

BALLOT TITLE

SHALL DENVER RETAIL MARIJUANA SALES TAX BE INCREASED BY \$7 MILLION ANNUALLY, BEGINNING JANUARY 1, 2022, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, FROM A ONE AND ONE-HALF (1.5) PERCENT RETAIL MARIJUANA SALES TAX TO BE USED TO FUND:

- PANDEMIC RESEARCH FOR ADVANCED TECHNOLOGIES TO PROTECT THE PUBLIC FROM THE SPREAD OF PANDEMIC PATHOGENS, INCLUDING AT SCHOOLS, BUSINESSES, AND HOSPITALS;
- PANDEMIC RESEARCH FOR PANDEMIC PREPAREDNESS AND RECOVERY, INCLUDING URBAN, ECONOMIC, AND SCHOOL PLANNING;

PROVIDED THAT THE FUNDS WILL BE DEDICATED ENTIRELY TO THE UNIVERSITY OF COLORADO DENVER CITYCENTER WHICH WILL BE REQUIRED TO EQUITABLY ALLOCATE THE FUNDS WHEREIN SEVENTY-FIVE (75) PERCENT OF THE FUNDS ARE LIMITED TO THE THREE RESEARCH CATEGORIES OF: PERSONAL PROTECTIVE EQUIPMENT; DISINFECTION AND STERILIZATION TECHNOLOGY; AND DESIGN FEATURES OF PHYSICAL SPACES, AND THAT TWENTY-FIVE (25) PERCENT OF THE FUNDS ARE LIMITED TO RESEARCHING PUBLIC POLICY AND PLANNING, THAT NO MORE THAN EIGHT (8) PERCENT OF THE TAX REVENUE IN ANY YEAR SHALL BE SPENT ON ADMINISTRATIVE EXPENSES, THAT AFTER TWENTY YEARS THE AREAS OF TECHNOLOGICAL RESEARCH TO REDUCE THE SPREAD OF PANDEMIC PATHOGENS MAY BE EXPANDED, THAT OVERSIGHT WILL REQUIRE ANNUAL AUDIT AND REPORTING REQUIREMENTS, AND REQUIRING THAT REVENUES FROM THESE INCREASED TAXES SHALL BE COLLECTED AND SPENT WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

## Pandemic Research Fund

*Be it enacted by the City and County of Denver:*

**Section 1.** Chapter 53 Section 92, D.R.M.C. Imposition of Tax shall be amended by the addition of a new subsection (d):

Sec. 53-92. - Imposition of Tax.

(d) In addition to the sale tax imposed by division 1 of this Article II, the sale tax imposed by subsection (a) of this Section 53-92, beginning January 1, 2022, there is imposed upon all sales of retail marijuana and retail marijuana products to a consumer by a retail marijuana store a tax at the rate of one and one-half (1.5) percent of the amount of the sale. The one and one-half (1.5) percent tax described in this subsection 53-92(d) shall be dedicated to the Pandemic Research Fund for pandemic research by University of Colorado Denver CityCenter.

**Section 2.** Chapter 53, D.R.M.C. shall be amended by the addition of a new Section 95 to read as follows:

Sec. 53-95. - Pandemic Research Fund

The Pandemic Research Fund is created for the purpose of receiving revenues derived from the retail marijuana sale tax described in subsection 53-92(d) for research into the reduction of risks from pathogens of pandemic potential. All revenue collected by the city pursuant to section 53-92(d), less administrative costs incurred in the tax's collection, not to exceed eight (8) percent of the total revenue, shall be remitted to the Pandemic Research Fund, the funds from which shall be dedicated entirely to the University of Colorado Denver CityCenter.

(a) Description of activities to be funded.

Upon receipt of the funds from the Pandemic Research Fund, the University of Colorado Denver CityCenter shall establish equitable mechanisms to identify and select projects, and allocate the funds, less any administrative costs, which shall not be subject to any cap unless otherwise agreed upon by the city and the University, as follows:

(1) Three fourths of the funds shall be allocated to developing, implementing, and evaluating practical, step-change technological advances to protect the population from pathogens (whether known or potential) of pandemic potential.

(i) From the enactment of this ordinance until 20 years thereafter, the research to be funded under this subsection (a)(1) shall be limited to the pursuit of technological advances in the following categories:

(A) Personal protective equipment, particularly that which is (1) intuitive, readily accessible, and desirable to health care workers, other essential workers, and members of the public of all ages, (2) affords a high level of protection against infection to the

wearer, and (3) provides exceptional source control (such as preventing a pathogen's spread from infectious wearers to others).

(B) Disinfection and sterilization technology for quickly eliminating microbial threats from surfaces, air, hands, and the like without harming humans or animals.

(C) Design features of built and transport environments (such as offices, classrooms, buses, and hospitals, including ventilation systems, architectural layout, and antimicrobial surfaces) that complement other infection control technologies and sharply curtail the potential for the spread of microbial threats, without harming humans or animals.

(ii) Beginning 20 years after the enactment of this ordinance, the research to be funded under this provision (a)(1) may be expanded to include any non-pharmaceutical technologies that enable infection control in healthcare and non-healthcare settings, with the goal of drastically reducing the risk of transmission of pathogens (whether known or potential) of pandemic potential.

(2) One fourth of the funds shall be allocated to research as to public policy and planning related to pandemic preparedness and recovery, including:

(i) The role of local, state and federal governments during a pandemic.

(ii) Public policy and strategic planning related to best practices for pandemic control, such as social distancing.

(iii) The potential role of urban planning and architecture in mitigating future pandemics.

(iv) The effects of pandemics on the economy.

(v) Scenario planning for public school systems before, during, and after a pandemic.

(b) Distribution of Funding.

The three-fourths allocation described in section (a)(1) and the one-fourth allocation described in section (a)(2) shall be achieved over a five-year period, such that the overall allocation of funds distributed over the five-year period shall average, as closely as practicable, the ratios specified in section (a). The first five-year period shall begin on January 1, 2022 and a new five-year period shall begin every five years thereafter.

(c) Oversight and Reporting.

(1) The University of Colorado Denver CityCenter shall establish mechanisms by which each recipient of funding from the Pandemic Research Fund will submit to the University a report detailing the use of the funds received. The University shall require such report from each recipient not less than once annually, until the recipient has no further information to report.

(2) Expenditures pursuant to this section shall be made pursuant to an agreement between the city and the University of Colorado Denver CityCenter, which agreement shall define the obligations of the university in consideration of such funding. Such agreement shall not restrict the eligibility of funding recipients beyond those criteria described by this ordinance, except as required by municipal or state law. The agreement shall be administered on behalf of the city by the manager of revenue and any expenditure under the agreement shall be subject to audit by the auditor for compliance with the requirements of this section and of the agreement.

(3) Not less than once annually, the University of Colorado Denver CityCenter shall submit to the city auditor and council a report that lists each entity to which the university distributed funding pursuant to this ordinance and the amount of funding each entity received, as well as any administrative costs incurred by the University in the process of selecting recipients and disbursing funds. The auditor shall make such report available to the public.