



July 8, 2021

UPDATED INDUSTRY-WIDE BULLETIN 21-09

RE: Rescission of Executive Orders and Emergency Rule Allowances

Dear MED Stakeholders:

This bulletin is being issued to notify you that [Executive Order D 2020 011](#), “*Ordering the Temporary Suspension of Certain Regulatory Statutes Due to the Presence of COVID-19*,” **was rescinded on July 8, 2021**. As a result, the following temporary allowances established pursuant to the Executive Order and emergency rules are no longer in effect:

1. **Remote Sales Transaction Allowances - Retail Marijuana:** [EO D 2020 011](#) temporarily suspended section 44-10-601(7)(c), C.R.S. The suspension of this statutory section and emergency rules adopted pursuant to EO D 2020 011 allowed Retail Marijuana Stores to conduct online sales transactions prior to the physical transfer of retail marijuana to consumers at the licensed premises. All Retail Marijuana Stores accepting payment and completing sales over the internet, over the phone, or from a mobile device outside the Restricted Access Area pursuant to Rule 3-345, 1 CCR 212-3, may no longer continue to do so at this time.
 - a. **Applicability:** The restriction regarding online sales transactions described above does not apply to medical marijuana sales transactions.
 - b. **Order v. Sale Transactions:** While Retail Marijuana Stores can no longer offer online payment options to customers, this does not prevent Licensees from allowing customers to select retail marijuana or retail marijuana products online that customers will pay for and pick up in person at the Retail Marijuana Store.
 - c. **“Curbside” v. “Walk-up/Drive-up”:** Following the rescission of EO D 2020 011, the Division does not have authority to extend allowances for either online sales or “curbside” pick-up options. The rescission of EO D 2020 011 does not impact a Store’s ability to permanently modify their Licensed Premise to include walk-up or drive-up windows pursuant to Rules 2-260, 5-105(K) or 6-110(J). However, any such modifications must also comply with applicable local requirements.
 - d. **Delivery Transactions:** Retail Marijuana Stores with a valid delivery permit, and subject to local jurisdiction requirements and/or restrictions, may still complete sales transactions over the internet and deliver retail marijuana to consumers at private residences pursuant to the Colorado Marijuana Code and Rules 3-615 and 6-110(E), 1 CCR 212-3.
2. **Emergency Suspension of Fingerprinting for Renewal Applications:** Rule 2-265(l)(1)(d)(i), 1 CCR 212-3, which temporarily suspends fingerprinting requirements for renewal applications is no longer in effect. Beginning July 9, 2021, Licensees will need to provide proof of [third-party fingerprinting](#) upon submission of any renewal application.
 - a. **Fingerprint Services:** The Division is currently exploring options to resume on-site fingerprinting services. However, it is not providing on-site fingerprinting services at this time. Until further notice, applicants will need to continue to utilize the services of third-party fingerprint providers. Additional updates will be published on the Division’s website and issued to licensees via email.

Licensees can access the most up-to-date rules on the [MED Rules page](#) and submit questions via the [MED Inquiry Form](#).

Respectfully,

The Marijuana Enforcement Division