVENESS OF THE USE OF IBOGAINÉ TO TREAT MENTAL HEALTH
26 CONDITIONS AND SUBSTANCE USE DISORDERS; AND

27 (b) ESTABLISH A BENEFIT-SHARING PLAN, WHICH MAY BE

1 DEVELOPED IN CONSULTATION WITH INDIGENOUS COMMUNITIES OR THEIR
2 RECOGNIZED GOVERNING INSTITUTIONS TRADITIONALLY CONNECTED TO
3 IBOGAINES OR IBOGA, THAT DIRECTLY BENEFITS THOSE COMMUNITIES AND
4 SHARES IN THE BENEFITS ARISING FROM RESEARCH, THERAPEUTIC USE, OR
5 COMMERCIALIZATION OF IBOGAINES OR IBOGA. THE BENEFIT-SHARING PLAN
6 MUST INCLUDE DOCUMENTATION OF THE SOURCING OF IBOGAINES OR
7 IBOGA.

8 (c) IN DEVELOPING A BENEFIT-SHARING PLAN PURSUANT TO THIS
9 SUBSECTION (5), APPLICANTS MAY CONSIDER INTERNATIONALLY
10 RECOGNIZED PRINCIPLES RELATED TO EQUITABLE BENEFIT SHARING THAT
11 MAY ARISE FROM THE USE OF RESOURCES AND TRADITIONAL KNOWLEDGE.

12 (6) (a) THE COMMISSIONER SHALL ADOPT RULES THAT ARE
13 NECESSARY TO ESTABLISH AND ADMINISTER THE IBOGAINES PILOT
14 PROGRAM. AT A MINIMUM, THE COMMISSIONER SHALL ADOPT RULES ON
15 THE FOLLOWING:

16 (I) THE APPLICATION PROCESS FOR PROSPECTIVE IBOGAINES PILOT
17 SITE APPLICANTS;

18 (II) CRITERIA FOR AWARDING GRANTS TO IBOGAINES PILOT SITES TO
19 ASSIST THE IBOGAINES PILOT SITE WITH FUNDING;

20 (III) DATA AND RESEARCH COLLECTION BY THE IBOGAINES PILOT
21 SITES ON THE USE AND EFFECTIVENESS OF IBOGAINES IN TREATING MENTAL
22 HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS;

23 (IV) INFORMATION SHARING BETWEEN THE IBOGAINES PILOT SITES
24 AND THE BHA;

25 (V) ADVERSE EVENT REPORTING; AND

26 (VI) OTHER RULES THAT ARE NECESSARY FOR THE SAFE AND
27 EFFECTIVE OPERATION OF THE IBOGAINES PILOT SITES AND ADMINISTRATION

1 OF THE IBOGAIN RESEARCH PILOT PROGRAM ESTABLISHED BY THIS
2 SECTION.

3 (b) WITH THE EXCEPTION OF THE REQUIREMENTS OF SUBSECTION
4 (6)(a) OF THIS SECTION, THE COMMISSIONER SHALL NOT ADOPT RULES
5 THAT ARE DUPLICATIVE OF FEDERAL LAW.

6 (7) ON OR BEFORE A DATE SET BY THE BHA AND ANNUALLY
7 THEREAFTER THAT THE PILOT PROGRAM IS OPERATIONAL, EACH IBOGAIN
8 PILOT SITE MUST SUBMIT THE DATA AND RESEARCH AS REQUIRED
9 PURSUANT TO SUBSECTION (6)(a)(III) OF THIS SECTION FOR THE
10 PROCEEDING YEAR TO THE BHA.

11 (8) AT LEAST ANNUALLY, BUT NOT MORE THAN QUARTERLY,
12 BEGINNING ONE MONTH AFTER THE DATE SET BY THE BHA DESCRIBED IN
13 SUBSECTION (7) OF THIS SECTION WHILE THE PILOT PROGRAM IS
14 OPERATIONAL, THE BHA MUST REVIEW THE DATA AND RESEARCH
15 SUBMITTED BY THE IBOGAIN PILOT SITES, AS REQUIRED BY SUBSECTION
16 (7) OF THIS SECTION, AND POST A REPORT DETAILING THE IBOGAIN PILOT
17 SITE FINDINGS ON THE BHA'S WEBSITE.

18 (9) THE BHA MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR
19 DONATIONS RECEIVED FROM PRIVATE OR PUBLIC SOURCES FOR THE
20 PURPOSES OF THIS SECTION. THE BHA SHALL TRANSMIT ALL MONEY
21 RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE
22 TREASURER, WHO SHALL CREDIT THE MONEY TO THE IBOGAIN RESEARCH
23 PILOT PROGRAM CASH FUND CREATED IN SUBSECTION (10) OF THIS
24 SECTION. THE BHA MAY ACCEPT DONATIONS OF IN-KIND SERVICES FOR
25 PURPOSES OF THIS SECTION.

26 (10) THE IBOGAIN RESEARCH PILOT PROGRAM CASH FUND IS
27 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS,

1 AND DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (9) OF
2 THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
3 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
4 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND
5 INVESTMENT OF MONEY IN THE FUND TO THE FUND. MONEY IN THE FUND
6 IS CONTINUOUSLY APPROPRIATED TO THE BHA FOR THE PURPOSE OF
7 ADMINISTERING THE IBOGAIN RESEARCH PILOT PROGRAM AND AWARDING
8 GRANTS TO SELECTED IBOGAIN PILOT SITES.

9 (11) THE OPERATION OF AN IBOGAIN PILOT SITE IN ACCORDANCE
10 WITH THIS SECTION IS CONTINGENT ON FEDERAL APPROVAL.

11 (12) THIS SECTION DOES NOT PRECLUDE A PERSON FROM
12 ADMINISTERING IBOGAIN OUTSIDE OF THE PILOT PROGRAM IN
13 COMPLIANCE WITH FEDERAL LAW OR AS PERMITTED PURSUANT TO THE
14 "NATURAL MEDICINE HEALTH ACT OF 2022", ARTICLE 170 OF TITLE 12,
15 AND THE "COLORADO NATURAL MEDICINE CODE", ARTICLE 50 OF TITLE
16 44.

17 (13) AN INDIVIDUAL OR ENTITY PARTICIPATING IN THE PILOT
18 PROGRAM MUST NOT BE PROSECUTED OR OTHERWISE DISCIPLINED FOR
19 ACTIONS OR CONDUCT PERMITTED PURSUANT TO THIS SECTION.

20 (14) (a) A PHYSICIAN OR HEALTH-CARE PROFESSIONAL
21 ADMINISTERING IBOGAIN TO PARTICIPANTS AS PART OF THE PILOT
22 PROGRAM, OR AN IBOGAIN PILOT SITE, IS NOT LIABLE FOR MONEY
23 DAMAGES IN A CIVIL MALPRACTICE ACTION A PHYSICAL OR
24 PSYCHOLOGICAL INJURY THAT A PARTICIPANT MAY EXPERIENCE AS A
25 RESULT OF BEING ADMINISTERED IBOGAIN AS A PARTICIPANT IN THE PILOT
26 PROGRAM, UNLESS THE INJURY WAS THE DIRECT RESULT OF THE
27 PHYSICIAN'S OR HEALTH-CARE PROFESSIONAL'S INTENTIONAL

1 MISCONDUCT, GROSS NEGLIGENCE, OR A DEVIATION FROM THE GENERALLY
2 ACCEPTED STANDARDS OF PRACTICE.

3 (b) THIS SUBSECTION (14) DOES NOT APPLY TO ADMINISTRATIVE
4 PROCEEDINGS.

5 (15) THE BHA SHALL WORK TO SECURE FEDERAL RESEARCH AND
6 DEVELOPMENT FUNDING AVAILABLE THROUGH THE ADVANCED RESEARCH
7 PROJECTS AGENCY FOR HEALTH WITHIN THE FEDERAL DEPARTMENT OF
8 HEALTH AND HUMAN SERVICES, OR OTHER AVAILABLE FEDERAL FUNDING,
9 IN ORDER TO ADVANCE RESEARCH EFFORTS ON THE USE OF IBOGAIN AS A
10 TREATMENT FOR SERIOUS MENTAL ILLNESSES.

11 (16) SUBSECTIONS (1), (2), (3), (4), (5), (6), (7), (8), (11), (12),
12 (13), (14), AND (15) OF THIS SECTION TAKE EFFECT IF THE BHA RECEIVES
13 ONE HUNDRED FIFTY THOUSAND DOLLARS IN GIFTS, GRANTS, OR
14 DONATIONS, OR IF THE BHA RECEIVES IN-KIND DONATIONS FOR WHICH
15 THE VALUE IS EQUAL TO ONE HUNDRED FIFTY THOUSAND DOLLARS,
16 BEFORE JANUARY 1, 2028, FOR THE PURPOSE OF IMPLEMENTING THIS
17 SECTION. THE COMMISSIONER OF THE BHA SHALL NOTIFY THE REVISOR OF
18 STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED
19 IN THIS SUBSECTION (16) HAS OCCURRED BY EMAILING THE NOTICE TO
20 REVISOROFSTATUTES.GA@COLEG.GOV. SUBSECTIONS (1), (2), (3), (4), (5),
21 (6), (7), (8), (11), (12), (13), (14), AND (15) OF THIS SECTION TAKE EFFECT
22 ON THE DATE IDENTIFIED IN THE NOTICE TO THE REVISOR OF STATUTES
23 THAT THE BHA HAS RECEIVED ONE HUNDRED FIFTY THOUSAND DOLLARS
24 IN GIFTS, GRANTS, OR DONATIONS, OR AN IN-KIND DONATION FOR WHICH
25 THE VALUE IS EQUAL TO ONE HUNDRED FIFTY THOUSAND DOLLARS, FOR
26 THE PURPOSE OF THIS SECTION, OR, IF THE NOTICE TO THE REVISOR OF
27 STATUTES DOES NOT SPECIFY THAT DATE, ON THE DATE OF THE NOTICE TO

1 THE REVISOR OF STATUTES.

2 (17) (a) THE BHA MUST RECEIVE ADDITIONAL GIFTS, GRANTS, OR
3 DONATIONS IN THE AMOUNT NECESSARY TO COVER THE TOTAL REMAINING
4 COST OF OPERATING THE PILOT PROGRAM FOR THE DURATION OF THE PILOT
5 PROGRAM, OR IN-KIND DONATIONS FOR WHICH THE VALUE IS EQUAL TO
6 THE AMOUNT NECESSARY TO COVER THE TOTAL REMAINING COST OF
7 OPERATING THE PILOT PROGRAM FOR THE DURATION OF THE PILOT
8 PROGRAM, WITHIN THREE HUNDRED SIXTY-FIVE DAYS FOLLOWING THE
9 DATE ON WHICH SUBSECTIONS (1), (2), (3), (4), (5), (6), (7), (8), (11), (12),
10 (13), (14), AND (15) OF THIS SECTION TAKE EFFECT.

11 (b) THIS SECTION IS REPEALED IF THE BHA DOES NOT RECEIVE
12 ADDITIONAL GIFTS, GRANTS, OR DONATIONS IN THE AMOUNT NECESSARY
13 TO COVER THE TOTAL REMAINING COST OF OPERATING THE PILOT
14 PROGRAM FOR THE DURATION OF THE PILOT PROGRAM, OR IN-KIND
15 DONATIONS FOR WHICH THE VALUE IS EQUAL TO THE AMOUNT NECESSARY
16 TO COVER THE TOTAL REMAINING COST OF OPERATING THE PILOT
17 PROGRAM FOR THE DURATION OF THE PILOT PROGRAM, ___ WITHIN THREE
18 HUNDRED SIXTY-FIVE DAYS FOLLOWING THE DATE ON WHICH THE REVISOR
19 OF STATUTES RECEIVES NOTICE PURSUANT TO SUBSECTION (16) OF THIS
20 SECTION. THE COMMISSIONER OF THE BHA SHALL NOTIFY THE REVISOR OF
21 STATUTES OF THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS
22 SUBSECTION (17)(b) HAS OCCURRED BY EMAILING THE NOTICE TO
23 REVISOROFSTATUTES.GA@COLEG.GOV.

24 (18) (a) IF, ON OR BEFORE JANUARY 1, 2028, THE MONEY IN THE
25 FUND HAS NEVER REACHED OR EXCEEDED ONE HUNDRED FIFTY THOUSAND
26 DOLLARS, OR ADDITIONAL GIFTS, GRANTS, OR DONATIONS IN THE AMOUNT
27 NECESSARY TO COVER THE TOTAL REMAINING COST OF THE PILOT

1 PROGRAM ARE NOT RECEIVED WITHIN THREE HUNDRED SIXTY-FIVE DAYS
2 FOLLOWING THE DATE ON WHICH THE REVISOR OF STATUTES RECEIVES
3 NOTICE PURSUANT TO SUBSECTION (16) OF THIS SECTION, THE STATE
4 TREASURER SHALL RETURN FROM THE FUND TO THE GRANTOR OR DONOR
5 THE AMOUNT OF THE GRANTOR'S OR DONOR'S GIFTS, GRANTS, OR
6 DONATIONS AND, NOTWITHSTANDING SUBSECTION (17) OF THIS SECTION,
7 THE BHA SHALL NOT ACCEPT ADDITIONAL GIFTS, GRANTS, OR DONATIONS
8 FOR THE PURPOSES OF THIS SECTION.

9 (b) IF ANY MONEY REMAINS IN THE FUND AFTER THE STATE
10 TREASURER RETURNS MONEY TO DONORS OR GRANTORS PURSUANT TO
11 SUBSECTION (18)(a) OF THIS SECTION, AS APPLICABLE, THE STATE
12 TREASURER SHALL, PRIOR TO THE REPEAL OF THE FUND, TRANSFER ALL
13 UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND TO THE
14 REGULATED NATURAL MEDICINE CASH FUND CREATED IN SECTION
15 44-50-601.

16 SECTION 3. In Colorado Revised Statutes, 12-170-104, amend
17 (1), (12)(b)(II), and (12)(c) as follows:

18 12-170-104. Definitions.

19 As used in this article 170, unless the context otherwise requires:

20 (1) "Administration session" means a session conducted at a
21 healing center, or another location as allowed by this article 170 and
22 article 50 of title 44, during which a participant consumes and
23 experiences MAY PURCHASE REGULATED NATURAL MEDICINE AND
24 REGULATED NATURAL MEDICINE PRODUCT AND CONSUME AND
25 EXPERIENCE the effects of regulated natural medicine or regulated natural
26 medicine product under the supervision of a facilitator.

27 (12) (b) In addition to the substances listed in subsection (12)(a)

1 of this section, "natural medicine" includes:

2 (II) Ibogaine, if recommended by the board and approved by the
3 director and the executive director of the state licensing authority; AND
4 IBOGAINE DERIVED FROM A SEMI-SYNTHETIC PROCESS USING THE
5 TABERNANTHE IBOGA PLANT OR VOACANGA AFRICANA PLANT, IF
6 APPROVED BY THE BOARD AS A NATURAL MEDICINE AND TO THE EXTENT
7 PERMITTED BY THE STATE LICENSING AUTHORITY, FOR USE IN THE
8 ADMINISTRATION SESSIONS CONDUCTED IN ACCORDANCE WITH THIS
9 ARTICLE 170 AND ARTICLE 50 OF TITLE 44; or

10 (c) "Natural medicine" does not mean a synthetic or synthetic
11 analog of the substances listed in subsections (12)(a) and (12)(b) of this
12 section, including a derivative of a naturally occurring compound of
13 natural medicine that is produced using chemical synthesis, chemical
14 modification, or chemical conversion, EXCEPT FOR IBOGAINE DERIVED
15 FROM A SEMI-SYNTHETIC PROCESS USING THE TABERNANTHE IBOGA
16 PLANT, VOACANGA AFRICANA PLANT, OR ANOTHER SOURCE THAT IS
17 RECOMMENDED BY THE BOARD, PURSUANT TO SECTION 12-170-106, FOR
18 USE AS A NATURAL MEDICINE AND TO THE EXTENT PERMITTED BY THE
19 STATE LICENSING AUTHORITY, FOR USE IN ADMINISTRATION SESSIONS,
20 PURSUANT TO THIS ARTICLE 170 AND ARTICLE 50 OF TITLE 44.

21 **SECTION 4.** In Colorado Revised Statutes, 12-170-105, amend
22 (1)(a) introductory portion and (1)(a)(II)(I); and add (1)(a)(I.5) as
23 follows:

24 **12-170-105. Director powers and duties - prohibition - rules.**

25 (1) In addition to any other powers and duties granted or imposed
26 on the director pursuant to this article 170 or by any other law, the
27 director has the following powers and duties:

1 (a) To ~~promulgate~~ ADOPT rules pursuant to section 12-20-204
2 concerning the following subjects:

3 (I.5) REQUIREMENTS FOR THE USE AND ADMINISTRATION OF
4 IBOGAINE, INCLUDING:

5 (A) REQUIRING MEDICAL PRESCREENING, WHICH MAY INCLUDE AN
6 ELECTROCARDIOGRAM, BLOOD TESTS, GENETIC TESTS, AND ANY OTHER
7 MEDICAL TEST, THE RESULTS OF WHICH MAY BE USED TO HELP REDUCE THE
8 RISKS RELATED TO IBOGAINE ADMINISTRATION FOR A PARTICIPANT;

9 (B) REQUIRING CONTINUOUS MEDICAL MONITORING DURING AN
10 IBOGAINE ADMINISTRATION SESSION;

11 (C) REQUIRING APPROPRIATE OVERSIGHT BY TRAINED AND
12 EXPERIENCED MEDICAL PROFESSIONALS DURING AN IBOGAINE
13 ADMINISTRATION SESSION; AND

14 (D) REQUIRING EXTENDED INTEGRATION OR AFTERCARE, AS
15 APPROPRIATE, WHICH MAY UTILIZE REFERRALS, MEDICAL AND MENTAL
16 HEALTH PROFESSIONALS, AND CERTIFIED PEER SUPPORT SPECIALISTS;

17 (II) Requirements for the licensing of facilitators, practice of
18 facilitation, and professional conduct of facilitators, including:

19 (I) Parameters for a facilitator's permissible and prohibited
20 financial interests in a healing center, license pursuant to this article 170,
21 or license pursuant to article 50 of title 44; ~~except that a facilitator may~~
22 ~~not have a financial interest in more than five natural medicine business~~
23 ~~licenses pursuant to article 50 of title 44;~~

24 **SECTION 5.** In Colorado Revised Statutes, 12-170-106, **amend**
25 (1), (2), (4)(c), and (5)(f); **repeal** (3); and **add** (4)(d), (4)(e), and (4)(f) as
26 follows:

27 **12-170-106. Board - creation - appointment - duties - report.**

1 (1) There is created within the division a natural medicine
2 advisory board, which consists of fifteen VOTING members AND ONE
3 NONVOTING MEMBER DESCRIBED IN SUBSECTION (3) OF THIS SECTION, to
4 advise the division and the state licensing authority concerning the
5 implementation of this article 170 and article 50 of title 44. THE BOARD
6 IS ADVISORY IN NATURE AND SHALL NOT EXERCISE LICENSING,
7 ENFORCEMENT, RULE-MAKING, OR OPERATIONAL AUTHORITY.

8 (2) (a) ~~The governor shall appoint initial board members on or~~
9 ~~before January 31, 2023, with consent of the senate. The members must~~
10 ~~include:~~ THE GOVERNOR SHALL APPOINT THE FIFTEEN VOTING MEMBERS
11 TO THE BOARD.

12 (a) (b) ~~Seven members with significant expertise and experience~~
13 ~~in one or more of the following areas: Natural medicine therapy,~~
14 ~~medicine, and research; mycology and natural medicine cultivation;~~
15 ~~licensee qualifications; emergency medical services and services provided~~
16 ~~by first responders; mental and behavioral health care; health-care~~
17 ~~insurance and health-care policy; and public health, drug policy, and harm~~
18 ~~reduction; and~~ IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR
19 SHALL ENSURE THAT THE BOARD REFLECTS A DIVERSE RANGE OF
20 PROFESSIONAL EXPERTISE, LIVED EXPERIENCE, AND PERSPECTIVES
21 NECESSARY TO ADVISE ON THE SAFE, EFFECTIVE, AND EQUITABLE
22 IMPLEMENTATION OF NATURAL MEDICINES AUTHORIZED PURSUANT TO
23 THIS ARTICLE 170.

24 (b) (c) ~~Eight members with significant expertise and experience~~
25 ~~in one or more of the following areas: Religious use of natural medicines;~~
26 ~~issues confronting veterans; traditional tribal or Indigenous use of natural~~
27 ~~medicines; levels and disparities in access to health-care services among~~

1 ~~different communities; and past criminal justice reform efforts in~~
2 ~~Colorado. At least one of the eight members must have expertise or~~
3 ~~experience in traditional, tribal, or Indigenous use of natural medicines.~~

4 MEMBERS APPOINTED TO THE BOARD MUST HAVE RELEVANT EXPERIENCE
5 TO THE NATURAL MEDICINE CURRENTLY BEING REGULATED OR UNDER
6 CONSIDERATION BY THE BOARD. RELEVANT EXPERIENCE MAY CONSIST OF
7 WORK OR EXPERTISE IN THE FOLLOWING AREAS:

8 (I) MEDICAL, CLINICAL, SCIENTIFIC, PHARMACOLOGICAL,
9 TOXICOLOGICAL, OR RESEARCH RELATED TO NATURAL MEDICINE;

10 (II) PHYSICAL HEALTH CARE, MENTAL HEALTH CARE, BEHAVIORAL
11 HEALTH CARE, OR SUBSTANCE USE DISORDER TREATMENT;

12 (III) EMERGENCY MEDICAL SERVICES, FIRST RESPONDER SERVICES,
13 OR ACUTE CARE MEDICINE;

14 (IV) PUBLIC HEALTH, DRUG POLICY, HARM REDUCTION, OR
15 HEALTH-CARE POLICY;

16 (V) NATURAL MEDICINE CULTIVATION, SOURCING, PROCESSING,
17 MANUFACTURING, SUPPORTIVE CARE PROVIDED PRIOR TO AND FOLLOWING
18 THE ADMINISTRATION OF NATURAL MEDICINE, OR QUALITY CONTROL OF
19 NATURAL MEDICINE;

20 (VI) REGULATORY COMPLIANCE, PROFESSIONAL LICENSURE,
21 HEALTH-CARE REGULATION, OR LABORATORY STANDARDS;

22 (VII) RELIGIOUS, SPIRITUAL, TRADITIONAL, TRIBAL, OR
23 INDIGENOUS USE OF NATURAL MEDICINE;

24 (VIII) ISSUES IMPACTING VETERANS OR OTHER POPULATIONS
25 DISPROPORTIONATELY IMPACTED BY SUBSTANCE USE DISORDER OR
26 MENTAL HEALTH CONDITIONS;

27 (IX) HEALTH-CARE ACCESS, HEALTH EQUITY, OR DISPARITIES IN

1 ACCESS TO CARE;

2 (X) CRIMINAL JUSTICE REFORM, DRUG POLICY REFORM, OR
3 IMPACTS OF PRIOR DRUG ENFORCEMENT POLICIES; OR

4 (XI) ISSUES AFFECTING THE ECOLOGY OR CULTURE OF INDIGENOUS
5 PEOPLE WHO HAVE HISTORICALLY USED NATURAL MEDICINE.

6 (d) NOTHING IN SUBSECTION (2)(c) OF THIS SECTION REQUIRES THE
7 BOARD TO REPRESENT ALL AREAS OF EXPERTISE LISTED IN SUBSECTION
8 (2)(c) OF THIS SECTION.

9 (e) SUBSECTION (2)(c) OF THIS SECTION DOES NOT LIMIT THE
10 GOVERNOR'S DISCRETION TO APPOINT MEMBERS WHOSE QUALIFICATIONS
11 ARE PARTICULARLY RELEVANT TO A SPECIFIC NATURAL MEDICINE THAT IS
12 BEING REGULATED OR IS UNDER CONSIDERATION BY THE BOARD.

13 ~~(3) The board includes the executive director of the department of~~
14 ~~revenue, or the executive director's designee, serving as a nonvoting~~
15 ~~member.~~

16 ~~(4) (c) Except for the executive director of the state licensing~~
17 ~~authority, or the executive director's designee, Members of the board may~~
18 ~~serve up to two consecutive terms. Members are subject to removal for~~
19 ~~misconduct, incompetence, neglect of duty, or unprofessional conduct.~~

20 (d) MEMBERS ARE SUBJECT TO REMOVAL FOR MISCONDUCT,
21 INCOMPETENCE, NEGLECT OF DUTY, OR UNPROFESSIONAL CONDUCT, AND
22 THE GOVERNOR MAY REMOVE A MEMBER FROM THE BOARD IF THE
23 GOVERNOR DETERMINES THAT CHANGES TO THE BOARD'S COMPOSITION
24 ARE NECESSARY TO ENSURE THE BOARD POSSESSES THE EXPERTISE
25 REQUIRED TO FULFILL ITS ADVISORY ROLE WITH RESPECT TO A NATURAL
26 MEDICINE BEING REGULATED OR UNDER CONSIDERATION BY THE BOARD.

27 (e) THE GOVERNOR SHALL FILL A VACANCY THAT OCCURS ON THE

1 BOARD WITHIN ONE HUNDRED TWENTY DAYS AFTER THE VACANCY ARISES.

2 (f) A MEMBER APPOINTED PURSUANT TO SUBSECTION (4)(e) OF
3 THIS SECTION SERVES FOR THE DURATION OF THE TERM BEING FILLED,
4 SUBJECT TO SUBSECTION (4)(d) OF THIS SECTION.

5 (5) The board shall make recommendations to the director and
6 state licensing authority related to, but not limited to, the following areas:

7 (f) The addition of other types of natural medicine to this article
8 170 and article 50 of title 44 pursuant to section 12-170-104 (12)(b)(I),
9 (12)(b)(II), or (12)(b)(III) based on available medical, psychological, and
10 scientific studies, research, and other information related to the safety and
11 efficacy of each natural medicine, and shall prioritize considering the
12 addition of ibogaine pursuant to section 12-170-104 (12)(b)(II), to this
13 article 170, and to article 50 of title 44, INCLUDING ADDITIONAL GENERA
14 OR SPECIES OF PLANTS THAT MAY BE CULTIVATED AND MANUFACTURED
15 TO CREATE SEMI-SYNTHETIC IBOGAINE SUCH AS THE GENERA
16 TABERNANTHE PLANT, VOACANGA AFRICANA PLANT, AND
17 TABERNAEMONTANA PLANT;

18 **SECTION 6.** In Colorado Revised Statutes, 12-170-113, **add** (3)
19 as follows:

20 **12-170-113. Protections.**

21 (3) (a) A FACILITATOR IS NOT LIABLE FOR MONEY DAMAGES IN A
22 CIVIL MALPRACTICE ACTION FOR A PHYSICAL OR PSYCHOLOGICAL INJURY
23 THAT A PARTICIPANT MAY EXPERIENCE AS A RESULT OF THE FACILITATOR'S
24 PERFORMANCE OR SUPERVISION OF NATURAL MEDICINE SERVICES FOR A
25 PARTICIPANT, UNLESS THE INJURY WAS THE DIRECT RESULT OF THE
26 FACILITATOR'S INTENTIONAL MISCONDUCT, GROSS NEGLIGENCE, OR A
27 DEVIATION FROM THE GENERALLY ACCEPTED STANDARDS OF PRACTICE.

1 (b) THIS SUBSECTION (3) DOES NOT APPLY TO ADMINISTRATIVE
2 PROCEEDINGS.

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

5 **44-50-103. Definitions.**

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

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

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

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

1 THIS TITLE 12.

2 SECTION 8. In Colorado Revised Statutes, 18-18-434, amend
3 (5)(c)(IV) and (12)(d); and add (5)(c)(VI), (5)(c)(VII), and (5.5) as
4 follows:

5 18-18-434. Offenses relating to natural medicine and natural
6 medicine product - definitions.

7 (5) (c) Nothing in this section permits a person to:

8 (IV) Dispense, distribute, or possess with intent to dispense or
9 distribute natural medicine or natural medicine product as a part of a
10 business promotion or commercial activity, except as provided by article
11 170 of title 12 and article 50 of title 44; or

12 (VI) ADVERTISE BONA FIDE HARM REDUCTION SERVICES OR BONA
13 FIDE SUPPORT SERVICES OFFERED FOR REMUNERATION EXCEPT AS
14 PROVIDED FOR IN SECTION (12)(d) OF THIS SECTION;

15 (VII) ADVERTISE NATURAL MEDICINE OR NATURAL MEDICINE
16 PRODUCT; OR

17 (VIII) USE HARM REDUCTION SERVICES OR SUPPORT SERVICES TO
18 CONDUCT SALES OF NATURAL MEDICINE. PROHIBITED SALES ACTIVITIES
19 RELATED TO HARM REDUCTION SERVICES OR SUPPORT SERVICES INCLUDE
20 BUT ARE NOT LIMITED TO:

21 (A) OPERATING A RETAIL STORE, VENDOR TABLE, VENDOR BOOTH,
22 OR OTHER COMMERCIAL BUSINESS THAT DISPENSES FOR REMUNERATION
23 ANY AMOUNT OF NATURAL MEDICINE OR NATURAL MEDICINE PRODUCT
24 NOT INTENDED FOR CONSUMPTION UNDER SUPERVISION BY THE NATURAL
25 PERSON OR ENTITY THAT DISPENSES THE NATURAL MEDICINE OR NATURAL
26 MEDICINE PRODUCT;

27 (B) SALES OF SERVICES OR ITEMS THAT INCLUDE THE TRANSFER OF

1 NATURAL MEDICINE, WHICH DOES NOT PRECLUDE REMUNERATION FOR
2 BONA FIDE HARM REDUCTION SERVICES OR BONA FIDE SUPPORT SERVICES;

3 (C) PAYING RECURRING FEES TO ACQUIRE NATURAL MEDICINE OR
4 NATURAL MEDICINE PRODUCTS; AND

5 (D) ONLINE SALES THAT INCLUDE NATURAL MEDICINE OR
6 NATURAL MEDICINE PRODUCTS.

7 (5.5) BONA FIDE HARM REDUCTION SERVICES OR BONA FIDE
8 SUPPORT SERVICES WITHOUT THE EXCHANGE OR SHARING OF NATURAL
9 MEDICINE OR NATURAL MEDICINE PRODUCTS ARE NOT SUBJECT TO THIS
10 SECTION.

11 (12) As used in this section, unless the context otherwise requires:

12 (d) "Personal use" means the consumption or use of natural
13 medicine or natural medicine product; or the amount of natural medicine
14 or natural medicine product a person may lawfully possess, cultivate, or
15 manufacture that is necessary to share with another person who is
16 twenty-one years of age or older within the context of counseling,
17 spiritual guidance, beneficial community-based use and healing,
18 supported use, or related services. "Personal use" does not mean the sale
19 of natural medicine or natural medicine product for remuneration; the
20 possession, cultivation, or manufacture of natural medicine or natural
21 medicine product with intent to sell the natural medicine or natural
22 medicine product for remuneration; or the possession, cultivation,
23 manufacture, or distribution of natural medicine or natural medicine
24 product for business or commercial purposes, except as provided by
25 article 170 of title 12 and article 50 of title 44. Nothing in this section
26 precludes remuneration for bona fide harm reduction services or bona
27 fide support services used concurrently with the sharing of CONSUMPTION

1 OF SHARED ntural medicine or natural medicine product, provided that IF
2 there is no advertisement related to the sharing of natural medicine,
3 natural medicine product, or the services provided, SERVICES OFFERED, nd
4 provided that IF the individual providing the services informs an
5 individual engaging in the services that the individual is not a licensed
6 facilitator pursuant to article 170 of title 12.

7 SECTION 9. In Colorado Revised Statutes, 44-50-103, amend
8 (1); and add (11.5) and (24.5) as follows:

9 **44-50-103. Definitions.**

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

11 (1) "Administration session" means a session conducted at a
12 healing center, or other location if permitted by this article 50 or rules
13 promulgated ADOPTED pursuant to this article 50, during which a
14 participant consumes and experiences MAY PURCHASE REGULATED
15 NATURAL MEDICINE AND REGULATED NATURAL MEDICINE PRODUCT AND
16 CONSUME AND EXPERIENCE the effects of natural medicine under the
17 supervision of a facilitator.

18 (11.5) "LIMITED REGULATED NATURAL MEDICINE SALES LICENSE"
19 MEANS A LICENSE ISSUED TO AN OWNER AUTHORIZING THE LICENSE TO
20 CO-LOCATE WITH A HEALING CENTER IN WHICH THERE IS AT LEAST ONE
21 PERSON LICENSED AS AN OWNER ASSOCIATED WITH BOTH THE LIMITED
22 REGULATED NATURAL MEDICINE SALES LICENSE AND THE HEALING
23 CENTER.

24 (24.5) "TEMPORARY PREMISES" MEANS THE PHYSICAL LOCATION
25 WHERE A NATURAL MEDICINE HEALING CENTER, LICENSED PURSUANT TO
26 THIS ARTICLE 50, IS AUTHORIZED TO PROVIDE NATURAL MEDICINE
27 SERVICES UNDER THE TERMS OF A TEMPORARY PREMISES PERMIT.

1 **SECTION 10.** In Colorado Revised Statutes, 44-50-104, **amend**
2 (2) as follows:

3 **44-50-104. Applicability.**

4 (2) A person applying for licensure pursuant to this article 50 must
5 complete forms as provided by the state licensing authority and must pay
6 the application fee and the licensing fee, which must be credited to the
7 regulated natural medicine division cash fund established pursuant to
8 section 44-50-601. The state licensing authority shall prioritize reviewing
9 applications from applicants ~~who have established residency in Colorado.~~

10 IN THE FOLLOWING ORDER:

11 (a) APPLICANTS WHO PARTICIPATED IN THE PILOT PROGRAM TO
12 ADMINISTER IBOGAIN PURSUANT TO SECTION 27-60-207;

13 (b) APPLICANTS WHO HAVE ESTABLISHED RESIDENCY IN
14 COLORADO; AND

15 (c) APPLICANTS WHO DEMONSTRATE PRIORITY REVIEW STATUS AS
16 ESTABLISHED BY THE STATE LICENSING AUTHORITY IN RULE.

17 **SECTION 11.** In Colorado Revised Statutes, 44-50-202, **amend**
18 (1)(a); and add (10) as follows:

19 **44-50-202. Powers and duties of state licensing authority -**
20 **report - rules.**

21 (1) The state licensing authority shall:

22 (a) Beginning on or before December 31, 2024, grant or refuse
23 state licenses for the cultivation, manufacturing, testing, storage,
24 distribution, transport, transfer, and dispensation of regulated natural
25 medicine or regulated natural medicine product; suspend, fine, restrict, or
26 revoke ~~such~~ THE licenses, whether active, expired, or surrendered, upon
27 a violation of this article 50 or a rule ~~promulgated~~ ADOPTED pursuant to

1 this article 50; and impose any penalty authorized by this article 50 or a
2 rule ~~promulgated~~ ADOPTED pursuant to this article 50. The state licensing
3 authority may take any action with respect to a registration or permit
4 pursuant to this article 50 as it may with respect to a license issued
5 pursuant to this article 50, in accordance with the procedures established
6 pursuant to this article 50.

7 (I) THE INCORPORATION OF ADDITIONAL NATURAL MEDICINES, AS
8 RECOMMENDED BY THE BOARD AND APPROVED BY THE DIRECTOR AND
9 EXECUTIVE DIRECTOR OF THE STATE LICENSING AUTHORITY, IS SUBJECT TO
10 AVAILABLE FUNDING TO COVER THE DIRECT AND INDIRECT COSTS OF
11 ADMINISTERING THIS ARTICLE 50 . THE STATE LICENSING AUTHORITY IS
12 NOT REQUIRED TO INCORPORATE ADDITIONAL NATURAL MEDICINES IF
13 THERE IS NOT SUFFICIENT FUNDING TO FINANCE PROGRAM
14 ADMINISTRATION.

15 (II) ONCE SUFFICIENT FUNDING IS SECURED FOR PROGRAM
16 IMPLEMENTATION, THE STATE LICENSING AUTHORITY, IN CONSULTATION
17 WITH THE BOARD, THE DEPARTMENT OF REGULATORY AGENCIES, THE
18 BEHAVIORAL HEALTH ADMINISTRATION, AND THE DEPARTMENT OF PUBLIC
19 HEALTH AND ENVIRONMENT, SHALL DETERMINE THE PROGRAM SCOPE FOR
20 IMPLEMENTATION.

21 (10) THE STATE LICENSING AUTHORITY IS NOT REQUIRED TO
22 CONDUCT ROUTINE, PERIODIC, OR PRE-OPERATIONAL INSPECTIONS AS A
23 CONDITION OF LICENSURE UNLESS EXPRESSLY REQUIRED BY THIS ARTICLE
24 50.

25 **SECTION 12.** In Colorado Revised Statutes, 44-50-203, **amend**
26 **(1)(e), (2)(r), and (2)(s)(III); and add (1)(p), (1)(q), (2)(t), (2)(u), (2.5),**
27 **(4)(c), (5), and (6)** as follows:

1 **44-50-203. State licensing authority - rules.**

2 (1) Mandatory rule-making. Rules adopted pursuant to section
3 44-50-202 (1)(b) must include the following subjects:

4 (e) Permissible and prohibited financial interests in a license
5 issued pursuant to this article 50 or a license issued pursuant to article 170
6 of title 12; except that an individual shall not have a financial interest in
7 more than five natural medicine business licenses;

8 (p) LICENSE PRIVILEGES AND RESTRICTIONS OF A LIMITED
9 REGULATED NATURAL MEDICINE SALES LICENSE, WHICH INCLUDES
10 ALLOWING THE LICENSEE TO STORE, DISTRIBUTE, TRANSPORT, PURCHASE,
11 POSSESS, AND TRANSFER REGULATED NATURAL MEDICINE AND REGULATED
12 NATURAL MEDICINE PRODUCT AND TO TRANSFER FOR REMUNERATION
13 REGULATED NATURAL MEDICINE OR REGULATED NATURAL MEDICINE
14 PRODUCTS TO A PARTICIPANT ONLY FOR PURPOSES OF CONSUMPTION
15 DURING A FACILITATED ADMINISTRATION SESSION AT A CO-LOCATED
16 HEALING CENTER'S LICENSED PREMISES;

17 (q) ELIGIBILITY REQUIREMENTS FOR AN APPLICANT TO OBTAIN A
18 LIMITED REGULATED NATURAL MEDICINE SALES LICENSE, INCLUDING, BUT
19 NOT LIMITED TO:

20 (I) REQUIRING A LIMITED REGULATED NATURAL MEDICINE SALES
21 LICENSE TO HAVE AND MAINTAIN COMMON OWNERSHIP WITH THE
22 CO-LOCATED HEALING CENTER LICENSE ISSUED PURSUANT TO SECTION
23 44-50-401 AND ANY RULES ADOPTED BY THE STATE LICENSING
24 AUTHORITY; AND

25 (II) ESTABLISHING APPLICATION AND LICENSE FEES TO COVER THE
26 DIRECT AND INDIRECT COSTS OF IMPLEMENTING THE LIMITED REGULATED
27 NATURAL MEDICINE SALES LICENSE CREATED PURSUANT TO SECTION

1 44-50-401(6), WHICH FEES SHALL BE DEPOSITED IN THE NATURAL
2 MEDICINE CASE FUND CREATED IN SECTION 44-50-601.

3 (2) Permissive rule-making. Rules adopted pursuant to section
4 44-50-202 (1)(b) may include, but need not be limited to, the following
5 subjects:

6 (r) Such other matters as are necessary for the fair, impartial,
7 stringent, and comprehensive administration of this article 50; and

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

13 (III) Other information as determined by the state licensing
14 authority in consultation with the department of public health and
15 environment;

16 (t) APPLICATION PROCEDURES AND LICENSE REQUIREMENTS FOR
17 A HEALING CENTER TO OPERATE A TEMPORARY PREMISES, IN ACCORDANCE
18 WITH SECTION 44-50-401(6), AND MAY INCLUDE:

19 (I) ESTABLISHING THE LOCATION ELIGIBILITY REQUIREMENTS FOR
20 A TEMPORARY PREMISES;

21 (II) ESTABLISHING MINIMUM SECURITY AND SURVEILLANCE
22 REQUIREMENTS FOR A TEMPORARY PREMISES, WHICH MUST REFLECT THE
23 TEMPORARY NATURE OF THE USE AND ANY PUBLIC HEALTH AND SAFETY
24 CONSIDERATIONS FOR ADMINISTRATION OF NATURAL MEDICINE SERVICES;

25 (III) ESTABLISHING MINIMUM RECORD KEEPING REQUIREMENTS,
26 WHICH MAY INCLUDE AUTHORIZING LICENSEES OPERATING A TEMPORARY
27 PREMISES TO MAINTAIN REQUIRED RECORDS AT THE HEALING CENTER

1 LICENSEE'S LICENSED PREMISES;
2 (IV) ESTABLISHING NOTIFICATION REQUIREMENTS FOR WHEN A
3 HEALING CENTER MUST REPORT TO THE STATE LICENSING AUTHORITY
4 INFORMATION THAT RELATES TO THE LICENSEE'S USE OF AN APPROVED
5 TEMPORARY PREMISES;

6 (V) ESTABLISHING CRITERIA UNDER WHICH A HEALING CENTER
7 MAY APPLY AND BE APPROVED FOR MORE THAN ONE TEMPORARY
8 PREMISES IN A SINGLE APPLICATION; AND

9 (VI) ADJUSTING THE AMOUNTS OF THE APPLICATION AND PERMIT
10 FEES FOR A TEMPORARY PREMISES TO REFLECT THE DIRECT AND INDIRECT
11 COSTS OF ADMINISTERING THE TEMPORARY PREMISES PERMIT; AND

12 (u) REQUIREMENTS FOR THE CULTIVATION, MANUFACTURE,
13 TESTING, OR DISPENSING OF IBOGAINE, INCLUDING:

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

16 (II) ESTABLISHING MINIMUM MANUFACTURING AND TESTING
17 STANDARDS FOR IBOGAINE AND IBOGAINE PRODUCTS, INCLUDING
18 REQUIREMENTS THAT LICENSEES MAINTAIN RECORDS REGARDING
19 CULTIVATED AND MANUFACTURED PRODUCTS SOURCE MATERIAL,
20 ADDITIVES AND INGREDIENTS, AND ANY CONDUCTED TEST RESULTS, AND
21 REQUIREMENTS THAT PRODUCTS PROVIDED TO HEALING CENTERS BE
22 LABELED WITH THE SAME INFORMATION.

23 (2.5) THE STATE LICENSING AUTHORITY MAY TEMPORARILY WAIVE
24 OR ADJUST STATUTORY OR REGULATORY TESTING REQUIREMENTS FOR
25 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE
26 PRODUCTS. ANY WAIVER OR ADJUSTMENT OF STATUTORY OR REGULATORY
27 TESTING REQUIREMENTS ARE ONLY PERMITTED IF THERE IS NO NATURAL

1 MEDICINE TESTING FACILITY CERTIFIED OR LICENSED TO CONDUCT
2 REQUIRED TESTING AND MUST INCLUDE:

3 (a) PROCEDURES FOR LICENSEES TO SUBMIT REPRESENTATIVE TEST
4 SAMPLES TO AN UNLICENSED, THIRD-PARTY TESTING LABORATORY;

5 (b) MINIMUM QUALIFICATIONS THAT THE UNLICENSED
6 THIRD-PARTY TESTING LABORATORY MUST MEET TO RECEIVE TEST
7 SAMPLES;

8 (c) MINIMUM STANDARDS FOR CERTIFICATES OF ANALYSIS THAT
9 A LICENSEE MUST DEMONSTRATE THE UNLICENSED, THIRD-PARTY TESTING
10 LABORATORY CAN MEET;

11 (d) FREQUENCY OF TESTING; AND

12 (e) LICENSEE NOTIFICATION AND RECORD KEEPING REQUIREMENTS
13 FOR REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE
14 PRODUCTS TESTED BY UNLICENSED, THIRD-PARTY TESTING LABORATORIES.

15 ■ ■

16 (4) (c) THE STATE LICENSING AUTHORITY MAY ESTABLISH
17 DIFFERENT APPLICATION FEES FOR LICENSES BASED ON THE TYPE OF
18 NATURAL MEDICINE THAT THE LICENSEE SEEKS TO CULTIVATE,
19 MANUFACTURE, TEST, OR DISPENSE.

20 (5) (a) A LICENSEE SEEKING TO CULTIVATE, MANUFACTURE, TEST,
21 DISPENSE, OR ADMINISTER IBOGAIN SHALL, IN CONSULTATION WITH
22 INDIGENOUS COMMUNITIES OR THEIR AUTHORIZED REPRESENTATIVE,
23 ESTABLISH A BENEFIT-SHARING PLAN THAT DIRECTLY BENEFITS THOSE
24 COMMUNITIES. A LICENSEE MAY USE OR RELY ON A THIRD PARTY FOR
25 CONSULTATION.

26 (b) A LICENSEE SHALL MAINTAIN DOCUMENTATION
27 DEMONSTRATING THE CONSULTATION PROCESS AND THE DEVELOPMENT OF

1 THE BENEFIT-SHARING PLAN AND MAKE THE DOCUMENTATION PUBLICLY
2 AVAILABLE UPON REQUEST.

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

- 9 (I) FINANCIAL BENEFIT SHARING;
- 10 (II) COLLABORATIVE RESEARCH OR DATA SHARING;
- 11 (III) CONSERVATION SUPPORT FOR PLANT SPECIES AND HABITATS;
- 12 (IV) COMMUNITY-IDENTIFIED DEVELOPMENT PRIORITIES;
- 13 (V) CULTURAL OR EDUCATIONAL EXCHANGES; AND
- 14 (VI) UTILIZING A SOURCE FOR IBOGAINE THAT ENGAGES IN
15 BENEFIT-SHARING AND ETHICAL AND SUSTAINABLE CULTIVATION
16 PRACTICES.

17 (6) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE
18 INDIGENOUS COMMUNITIES TO DISCLOSE OR SHARE TRADITIONAL
19 KNOWLEDGE, CEREMONIAL PRACTICES, OR CULTURAL EXPRESSIONS.

20 **SECTION 13. In Colorado Revised Statutes, 44-50-301, amend**
21 **(2)(a)(IV) and (2)(a)(V); and add (2)(a)(VI) as follows:**

22 **44-50-301. Classes of licenses.**

23 (2) (a) The following are natural medicine business licenses:

24 (IV) Natural medicine testing facility license; and

25 (V) Any natural medicine business license determined necessary
26 by the state licensing authority LIMITED REGULATED NATURAL MEDICINE
27 SALES LICENSES; AND

1 (VI) ANY NATURAL MEDICINE BUSINESS LICENSE DETERMINED
2 NECESSARY BY THE STATE LICENSING AUTHORITY.

3 **SECTION 14. In Colorado Revised Statutes, 44-50-401, amend**
4 (2); and add (7) as follows:

5 **44-50-401. Natural medicine healing center license - data**
6 **collection - rules.**

7 (2) A natural medicine healing center licensee may transfer
8 regulated natural medicine or regulated natural medicine product to
9 another natural medicine healing center licensee, LIMITED REGULATED
10 NATURAL MEDICINE SALES LICENSEE, or a facilitator pursuant to rules
11 promulgated ADOPTED by the state licensing authority.

12 (7) (a) A HEALING CENTER MAY APPLY FOR A TEMPORARY
13 PREMISES PERMIT AT A SEPARATE LOCATION. THE DEPARTMENT MAY ISSUE
14 A TEMPORARY PREMISES PERMIT TO A LICENSED NATURAL MEDICINE
15 HEALING CENTER IF THE FOLLOWING CONDITIONS ARE MET:

16 (I) THE HEALING CENTER SUBMITS A COMPLETE APPLICATION AND
17 PAYS ALL APPLICATION AND PERMIT FEES TO THE DEPARTMENT;

18 (II) THE LOCATION IS APPROVED BY THE DEPARTMENT SUBJECT TO
19 THE REQUIREMENTS IN SECTION 44-50-302;

20 (III) THE LICENSEE'S USE OF THE TEMPORARY PREMISES DOES NOT
21 EXCEED THE DURATION APPROVED UNDER THE PERMIT;

22 (IV) THE APPLICANT DEMONSTRATES THE LICENSED NATURAL
23 MEDICINE HEALING CENTER IS ENTITLED TO USE THE LOCATION AS A
24 TEMPORARY PREMISES; AND

25 (V) THE TEMPORARY PREMISES OTHERWISE COMPLIES WITH THIS
26 ARTICLE 50 AND ALL OTHER RULES ADOPTED BY THE DEPARTMENT.

27 (b) A NATURAL MEDICINE HEALING CENTER'S TEMPORARY

1 PREMISES IS NOT REQUIRED TO BE LOCATED IN THE SAME LOCAL
2 JURISDICTION AS THE LICENSED PREMISES.

3 (c) THE STATE LICENSING AUTHORITY SHALL NOT ISSUE A
4 TEMPORARY PREMISES PERMIT FOR A LOCATION AT WHICH THE
5 DISTRIBUTION, TRANSFER, AND DISPENSATION OF REGULATED NATURAL
6 MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT IS NOT PERMITTED
7 UNDER THE ZONING CODE OF THE LOCAL JURISDICTION.

8 (8) A LIMITED REGULATED NATURAL MEDICINE SALES LICENSE
9 MAY BE ISSUED ONLY TO A PERSON THAT APPLIES FOR AND IS APPROVED
10 TO OPERATE A HEALING CENTER LICENSE AND IS SUBJECT TO THE
11 FOLLOWING REQUIREMENTS:

12 (a) THE LICENSE MUST BE CO-LOCATED WITH A HEALING CENTER
13 AT WHICH AN ADMINISTRATION SESSION IS HELD, WHERE REGULATED
14 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT IS SOLD
15 TO A PARTICIPANT.

16 (b) THE LICENSE MUST HAVE COMMON OWNERSHIP WITH THE
17 CO-LOCATED HEALING CENTER. FOR PURPOSES OF THIS SECTION, COMMON
18 OWNERSHIP MEANS THERE IS AT LEAST ONE PERSON LICENSED AS AN
19 OWNER ASSOCIATED WITH BOTH THE LIMITED REGULATED NATURAL
20 MEDICINE SALES LICENSE AND THE HEALING CENTER.

21 (c) THE LICENSE MAY BE EXERCISED TO STORE, PURCHASE,
22 POSSESS, AND TRANSFER REGULATED NATURAL MEDICINE AND REGULATED
23 NATURAL MEDICINE PRODUCT AND INVOICE A PARTICIPANT FOR
24 REGULATED NATURAL MEDICINE AND REGULATED NATURAL MEDICINE
25 PRODUCT TO BE USED SOLELY IN THE CONTEXT OF AN ADMINISTRATION
26 SESSION AT A CO-LOCATED HEALING CENTER AND TO CONDUCT
27 TRANSACTIONS ON BEHALF OF A FACILITATOR FOR THE NATURAL MEDICINE

1 SERVICES PROVIDED IN ACCORDANCE WITH ARTICLE 170 OF TITLE 12.

2 (d) THE LICENSE IS NOT REQUIRED TO COMPLY WITH SUBSECTION
3 (1) OF THIS SECTION SEPARATE FROM THE COMMONLY OWNED,
4 CO-LOCATED HEALING CENTER LICENSE.

5 (e) ANY OTHER REQUIREMENTS ESTABLISHED BY RULES OF THE
6 STATE LICENSING AUTHORITY PURSUANT TO THIS ARTICLE 50.

7 (9) A HEALTH CENTER LICENSEE SHALL NOT SELL REGULATED
8 NATURAL MEDICINE OR REGULATED NATURAL MEDICINE PRODUCT UNLESS
9 A CO-LOCATED LIMITED REGULATED NATURAL MEDICINE SALES LICENSEE
10 CONDUCTS THE TRANSACTION IN ACCORDANCE WITH THE PROVISIONS OF
11 SUBSECTION (8) OF THIS SECTION.

12 **SECTION 15.** In Colorado Revised Statutes, 44-50-402, **amend**
13 **(1) as follows:**

14 **44-50-402. Natural medicine cultivation facility license.**

15 (1) A natural medicine cultivation facility license may be issued
16 pursuant to state licensing authority rules and only to a person who
17 cultivates regulated natural medicine for transfer and distribution to
18 natural medicine healing center licensees, natural medicine product
19 manufacturer licensees, A LIMITED REGULATED NATURAL MEDICINE SALES
20 LICENSEE, other natural medicine cultivation facility licensees, or other
21 persons licensed under PURSUANT TO article 170 of title 12 or this article
22 50.

23 **SECTION 16.** In Colorado Revised Statutes, 44-50-601, **amend**
24 **(1)(a) as follows:**

25 **44-50-601. Regulated natural medicine cash fund - created -**
26 **rules - fees.**

27 (1) (a) ~~At~~ Money collected by the state licensing authority

1 pursuant to this article 50 or rules promulgated ADOPTED pursuant to this
2 article 50 must be transmitted to the state treasurer, who shall credit the
3 same to the regulated natural medicine division cash fund, which is
4 hereby created IN THE STATE TREASURY. The regulated natural medicine
5 division cash fund, referred to in this section as the "fund", consists of:

- 6 (I) The money collected by the state licensing authority; and
- 7 (II) GIFTS, GRANTS, OR DONATIONS FROM PUBLIC OR PRIVATE
- 8 SOURCES;
- 9 (III) MONEY TRANSFERRED FROM THE IBOGAININE RESEARCH PILOT
- 10 PROGRAM CASH FUND, ESTABLISHED IN SECTION 27-60-207 (10); AND
- 11 ~~(H)~~ (IV) Any additional general fund money appropriated to the
- 12 fund that is necessary for the operation of the state licensing authority.

13 **SECTION 17.** In Colorado Revised Statutes, **add 44-50-702 as**
14 **follows:**

15 **44-50-702. Unlawful exercise of the privileges of a license.**

16 **(1) IF THE DIRECTOR OF THE NATURAL MEDICINE DIVISION**
17 **DETERMINES BASED UPON CREDIBLE EVIDENCE FROM A COMPLAINT OR**
18 **INVESTIGATION THAT A PERSON IS ACTING OR HAS ACTED WITHOUT THE**
19 **LICENSE REQUIRED TO OPERATE A NATURAL MEDICINE BUSINESS OR TO**
20 **OWN, GROW, HARVEST, TRANSFER, MANUFACTURE, SUPERVISE, PROVIDE,**
21 **OR ADMINISTER NATURAL MEDICINE, THE DIRECTOR MAY ISSUE AN ORDER**
22 **TO CEASE AND DESIST THE ACTIVITY. THE ORDER MUST SET FORTH THE**
23 **STATUTES AND RULES ALLEGED TO HAVE BEEN VIOLATED, THE FACTS**
24 **ALLEGED TO CONSTITUTE THE VIOLATION, AND THE REQUIREMENT THAT**
25 **ALL UNLAWFUL ACTS OR UNLICENSED ACTIVITY IMMEDIATELY CEASE.**

26 **(2) WITHIN FOURTEEN DAYS AFTER SERVICE OF THE ORDER TO**
27 **CEASE AND DESIST ISSUED PURSUANT TO SUBSECTION (1) OF THIS SECTION,**

1 THE RESPONDENT MAY REQUEST A HEARING BEFORE THE HEARINGS
2 DIVISION ON THE QUESTION OF WHETHER THEIR ACTS OR PRACTICES WERE
3 IN VIOLATION OF THIS TITLE 44 OR UNLICENSED ACTIVITY OCCURRED.

4 (3) THE HEARING MUST BE CONDUCTED PURSUANT TO SECTIONS
5 24-4-104 AND 24-4-105.

6 (4) JUDICIAL REVIEW OF FINAL AGENCY ACTION REGARDING THE
7 CEASE AND DESIST MUST BE CONDUCTED PURSUANT TO SECTION 24-4-106.

8 **SECTION 18. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2026 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.