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SMALL BUSINESS

Colorado Won't Hold Marijuana Convictions Against State-Licensed Professionals

Gov. Jared Polis signed an executive order that Colorado will not hold out-of-state convictions for most marijuana-related offenses against people applying for professional licenses here.

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By Alex Burness, The Denver Post (viaTNS).

Gov. Jared Polis last week vowed by [executive order](#) that Colorado will not hold out-of-state convictions for most marijuana-related offenses against people applying for professional licenses here.

The Boulder Democrat wrote in his order, “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.”

Polis’s order directs the state Department of Regulatory Affairs, which oversees professional licensing for close to 1 million Coloradans in at least 50 different sectors, to “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.”

He gave the same direction to the state's Marijuana Enforcement Division, as well as to the state Department of Revenue's business regulatory division, which covers gaming, horse racing and the auto, marijuana, and liquor and tobacco industries.

The governor furthermore prohibited state agencies from providing information or expending "time, money, facilities, property, equipment, personnel or other resources" to cooperate in or aid any out-of-state investigation seeking to sanction anyone's professional license for lawful marijuana-related conduct that took place in Colorado.

He noted that the state will still make exceptions to that rule if it is bound by a court order.

Polis made a point to state in multiple sections of the order that it applies to actions that are lawful in Colorado. The order does not, however, apply to people convicted of or under investigation for marijuana-related actions that remain illegal here, such as selling to minors or trafficking on the black market.

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