

**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. 26-0443.02 Jery Payne x2157

HOUSE BILL 26-1117

HOUSE SPONSORSHIP

Ricks,

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TEMPORARY HOSPITALITY EVENT PERMITS THAT**
102 **AUTHORIZE THE CONSUMPTION OF MARIJUANA.**

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 creates the state temporary hospitality event permits (hospitality permit) where marijuana may be consumed, but not sold or distributed, at the event premises for a temporary hospitality event (event). Other licensees are permitted to participate in the event. To be issued a hospitality permit, the applicant must hold an active marijuana hospitality business license, apply for the hospitality permit, and pay the

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.*

application fee. Application standards are set. The state licensing authority sets the application fee to offset the direct and indirect costs of issuing a hospitality permit.

A marijuana hospitality business or a participating licensee is prohibited from:

- Operating an event for longer than 72 hours;
- Hosting more than 15 events per year;
- Selling, transferring, or distributing marijuana at the event premises during an event; and
- Transferring the hospitality permit to another person.

To hold an event at a specific event premises, the applicant must apply for and be issued an event premises permit (premises permit) by the local licensing authority. Standards are set for the application process. To qualify for a premises permit, the licensee must demonstrate that the event premises comply with applicable zoning, fire, and public health laws and comply with the bill. Standards are set for an application for and the issuance of the premises permit.

In order for event premises to be used, the local jurisdiction must adopt a resolution or ordinance authorizing events within the jurisdiction. The local jurisdiction may impose reasonable conditions and limitations.

If a premises permit application is denied, the applicant may request a hearing within 7 days after the denial. If a hearing is requested, the local licensing authority shall hold a hearing to determine if the denial is justified. The local licensing authority sets the fee to issue a premises permit.

The state licensing authority must adopt rules. Both the state and local licensing authorities may enforce the bill and marijuana laws at the events and on the event premises. The state licensing authority and a local licensing authority may separately or jointly inspect permitted events or event premises.

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) The state of Colorado has established distinct license types,
5 each granting specific privileges related to cannabis sales and
6 consumption;

7 (b) The privilege of on-site consumption of cannabis is uniquely
8 held by hospitality licensees, similar to how the privilege of sales is held

1 by retail and medical licensees; and

2 (c) This act is not intended to create a new license type or impose
3 additional regulatory burdens but rather to expand and clarify the
4 privileges already granted to hospitality licensees through a temporary,
5 event-based permitting structure.

6 (2) The general assembly further declares that the purpose of this
7 act is to authorize temporary hospitality events operated under existing
8 cannabis license privileges to encourage collaboration among hospitality,
9 retail, and cultivation licensees.

10 **SECTION 2.** In Colorado Revised Statutes, 44-10-103, **add**
11 (14.5), (45.5), and (70) as follows:

12 **44-10-103. Definitions - rules.**

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

14 (14.5) [REDACTED] "EVENT PREMISES" MEANS THE PUBLIC LOCATION
15 WHERE A TEMPORARY HOSPITALITY EVENT IS HELD AND THAT IS NOT THE
16 LICENSED PREMISES OF THE TEMPORARY HOSPITALITY EVENT PERMIT
17 HOLDER OR ANY PARTICIPATING LICENSEE.

18 [REDACTED]
19 (45.5) "PARTICIPATING LICENSEE" MEANS A RETAIL MARIJUANA
20 STORE, MEDICAL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION
21 FACILITY, MEDICAL MARIJUANA CULTIVATION FACILITY, RETAIL
22 MARIJUANA PRODUCTS MANUFACTURER, OR MEDICAL MARIJUANA
23 PRODUCTS MANUFACTURER THAT PARTNERS WITH A MARIJUANA
24 HOSPITALITY BUSINESS OR A RETAIL MARIJUANA HOSPITALITY AND SALES
25 BUSINESS TO PARTICIPATE IN A TEMPORARY HOSPITALITY EVENT FOR
26 PURPOSES OF ON-SITE REGULATED MARIJUANA CONSUMPTION BUT NOT
27 SALES OR DISTRIBUTION.

1 (70) "TEMPORARY HOSPITALITY EVENT" MEANS A TIME-LIMITED
2 EVENT THAT ALLOWS ON-SITE REGULATED MARIJUANA CONSUMPTION AND
3 THAT IS HOSTED BY A MARIJUANA HOSPITALITY BUSINESS WITH
4 PARTICIPATING LICENSEES.

5 **SECTION 3.** In Colorado Revised Statutes, 44-10-203, **add**
6 (2)(ll), (2)(mm), and (2)(nn) as follows:

7 **44-10-203. State licensing authority - rules.**

8 (2) **Mandatory rule-making.** Rules adopted pursuant to section
9 44-10-202 (1)(c) must include the following subjects:

10 (ll) LICENSE RENEWAL APPLICATION REQUIREMENTS, PROCEDURES,
11 AND FEES FOR LICENSED MARIJUANA BUSINESSES THAT WERE ISSUED A
12 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT PURSUANT TO
13 SECTION 44-10-609 (5) OR 44-10-610 (6) BY A LOCAL JURISDICTION
14 DURING THE PREVIOUS LICENSE TERM. RULES ADOPTED PURSUANT TO THIS
15 SUBSECTION (2)(ll) MAY INCLUDE INCREASED RENEWAL FEES FOR
16 LICENSEES APPROVED TO HOLD TEMPORARY MARIJUANA HOSPITALITY
17 EVENTS PURSUANT TO A PERMIT OR A LICENSE ENDORSEMENT WITH A
18 REQUISITE FEE IN ORDER TO ACCOUNT FOR LICENSEES APPROVED TO HOLD
19 TEMPORARY MARIJUANA HOSPITALITY EVENTS PURSUANT TO A PERMIT OR
20 A LICENSE ENDORSEMENT ISSUED BY A LOCAL JURISDICTION.

21 (mm) ESTABLISHING REPORTING REQUIREMENTS, INCLUDING
22 FORMS OR PROCESSES, FOR LICENSEES AND LOCAL JURISDICTIONS TO
23 NOTIFY THE STATE LICENSING AUTHORITY THAT A TEMPORARY MARIJUANA
24 HOSPITALITY EVENT PERMIT HAS BEEN ISSUED;

25 (nn) FOR THE PAMPHLET DESCRIBED IN SECTIONS 44-10-609
26 (5)(d)(II) AND 44-10-610 (6)(d)(II), STANDARDS THAT GIVE A
27 DESCRIPTION OF THE DANGERS OF AND PENALTIES OF DRIVING WHILE

1 IMPAIRED BY OR UNDER THE INFLUENCE OF THC.

2 SECTION 4. In Colorado Revised Statutes, 44-10-609, add (5)
3 as follows:

4 44-10-609. Marijuana hospitality business license - temporary
5 marijuana hospitality event permit - repeal.

6 (5) Temporary marijuana hospitality event permit.

7 (a) (I) A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT
8 AUTHORIZES A MARIJUANA HOSPITALITY BUSINESS LICENSEE TO HOST
9 TEMPORARY MARIJUANA HOSPITALITY EVENTS WHERE CONSUMPTION OF
10 REGULATED MARIJUANA IS AUTHORIZED IN ACCORDANCE WITH THIS
11 SUBSECTION (5).

12 (II) TO BE ISSUED A TEMPORARY MARIJUANA HOSPITALITY EVENT
13 PERMIT BY THE LOCAL LICENSING AUTHORITY, AN APPLICANT MUST:

14 (A) HOLD AN APPROVED MARIJUANA HOSPITALITY BUSINESS
15 LICENSE; AND

16 (B) BE ISSUED A TEMPORARY MARIJUANA HOSPITALITY EVENT
17 PERMIT BY A LOCAL LICENSING AUTHORITY FOR EACH TEMPORARY
18 MARIJUANA HOSPITALITY EVENT.

19 (b) Local licensing authority.

20 (I) THE LOCAL LICENSING AUTHORITY MAY, IN ACCORDANCE WITH
21 AN ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION, CREATE A
22 FRAMEWORK TO ISSUE AND REGULATE TEMPORARY MARIJUANA
23 HOSPITALITY EVENT PERMITS. IF THE LOCAL LICENSING AUTHORITY
24 ADOPTS A FRAMEWORK TO ISSUE TEMPORARY MARIJUANA HOSPITALITY
25 EVENT PERMITS, THE FRAMEWORK MUST:

26 (A) LIMIT A SINGLE TEMPORARY MARIJUANA HOSPITALITY EVENT
27 TO SEVENTY-TWO HOURS;

1 (B) REQUIRE A PERMIT TO BE ISSUED FOR EACH TEMPORARY
2 MARIJUANA HOSPITALITY EVENT;

3 (C) REQUIRE AN APPLICATION BE SUBMITTED FOR EACH PERMIT;

4 (D) LIMIT THE NUMBER OF TEMPORARY MARIJUANA HOSPITALITY
5 EVENTS TO FIFTEEN PER CALENDAR YEAR;

6 (E) MAKE A PERMIT NONTRANSFERRABLE; AND

7 (F) PROVIDE FOR AN APPEAL FOR DENYING THE ISSUANCE OF A
8 PERMIT TO AN APPLICANT.

9 (II) WHEN CREATING THE FRAMEWORK AUTHORIZED IN
10 SUBSECTION (5)(b)(I) OF THIS SECTION, A LOCAL LICENSING AUTHORITY
11 MAY:

12 (A) IMPOSE REASONABLE CONDITIONS CONCERNING SAFETY,
13 TRAFFIC, AND NEIGHBORHOOD AFFECTS REQUIRED TO ISSUE A TEMPORARY
14 MARIJUANA HOSPITALITY EVENT PERMIT; AND

15 (B) SET THE PERMIT FEE TO COVER THE COST OF ISSUING AND
16 ADMINISTRATING THE FRAMEWORK.

17 (III) A LOCAL LICENSING AUTHORITY SHALL NOT ISSUE A
18 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT UNLESS THE LOCAL
19 JURISDICTION HAS ADOPTED A RESOLUTION OR ORDINANCE AUTHORIZING
20 TEMPORARY MARIJUANA HOSPITALITY EVENTS WITHIN THE JURISDICTION.

21 **(c) Application and issuance.**

22 (I) (A) TO BE ISSUED AND TO HOLD A TEMPORARY MARIJUANA
23 HOSPITALITY EVENT PERMIT, AN APPLICANT MUST FILE AN APPLICATION
24 WITH THE LOCAL LICENSING AUTHORITY AT LEAST SIXTY DAYS BEFORE
25 THE APPLICANT'S PROPOSED TEMPORARY MARIJUANA HOSPITALITY EVENT.

26 (B) THE LOCAL LICENSING AUTHORITY REVIEWS TEMPORARY
27 MARIJUANA HOSPITALITY EVENT PERMIT APPLICATIONS AND ISSUES

1 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMITS. UPON AN
2 APPLICATION BY A MARIJUANA HOSPITALITY BUSINESS LICENSEE, THE
3 LOCAL LICENSING SHALL INVESTIGATE EACH TEMPORARY MARIJUANA
4 HOSPITALITY EVENT PERMIT APPLICATION AND SHALL EITHER APPROVE OR
5 DENY THE APPLICATION IN ACCORDANCE WITH THIS ARTICLE 10 AND ANY
6 APPLICABLE LOCAL ORDINANCE OR RESOLUTION.

7 (C) THE STATE LICENSING AUTHORITY DOES NOT REVIEW
8 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT APPLICATIONS OR
9 ISSUE OF TEMPORARY MARIJUANA HOSPITALITY EVENT PERMITS.

10 (II) WITHIN TEN DAYS AFTER ISSUING A TEMPORARY MARIJUANA
11 HOSPITALITY EVENT PERMIT, THE LOCAL LICENSING AUTHORITY SHALL
12 REPORT, IN A MANNER REQUIRED BY THE STATE LICENSING AUTHORITY,
13 THE FOLLOWING INFORMATION:

14 (A) THE ISSUANCE OF THE PERMIT;

15 (B) THE NAME OF THE MARIJUANA HOSPITALITY BUSINESS
16 LICENSEE ISSUED THE PERMIT;

17 (C) THE ADDRESS OF THE PERMITTED EVENT LOCATION; AND

18 (D) THE PERMITTED DATES AND TIMES FOR THE EVENT.

19 (d) **Requirements and limitations.**

20 (I) A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT HOLDER
21 SHALL NOT:

22 (A) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT IN
23 A LOCAL JURISDICTION THAT HAS NOT ADOPTED A RESOLUTION OR
24 ORDINANCE AUTHORIZING TEMPORARY MARIJUANA HOSPITALITY EVENTS
25 WITHIN THE JURISDICTION;

26 (B) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT
27 WITHOUT A PERMIT ISSUED UNDER THIS SUBSECTION (5) BY A LOCAL

1 LICENSING AUTHORITY;

2 (C) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT ON
3 PREMISES LICENSE TO SELL OR SERVE ALCOHOL UNDER ARTICLE 3 OR 4 OF
4 THIS TITLE 44;

5 (D) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT ON
6 PREMISES LICENSE TO SELL OR SERVE REGULATED MARIJUANA UNDER THIS
7 ARTICLE 10;

8 (E) SELL, TRANSFER, OR DISTRIBUTE REGULATED MARIJUANA AT
9 A TEMPORARY MARIJUANA HOSPITALITY EVENT;

10 (F) OPERATE A TEMPORARY MARIJUANA HOSPITALITY EVENT FOR
11 LONGER THAN SEVENTY-TWO CONSECUTIVE HOURS;

12 (G) HOST MORE THAN FIFTEEN TEMPORARY MARIJUANA
13 HOSPITALITY EVENTS DURING A CALENDAR YEAR; OR

14 (H) VIOLATE A LAW ADOPTED BY THE LOCAL LICENSING
15 AUTHORITY, THIS ARTICLE 10, OR A RULE ADOPTED UNDER THIS ARTICLE
16 10 BY THE STATE LICENSING AUTHORITY.

17 (II) DURING A TEMPORARY MARIJUANA HOSPITALITY EVENT, THE
18 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT HOLDER SHALL
19 PROVIDE, AT EACH ENTRANCE TO THE EVENT PREMISES, A PAMPHLET OF
20 EDUCATION MATERIALS THAT COMPLIES WITH THE RULES ADOPTED UNDER
21 SECTION 44-10-203.

22 (III) AT LEAST ANNUALLY, A TEMPORARY MARIJUANA
23 HOSPITALITY EVENT PERMIT HOLDER MUST REPORT TO THE STATE
24 LICENSING AUTHORITY THE FOLLOWING INFORMATION:

25 (A) THE NUMBER OF TEMPORARY MARIJUANA HOSPITALITY EVENT
26 PERMITS THE LICENSEE WAS ISSUED IN THE PRECEDING CALENDAR YEAR;

27 (B) THE LOCAL JURISDICTION AND LOCATIONS OF EACH

1 TEMPORARY MARIJUANA HOSPITALITY EVENT; AND

2 (C) ANY OTHER INFORMATION REQUIRED BY THE STATE LICENSING
3 AUTHORITY IN RULES ADOPTED UNDER SECTION 44-10-203 (2)(mm).

4 (e) **Not open and public consumption.** FOR PURPOSES OF
5 SECTION 16 (3)(d) OF ARTICLE XVIII OF THE STATE CONSTITUTION,
6 CONSUMPTION OF MARIJUANA OCCURRING AT AN EVENT PREMISES
7 LOCATION CONDUCTED UNDER A VALID TEMPORARY MARIJUANA
8 HOSPITALITY EVENT PERMIT DOES NOT CONSTITUTE "OPEN AND PUBLIC
9 CONSUMPTION" WHEN THE FOLLOWING CONDITIONS ARE MET:

10 (I) THE EVENT PREMISES ARE RESTRICTED TO INDIVIDUALS
11 TWENTY-ONE YEARS OLD OR OLDER;

12 (II) THE EVENT PREMISES WHERE CONSUMPTION OCCURS IS
13 OBSCURED FROM PUBLIC VIEW;

14 (III) ACCESS TO THE EVENT PREMISES IS LIMITED THROUGH
15 CONTROLLED ENTRY POINTS WITH SECURITY PERSONNEL OR
16 CREDENTIALLED ENTRY; AND

17 (IV) THE EVENT COMPLIES WITH THE LAW OF COLORADO AND THE
18 LOCAL JURISDICTION. THE APPLICABLE LAW INCLUDES:

19 (A) APPLICABLE NOISE, ODOR, AND AIR-QUALITY LAWS;

20 (B) THE "COLORADO CLEAN INDOOR AIR ACT", PART 2 OF
21 ARTICLE 14 OF TITLE 25; AND

22 (C) APPLICABLE VENTILATION OR OPEN-AIR RULES ADOPTED BY
23 THE AIR QUALITY CONTROL COMMISSION CREATED IN SECTION 25-7-104

24 (1).

25 (f) **Enforcement and compliance.**

26 (I) THE LOCAL LICENSING AUTHORITY THAT ISSUES A TEMPORARY
27 MARIJUANA HOSPITALITY EVENT PERMIT IS RESPONSIBLE FOR THE

1 REGULATORY OVERSIGHT OF LICENSEE ACTIVITIES EXERCISED PURSUANT
2 TO AN APPROVED TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT.
3 THE LOCAL LICENSING AUTHORITY MAY TAKE AN ENFORCEMENT ACTION
4 AS AUTHORIZED IN SECTION 44-10-901 OR A LOCAL ORDINANCE AGAINST
5 A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT OR THE LICENSE OF
6 THE PERMIT HOLDER FOR A VIOLATION THAT CONCERNS THE PERMIT OR
7 THAT TAKES PLACE AT THE TEMPORARY MARIJUANA HOSPITALITY EVENT.

8 (II) THE STATE LICENSING AUTHORITY SHALL NOT ADOPT RULES
9 REQUIRING STATE LICENSING AUTHORITY APPROVAL OR ISSUANCE OF A
10 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT. THE STATE
11 LICENSING AUTHORITY MAY TAKE ACTION AGAINST THE LICENSE AS
12 AUTHORIZED IN SECTION 44-10-901 FOR A VIOLATION THAT CONCERNS A
13 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT OR THAT TAKES
14 PLACE AT THE TEMPORARY MARIJUANA HOSPITALITY EVENT.

15 SECTION 5. In Colorado Revised Statutes, 44-10-610, add (6)
16 as follows:

17 44-10-610. Retail marijuana hospitality and sales business
18 license - repeal.

19 (6) Temporary marijuana hospitality event permit.

20 (a) (I) A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT
21 AUTHORIZES A MARIJUANA HOSPITALITY AND SALES BUSINESS TO HOST
22 TEMPORARY MARIJUANA HOSPITALITY EVENTS WHERE CONSUMPTION OF
23 REGULATED MARIJUANA IS AUTHORIZED IN ACCORDANCE WITH THIS
24 SUBSECTION (6).

25 (II) TO BE ISSUED A TEMPORARY MARIJUANA HOSPITALITY EVENT
26 PERMIT BY THE LOCAL LICENSING AUTHORITY, AN APPLICANT MUST:

27 (A) HOLD AN APPROVED MARIJUANA HOSPITALITY AND SALES

1 BUSINESS LICENSE; AND

2 (B) BE ISSUED A TEMPORARY MARIJUANA HOSPITALITY EVENT

3 PERMIT BY A LOCAL LICENSING AUTHORITY FOR EACH TEMPORARY

4 MARIJUANA HOSPITALITY EVENT.

5 (b) **Local licensing authority.**

6 (I) THE LOCAL LICENSING AUTHORITY MAY, IN ACCORDANCE WITH

7 AN ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION, CREATE A

8 FRAMEWORK TO ISSUE AND REGULATE TEMPORARY MARIJUANA

9 HOSPITALITY EVENT PERMITS. IF THE LOCAL LICENSING AUTHORITY

10 ADOPTS A FRAMEWORK TO ISSUE TEMPORARY MARIJUANA HOSPITALITY

11 EVENT PERMITS, THE FRAMEWORK MUST:

12 (A) LIMIT A SINGLE TEMPORARY MARIJUANA HOSPITALITY EVENT

13 TO SEVENTY-TWO HOURS;

14 (B) REQUIRE A PERMIT TO BE ISSUED FOR EACH TEMPORARY

15 MARIJUANA HOSPITALITY EVENT;

16 (C) REQUIRE AN APPLICATION BE SUBMITTED FOR EACH PERMIT;

17 (D) LIMIT THE NUMBER OF TEMPORARY MARIJUANA HOSPITALITY

18 EVENTS TO FIFTEEN PER CALENDAR YEAR;

19 (E) MAKE A PERMIT NONTRANSFERRABLE; AND

20 (F) PROVIDE FOR AN APPEAL FOR DENYING THE ISSUANCE OF A

21 PERMIT TO AN APPLICANT.

22 (II) WHEN CREATING THE FRAMEWORK AUTHORIZED IN

23 SUBSECTION (6)(b)(I) OF THIS SECTION, A LOCAL LICENSING AUTHORITY

24 MAY:

25 (A) IMPOSE REASONABLE CONDITIONS CONCERNING SAFETY,

26 TRAFFIC, AND NEIGHBORHOOD AFFECTS REQUIRED TO ISSUE A TEMPORARY

27 MARIJUANA HOSPITALITY EVENT PERMIT; AND

1 (B) SET THE PERMIT FEE TO COVER THE COST OF ISSUING AND
2 ADMINISTRATING THE FRAMEWORK.

3 (III) A LOCAL LICENSING AUTHORITY SHALL NOT ISSUE A
4 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT UNLESS THE LOCAL
5 JURISDICTION HAS ADOPTED A RESOLUTION OR ORDINANCE AUTHORIZING
6 TEMPORARY MARIJUANA HOSPITALITY EVENTS WITHIN THE JURISDICTION.

7 (c) **Application and issuance.**

8 (I) (A) TO BE ISSUED AND TO HOLD A TEMPORARY MARIJUANA
9 HOSPITALITY EVENT PERMIT, AN APPLICANT MUST FILE AN APPLICATION
10 WITH THE LOCAL LICENSING AUTHORITY AT LEAST SIXTY DAYS BEFORE
11 THE APPLICANT'S PROPOSED TEMPORARY MARIJUANA HOSPITALITY EVENT.

12 (B) THE LOCAL LICENSING AUTHORITY REVIEWS TEMPORARY
13 MARIJUANA HOSPITALITY EVENT PERMIT APPLICATIONS AND ISSUES
14 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMITS. UPON AN
15 APPLICATION BY A MARIJUANA HOSPITALITY AND SALES BUSINESS
16 LICENSEE, THE LOCAL LICENSING SHALL INVESTIGATE EACH TEMPORARY
17 MARIJUANA HOSPITALITY EVENT PERMIT APPLICATION AND SHALL EITHER
18 APPROVE OR DENY THE APPLICATION IN ACCORDANCE WITH THIS ARTICLE
19 10 AND ANY APPLICABLE LOCAL ORDINANCE OR RESOLUTION.

20 (C) THE STATE LICENSING AUTHORITY DOES NOT REVIEW
21 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT APPLICATIONS OR
22 ISSUE TEMPORARY MARIJUANA HOSPITALITY EVENT PERMITS.

23 (II) WITHIN TEN DAYS AFTER ISSUING A TEMPORARY MARIJUANA
24 HOSPITALITY EVENT PERMIT, THE LOCAL LICENSING AUTHORITY SHALL
25 REPORT, IN A MANNER REQUIRED BY THE STATE LICENSING AUTHORITY,
26 THE FOLLOWING INFORMATION:

27 (A) THE ISSUANCE OF THE PERMIT;

1 (B) THE NAME OF THE MARIJUANA HOSPITALITY BUSINESS AND
2 SALES LICENSEE ISSUED THE PERMIT;

3 (C) THE ADDRESS OF THE PERMITTED EVENT LOCATION; AND

4 (D) THE PERMITTED DATES AND TIMES FOR THE EVENT.

5 (d) **Requirements and limitations.**

6 (I) A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT HOLDER
7 SHALL NOT:

8 (A) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT IN
9 A LOCAL JURISDICTION THAT HAS NOT ADOPTED A RESOLUTION OR
10 ORDINANCE AUTHORIZING TEMPORARY MARIJUANA HOSPITALITY EVENTS
11 WITHIN THE JURISDICTION;

12 (B) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT
13 WITHOUT A PERMIT ISSUED UNDER THIS SUBSECTION (6) BY A LOCAL
14 LICENSING AUTHORITY;

15 (C) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT ON
16 PREMISES LICENSE TO SELL OR SERVE ALCOHOL UNDER ARTICLE 3 OR 4 OF
17 THIS TITLE 44;

18 (D) CONDUCT A TEMPORARY MARIJUANA HOSPITALITY EVENT ON
19 PREMISES LICENSE TO SELL OR SERVE REGULATED MARIJUANA UNDER THIS
20 ARTICLE 10;

21 (E) SELL, TRANSFER, OR DISTRIBUTE REGULATED MARIJUANA AT
22 A TEMPORARY MARIJUANA HOSPITALITY EVENT;

23 (F) OPERATE A TEMPORARY MARIJUANA HOSPITALITY EVENT FOR
24 LONGER THAN SEVENTY-TWO CONSECUTIVE HOURS;

25 (G) HOST MORE THAN FIFTEEN TEMPORARY MARIJUANA
26 HOSPITALITY EVENTS DURING A CALENDAR YEAR; OR

27 (H) VIOLATE A LAW ADOPTED BY THE LOCAL LICENSING

1 AUTHORITY, THIS ARTICLE 10, OR A RULE ADOPTED UNDER THIS ARTICLE
2 10 BY THE STATE LICENSING AUTHORITY.

3 (II) DURING A TEMPORARY MARIJUANA HOSPITALITY EVENT, THE
4 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT HOLDER SHALL
5 PROVIDE, AT EACH ENTRANCE TO THE EVENT PREMISES, A PAMPHLET OF
6 EDUCATION MATERIALS THAT COMPLIES WITH THE RULES ADOPTED UNDER
7 SECTION 44-10-203.

8 (III) AT LEAST ANNUALLY, A TEMPORARY MARIJUANA
9 HOSPITALITY EVENT PERMIT HOLDER MUST REPORT TO THE STATE
10 LICENSING AUTHORITY THE FOLLOWING INFORMATION:

11 (A) THE NUMBER OF TEMPORARY MARIJUANA HOSPITALITY EVENT
12 PERMITS THE LICENSEE WAS ISSUED IN THE PRECEDING CALENDAR YEAR;

13 (B) THE LOCAL JURISDICTION AND LOCATIONS OF EACH
14 TEMPORARY MARIJUANA HOSPITALITY EVENT; AND

15 (C) ANY OTHER INFORMATION REQUIRED BY THE STATE LICENSING
16 AUTHORITY IN RULES ADOPTED UNDER SECTION 44-10-203 (2)(mm).

17 (e) **Not open and public consumption.** FOR PURPOSES OF
18 SECTION 16 (3)(d) OF ARTICLE XVIII OF THE STATE CONSTITUTION,
19 CONSUMPTION OF MARIJUANA OCCURRING AT AN EVENT PREMISES
20 LOCATION CONDUCTED UNDER A VALID TEMPORARY MARIJUANA
21 HOSPITALITY EVENT PERMIT DOES NOT CONSTITUTE "OPEN AND PUBLIC
22 CONSUMPTION" WHEN THE FOLLOWING CONDITIONS ARE MET:

23 (I) THE EVENT PREMISES ARE RESTRICTED TO INDIVIDUALS
24 TWENTY-ONE YEARS OLD OR OLDER;

25 (II) THE EVENT PREMISES WHERE CONSUMPTION OCCURS IS
26 OBSCURED FROM PUBLIC VIEW;

27 (III) ACCESS TO THE EVENT PREMISES IS LIMITED THROUGH

1 CONTROLLED ENTRY POINTS WITH SECURITY PERSONNEL OR
2 CREDENTIALLED ENTRY; AND

3 (IV) THE EVENT COMPLIES WITH THE LAW OF COLORADO AND THE
4 LOCAL JURISDICTION. THE APPLICABLE LAW INCLUDES:

5 (A) APPLICABLE NOISE, ODOR, AND AIR-QUALITY LAWS;

6 (B) THE "COLORADO CLEAN INDOOR AIR ACT", PART 2 OF
7 ARTICLE 14 OF TITLE 25; AND

8 (C) APPLICABLE VENTILATION OR OPEN-AIR RULES ADOPTED BY
9 THE AIR QUALITY CONTROL COMMISSION CREATED IN SECTION 25-7-104

10 (1).

11 (f) **Enforcement and compliance.**

12 (I) THE LOCAL LICENSING AUTHORITY THAT ISSUES A TEMPORARY
13 MARIJUANA HOSPITALITY EVENT PERMIT IS RESPONSIBLE FOR THE
14 REGULATORY OVERSIGHT OF LICENSEE ACTIVITIES EXERCISED PURSUANT
15 TO AN APPROVED TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT.
16 THE LOCAL LICENSING AUTHORITY MAY TAKE AN ENFORCEMENT ACTION
17 AS AUTHORIZED IN SECTION 44-10-901 OR A LOCAL ORDINANCE AGAINST
18 A TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT OR THE LICENSE OF
19 THE PERMIT HOLDER FOR A VIOLATION THAT CONCERNS THE PERMIT OR
20 THAT TAKES PLACE AT THE TEMPORARY MARIJUANA HOSPITALITY EVENT.

21 (II) THE STATE LICENSING AUTHORITY SHALL NOT ADOPT RULES
22 REQUIRING STATE LICENSING AUTHORITY APPROVAL OR ISSUANCE OF A
23 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT. THE STATE
24 LICENSING AUTHORITY MAY TAKE ACTION AGAINST THE LICENSE AS
25 AUTHORIZED IN SECTION 44-10-901 FOR A VIOLATION THAT CONCERNS A
26 TEMPORARY MARIJUANA HOSPITALITY EVENT PERMIT OR THAT TAKES
27 PLACE AT THE TEMPORARY MARIJUANA HOSPITALITY EVENT.

1 **SECTION 6. Act subject to petition - effective date.** This act
2 takes effect January 4, 2027; except that, if a referendum petition is filed
3 pursuant to section 1 (3) of article V of the state constitution against this
4 act or an item, section, or part of this act within the ninety-day period
5 after final adjournment of the general assembly, then the act, item,
6 section, or part will not take effect unless approved by the people at the
7 general election to be held in November 2026 and, in such case, will take
8 effect January 4, 2027, or on the date of the official declaration of the
9 vote thereon by the governor, whichever is later.