

HOUSE COMMITTEE OF REFERENCE REPORT

	April 8, 2019
Chair of Committee	Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB19-1230 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Strike the Business Affairs and Labor Committee Report, dated March  
2 27, 2019, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and  
4 substitute:

5         **"SECTION 1.** In Colorado Revised Statutes, 44-12-103, **amend**  
6 (24); and **add** (13.5) and (21.4) as follows:

7         **44-12-103. Definitions.** As used in this article 12, unless the  
8 context otherwise requires:

9             (13.5) "MARIJUANA HOSPITALITY ESTABLISHMENT" MEANS A  
10 FACILITY, WHICH MAY BE MOBILE, LICENSED TO PERMIT THE CONSUMPTION  
11 OF MARIJUANA PURSUANT TO THIS ARTICLE 12; RULES PROMULGATED  
12 PURSUANT TO THIS ARTICLE 12; AND THE PROVISIONS OF AN ENACTED,  
13 INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL  
14 JURISDICTION IN WHICH THE LICENSEE OPERATES.

15             (21.4) "RETAIL MARIJUANA HOSPITALITY AND SALES  
16 ESTABLISHMENT" MEANS A FACILITY, WHICH CANNOT BE MOBILE,  
17 LICENSED TO PERMIT THE CONSUMPTION OF ONLY THE RETAIL MARIJUANA  
18 OR RETAIL MARIJUANA PRODUCTS IT HAS SOLD PURSUANT TO THE  
19 PROVISIONS OF AN ENACTED, INITIATED, OR REFERRED ORDINANCE OR  
20 RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE  
21 OPERATES.

22             (24) "Retail marijuana establishment" means a retail marijuana  
23 store, a retail marijuana cultivation facility, a retail marijuana products

1 manufacturer, A MARIJUANA HOSPITALITY ESTABLISHMENT, A RETAIL  
2 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT, or a retail  
3 marijuana testing facility.

4 **SECTION 2.** In Colorado Revised Statutes, 44-12-202, **amend**  
5 (1) introductory portion and (2)(a); and **add** (3)(a)(XXV) and  
6 (3)(a)(XXVI) as follows:

7 **44-12-202. Powers and duties of state licensing authority -**  
8 **rules.** (1) To ensure that no marijuana grown or processed by a retail  
9 marijuana establishment is sold or otherwise transferred except by a retail  
10 marijuana store, A RETAIL MARIJUANA HOSPITALITY AND SALES  
11 ESTABLISHMENT, or as authorized by law, the state licensing authority  
12 shall develop and maintain a seed-to-sale tracking system that tracks retail  
13 marijuana from either seed or immature plant stage until the marijuana or  
14 retail marijuana product is sold to a customer at a retail marijuana store  
15 OR TO A PATRON AT A RETAIL MARIJUANA HOSPITALITY AND SALES  
16 ESTABLISHMENT; except that retail marijuana or retail marijuana ~~product~~  
17 ~~is~~ PRODUCTS ARE no longer subject to the tracking system once the retail  
18 marijuana has been:

19 (2) The state licensing authority has the authority to:

20 (a) Grant or refuse state licenses for the cultivation, manufacture,  
21 distribution, sale, HOSPITALITY, and testing of retail marijuana and retail  
22 marijuana products as provided by law; suspend, fine, restrict, or revoke  
23 such licenses, whether active, expired, or surrendered, upon a violation  
24 of this article 12 or any rule promulgated pursuant to this article 12; and  
25 impose any penalty authorized by this article 12 or any rule promulgated  
26 pursuant to this article 12. The state licensing authority may take any  
27 action with respect to a registration pursuant to this article 12 as it may  
28 with respect to a license pursuant to this article 12, in accordance with the  
29 procedures established pursuant to this article 12.

30 (3) (a) Rules promulgated pursuant to subsection (2)(b) of this  
31 section must include, but need not be limited to, the following subjects:

32 (XXV) THE IMPLEMENTATION OF MARIJUANA HOSPITALITY AND  
33 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSES,  
34 INCLUDING BUT NOT LIMITED TO:

35 (A) GENERAL INSURANCE LIABILITY REQUIREMENTS;

36 (B) A SALES LIMIT PER TRANSACTION FOR RETAIL MARIJUANA AND  
37 RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD TO A PATRON OF A  
38 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT; EXCEPT  
39 THAT THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY  
40 MUST NOT BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA  
41 FLOWER, ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA

- 1 CONCENTRATE, OR A RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE
- 2 THAN TEN MILLIGRAMS OF ACTIVE THC;
- 3 (C) RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA OR
- 4 RETAIL MARIJUANA PRODUCT AUTHORIZED TO BE SOLD INCLUDING THAT
- 5 THE MARIJUANA OR PRODUCT BE MEANT FOR CONSUMPTION IN THE
- 6 LICENSED PREMISES OF THE ESTABLISHMENT;
- 7 (D) PROHIBITIONS ON ACTIVITY THAT WOULD REQUIRE
- 8 ADDITIONAL LICENSURE ON THE LICENSED PREMISES, INCLUDING BUT NOT
- 9 LIMITED TO SALES, MANUFACTURING, OR CULTIVATION ACTIVITY;
- 10 (E) REQUIREMENTS FOR MARIJUANA HOSPITALITY
- 11 ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES
- 12 ESTABLISHMENTS OPERATING PURSUANT TO SECTION 44-12-408 OR
- 13 44-12-409 IN A RETAIL FOOD ESTABLISHMENT;
- 14 (F) REQUIREMENTS FOR MARIJUANA HOSPITALITY
- 15 ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES
- 16 ESTABLISHMENT LICENSEES TO DESTROY ANY UNCONSUMED MARIJUANA
- 17 OR MARIJUANA PRODUCTS LEFT BEHIND BY A PATRON; AND
- 18 (G) RULES TO ENSURE COMPLIANCE WITH SECTION 42-4-1305.5;
- 19 (XXVI) FOR MARIJUANA HOSPITALITY ESTABLISHMENTS THAT ARE
- 20 MOBILE, REGULATIONS INCLUDING BUT NOT LIMITED TO:
- 21 (A) REGISTRATION OF VEHICLES AND PROPER DESIGNATION OF
- 22 VEHICLES USED AS MOBILE LICENSED PREMISES;
- 23 (B) SURVEILLANCE CAMERAS INSIDE THE VEHICLES;
- 24 (C) GLOBAL POSITIONING SYSTEM TRACKING AND ROUTE LOGGING
- 25 IN AN ESTABLISHED ROUTE MANIFEST SYSTEM;
- 26 (D) COMPLIANCE WITH SECTION 42-4-1305.5;
- 27 (E) ENSURING ACTIVITY IS NOT VISIBLE OUTSIDE OF THE VEHICLE;
- 28 AND
- 29 (F) PROPER VENTILATION WITHIN THE VEHICLE.

30 **SECTION 3.** In Colorado Revised Statutes, 44-12-401, **amend**  
 31 (1)(f); and **add** (1)(h) and (1)(i) as follows:

32 **44-12-401. Classes of licenses.** (1) For the purpose of regulating  
 33 the cultivation, manufacture, distribution, sale, and testing of retail  
 34 marijuana and retail marijuana products, the state licensing authority in  
 35 its discretion, upon receipt of an application in the prescribed form, may  
 36 issue and grant to the applicant a license from any of the following  
 37 classes, subject to the provisions and restrictions provided by this article  
 38 12:

- 39 (f) Retail marijuana transporter license; ~~and~~
- 40 (h) MARIJUANA HOSPITALITY ESTABLISHMENT LICENSE; AND
- 41 (i) RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT

1 LICENSE.

2 **SECTION 4.** In Colorado Revised Statutes, 44-12-402, **add**  
3 (2)(c) as follows:

4 **44-12-402. Retail marijuana store license - definition.** (2) (c) A  
5 RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND RETAIL  
6 MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES  
7 ESTABLISHMENT LICENSEE.

8 **SECTION 5.** In Colorado Revised Statutes, 44-12-403, **amend**  
9 (1) as follows:

10 **44-12-403. Retail marijuana cultivation facility license - rules**  
11 **- definitions.** (1) A retail marijuana cultivation facility license may be  
12 issued only to a person who cultivates retail marijuana for sale and  
13 distribution to licensed retail marijuana stores, retail marijuana products  
14 manufacturing licensees, RETAIL MARIJUANA HOSPITALITY AND SALES  
15 ESTABLISHMENT LICENSEES, or other retail marijuana cultivation facilities.

16 **SECTION 6.** In Colorado Revised Statutes, 44-12-404, **add**  
17 (1)(e) as follows:

18 **44-12-404. Retail marijuana products manufacturing license**  
19 **- rules - definitions.** (1) (e) A RETAIL MARIJUANA PRODUCTS  
20 MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA  
21 PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES  
22 ESTABLISHMENT.

23 **SECTION 7.** In Colorado Revised Statutes, **add** 44-12-408 and  
24 44-12-409 as follows:

25 **44-12-408. Marijuana hospitality establishment license - rules**  
26 **- definition.** (1) (a) ON AND AFTER JANUARY 1, 2020, THE STATE  
27 LICENSING AUTHORITY MAY ISSUE A MARIJUANA HOSPITALITY  
28 ESTABLISHMENT LICENSE AUTHORIZING THE LICENSEE TO OPERATE A  
29 LICENSED PREMISES IN WHICH MARIJUANA MAY BE CONSUMED PURSUANT  
30 TO THIS ARTICLE 12, RULES PROMULGATED PURSUANT TO THIS ARTICLE 12,  
31 AND THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL  
32 JURISDICTION IN WHICH THE LICENSEE OPERATES.

33 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 12 AND THE  
34 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE  
35 LICENSEE OPERATES, A RETAIL FOOD ESTABLISHMENT AS DEFINED IN  
36 SECTION 25-4-1602 (14), MAY APPLY FOR A LICENSE TO OPERATE A  
37 MARIJUANA HOSPITALITY ESTABLISHMENT IN AN ISOLATED PORTION OF  
38 THE PREMISES OF THE RETAIL FOOD ESTABLISHMENT. A RETAIL FOOD  
39 ESTABLISHMENT OPERATING A MARIJUANA HOSPITALITY ESTABLISHMENT  
40 PURSUANT TO THIS SUBSECTION (1)(b) IS SUBJECT TO THE TERMS AND  
41 CONDITIONS OF ARTICLE 4 OF TITLE 25 AND THE RULES PROMULGATED

1 PURSUANT TO THAT ARTICLE INCLUDING BUT NOT LIMITED TO LICENSURE  
2 REQUIREMENTS AND INSPECTION AND ENFORCEMENT AUTHORITY OF THE  
3 COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THIS  
4 SUBSECTION (1)(b) DOES NOT AUTHORIZE THE MARIJUANA HOSPITALITY  
5 ESTABLISHMENT TO ENGAGE IN THE MANUFACTURE OF MEDICAL  
6 MARIJUANA-INFUSED PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO  
7 ADD MARIJUANA TO FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD  
8 ESTABLISHMENT.

9 (2) (a) A LOCAL JURISDICTION MAY AUTHORIZE THE OPERATION OF  
10 MARIJUANA HOSPITALITY ESTABLISHMENTS WITHIN ITS JURISDICTION  
11 THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH A REFERRED  
12 OR INITIATED MEASURE. IF A COUNTY OR CITY AND COUNTY ACTS  
13 THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL SUBMIT A  
14 PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE REGISTERED  
15 ELECTORS IN THE COUNTY OR CITY AND COUNTY.

16 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY  
17 AUTHORIZES THE OPERATION OF MARIJUANA HOSPITALITY  
18 ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL REQUIREMENT THAT  
19 COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE 12. THE  
20 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY REQUIRE  
21 ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE PROVIDED  
22 IN THIS SECTION.

23 (c) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY HAS  
24 IN EFFECT AS OF THE EFFECTIVE DATE OF THIS SECTION AN ORDINANCE OR  
25 RESOLUTION RELATED TO CONSUMPTION OF MARIJUANA, NOTHING IN THIS  
26 SECTION RESTRICTS THE ENFORCEMENT OF THAT ORDINANCE OR  
27 RESOLUTION, AND THE LOCAL JURISDICTION MAY, BY ORDINANCE OR  
28 RESOLUTION, REQUIRE A BUSINESS OPERATING AS A PLACE FOR ON-SITE  
29 MARIJUANA CONSUMPTION TO BE LICENSED PURSUANT TO THIS SECTION.

30 (3) (a) (I) APPLICATIONS FOR A LICENSE PURSUANT TO THIS  
31 SECTION MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS  
32 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY AND  
33 MUST SET FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY  
34 MAY REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO  
35 DETERMINE WHETHER A STATE LICENSE SHOULD BE GRANTED. THE  
36 INFORMATION MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT  
37 AND ANY OTHER INFORMATION REQUESTED BY THE STATE LICENSING  
38 AUTHORITY. EACH APPLICATION MUST BE VERIFIED BY THE OATH OR  
39 AFFIRMATION OF SUCH PERSON OR PERSONS AS THE STATE LICENSING  
40 AUTHORITY MAY PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON  
41 LOCAL LICENSING AUTHORITY APPROVAL.

1 (II) AN APPLICANT IS PROHIBITED FROM OPERATING A MARIJUANA  
2 HOSPITALITY ESTABLISHMENT WITHOUT STATE AND LOCAL LICENSING  
3 AUTHORITY APPROVAL; EXCEPT THAT A BUSINESS OPERATING A LOCATION  
4 BEFORE DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA  
5 IS PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY  
6 CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED  
7 IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR  
8 BEFORE DECEMBER 31, 2019. BEGINNING JANUARY 1, 2020, ANY SUCH  
9 BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE  
10 OPERATION.

11 (III) IF A MARIJUANA HOSPITALITY LICENSE IS DENIED BY THE  
12 STATE, THE BUSINESS SHALL IMMEDIATELY CEASE OPERATIONS FOR WHICH  
13 A MARIJUANA HOSPITALITY LICENSE IS REQUIRED PURSUANT TO THIS  
14 ARTICLE 12. IF THE APPLICANT DOES NOT RECEIVE LOCAL LICENSING  
15 AUTHORITY APPROVAL WITHIN ONE YEAR AFTER THE DATE OF STATE  
16 LICENSING AUTHORITY APPROVAL, THE STATE LICENSE EXPIRES AND MAY  
17 NOT BE RENEWED. IF AN APPLICATION IS DENIED BY THE LOCAL LICENSING  
18 AUTHORITY OR THE APPROVAL OF THE LOCAL LICENSING AUTHORITY IS  
19 REVOKED, THE STATE LICENSING AUTHORITY SHALL REVOKE THE  
20 STATE-ISSUED LICENSE.

21 (b) THE STATE LICENSING AUTHORITY SHALL DENY A STATE  
22 LICENSE FOR THE REASONS SET FORTH IN SUBSECTION (3)(a) OF THIS  
23 SECTION IF THE LICENSED PREMISES IN WHICH THE APPLICANT PROPOSES  
24 TO CONDUCT ITS BUSINESS DOES NOT MEET THE REQUIREMENTS OF THIS  
25 ARTICLE 12. THE STATE LICENSING AUTHORITY MAY DENY A LICENSE  
26 RENEWAL OR REINSTATEMENT OR AN INITIAL ENDORSEMENT FOR GOOD  
27 CAUSE. FOR PURPOSES OF THIS SUBSECTION (3)(b), "GOOD CAUSE" MEANS:

28 (I) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,  
29 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR  
30 PROVISIONS OF THIS ARTICLE 12; ANY RULES PROMULGATED PURSUANT TO  
31 THIS ARTICLE 12; OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR  
32 REGULATIONS;

33 (II) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH  
34 ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE  
35 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;  
36 OR

37 (III) THE LICENSED PREMISES HAS BEEN OPERATED IN A MANNER  
38 THAT ADVERSELY AFFECTS THE PUBLIC HEALTH OR THE SAFETY OF THE  
39 IMMEDIATE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED.

40 (c) A MARIJUANA HOSPITALITY ESTABLISHMENT LICENSE IS VALID  
41 FOR A PERIOD TO BE ESTABLISHED BY RULE OF THE STATE LICENSING

1 AUTHORITY, BUT FOR NO LONGER THAN ONE YEAR, AND THE LICENSE MAY  
2 BE RENEWED. THE STATE LICENSING AUTHORITY SHALL ESTABLISH BY  
3 RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL FEE FOR THE  
4 LICENSE.

5 (d) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF  
6 ALL MARIJUANA HOSPITALITY ESTABLISHMENTS IN THE STATE AND SHALL  
7 MAKE THE LIST AVAILABLE ON ITS WEBSITE.

8 (4) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL NOT:

9 (a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR  
10 REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA  
11 PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED  
12 PREMISES;

13 (b) ALLOW ON-DUTY EMPLOYEES OF THE ESTABLISHMENT TO  
14 CONSUME ANY MARIJUANA IN THE LICENSED PREMISES OF THE  
15 ESTABLISHMENT;

16 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF  
17 MARIJUANA IN THE LICENSED PREMISES OF THE ESTABLISHMENT;

18 (d) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN  
19 THE LICENSED PREMISES OF THE ESTABLISHMENT;

20 (e) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM  
21 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED  
22 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

23 (f) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL  
24 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE  
25 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO SALES,  
26 MANUFACTURING, OR CULTIVATION;

27 (g) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY  
28 CONDUCT AS DESCRIBED IN SECTION 18-9-106;

29 (h) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A  
30 PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

31 (i) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES  
32 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS  
33 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

34 (j) ADMIT INTO THE LICENSED PREMISES OF THE ESTABLISHMENT  
35 ANY PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

36 (5) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL:

37 (a) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND  
38 RESPECTABLE MANNER;

39 (b) REQUIRE ALL EMPLOYEES OF THE ESTABLISHMENT TO  
40 SUCCESSFULLY COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING  
41 PROGRAM AUTHORIZED PURSUANT TO SECTION 44-11-1101;

1 (c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY  
2 MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF  
3 THE ESTABLISHMENT;

4 (d) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING  
5 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF  
6 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS  
7 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,  
8 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE  
9 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS  
10 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS  
11 SUBSECTION (5)(d) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING  
12 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

13 (e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS  
14 REQUIRED BY SUBSECTION (5)(d) OF THIS SECTION IN THE LICENSED  
15 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
16 AND LAW ENFORCEMENT; AND

17 (f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
18 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER  
19 PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY  
20 ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE  
21 ESTABLISHMENT CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL  
22 SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES  
23 AND HAVE LEFT THE LICENSED PREMISES.

24 (6) A MARIJUANA HOSPITALITY ESTABLISHMENT AND ITS  
25 EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE ESTABLISHMENT FOR  
26 ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF  
27 INTOXICATION.

28 **44-12-409. Retail marijuana hospitality and sales**  
29 **establishment license - rules - definition.** (1) (a) ON AND AFTER  
30 JANUARY 1, 2020, THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL  
31 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSE  
32 AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES IN WHICH  
33 MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS ARTICLE 12,  
34 RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, AND THE  
35 PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL  
36 JURISDICTION IN WHICH THE LICENSEE OPERATES.

37 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 12 AND THE  
38 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE  
39 LICENSEE OPERATES, A RETAIL FOOD ESTABLISHMENT AS DEFINED IN  
40 SECTION 25-4-1602 (14) MAY APPLY FOR A LICENSE TO OPERATE A RETAIL  
41 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT IN AN ISOLATED



1 PORTION OF THE PREMISES OF THE RETAIL FOOD ESTABLISHMENT. A RETAIL  
2 FOOD ESTABLISHMENT OPERATING A RETAIL MARIJUANA HOSPITALITY AND  
3 SALES ESTABLISHMENT PURSUANT TO THIS SUBSECTION (1)(b) IS SUBJECT  
4 TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND THE RULES  
5 PROMULGATED PURSUANT TO THAT ARTICLE INCLUDING BUT NOT LIMITED  
6 TO LICENSURE REQUIREMENTS AND INSPECTION AND ENFORCEMENT  
7 AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND  
8 ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT AUTHORIZE THE RETAIL  
9 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT TO ENGAGE IN THE  
10 MANUFACTURE OF MEDICAL MARIJUANA-INFUSED PRODUCTS OR RETAIL  
11 MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO FOODS PRODUCED OR  
12 PROVIDED AT THE RETAIL FOOD ESTABLISHMENT.

13 (2) (a) A LOCAL JURISDICTION MAY AUTHORIZE THE OPERATION OF  
14 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS WITHIN ITS  
15 JURISDICTION THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH  
16 A REFERRED OR INITIATED MEASURE. IF A COUNTY OR CITY AND COUNTY  
17 ACTS THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL SUBMIT  
18 A PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE  
19 REGISTERED ELECTORS IN THE COUNTY OR CITY AND COUNTY.

20 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY  
21 AUTHORIZES THE OPERATION OF RETAIL MARIJUANA HOSPITALITY AND  
22 SALES ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL REQUIREMENT THAT  
23 COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE 12. THE  
24 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY REQUIRE  
25 ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE PROVIDED  
26 IN THIS SECTION.

27 (3) (a) APPLICATIONS FOR A LICENSE PURSUANT TO THIS SECTION  
28 MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS PREPARED  
29 AND FURNISHED BY THE STATE LICENSING AUTHORITY AND MUST SET  
30 FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY MAY  
31 REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO DETERMINE  
32 WHETHER A STATE LICENSE SHOULD BE GRANTED. THE INFORMATION  
33 MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT AND ANY  
34 OTHER INFORMATION REQUESTED BY THE STATE LICENSING AUTHORITY.  
35 EACH APPLICATION MUST BE VERIFIED BY THE OATH OR AFFIRMATION OF  
36 SUCH PERSON OR PERSONS AS THE STATE LICENSING AUTHORITY MAY  
37 PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON LOCAL LICENSING  
38 AUTHORITY APPROVAL. AN APPLICANT IS PROHIBITED FROM OPERATING A  
39 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT WITHOUT  
40 STATE AND LOCAL LICENSING AUTHORITY APPROVAL. IF THE APPLICANT  
41 DOES NOT RECEIVE LOCAL LICENSING AUTHORITY APPROVAL WITHIN ONE

1 YEAR AFTER THE DATE OF STATE LICENSING AUTHORITY APPROVAL, THE  
2 STATE LICENSE EXPIRES AND MAY NOT BE RENEWED. IF AN APPLICATION  
3 IS DENIED BY THE LOCAL LICENSING AUTHORITY OR THE APPROVAL OF THE  
4 LOCAL LICENSING AUTHORITY IS REVOKED, THE STATE LICENSING  
5 AUTHORITY SHALL REVOKE THE STATE-ISSUED LICENSE.

6 (b) THE STATE LICENSING AUTHORITY SHALL DENY A STATE  
7 LICENSE FOR THE REASONS SET FORTH IN SUBSECTION (3)(a) OF THIS  
8 SECTION IF THE LICENSED PREMISES IN WHICH THE APPLICANT PROPOSES  
9 TO CONDUCT ITS BUSINESS DOES NOT MEET THE REQUIREMENTS OF THIS  
10 ARTICLE 12. THE STATE LICENSING AUTHORITY MAY DENY A LICENSE  
11 RENEWAL OR REINSTATEMENT OR AN INITIAL ENDORSEMENT FOR GOOD  
12 CAUSE. FOR PURPOSES OF THIS SUBSECTION (3)(b), "GOOD CAUSE" MEANS:

13 (I) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,  
14 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR  
15 PROVISIONS OF THIS ARTICLE 12; ANY RULES PROMULGATED PURSUANT TO  
16 THIS ARTICLE 12; OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR  
17 REGULATIONS;

18 (II) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH  
19 ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE  
20 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;  
21 OR

22 (III) THE LICENSED PREMISES HAS BEEN OPERATED IN A MANNER  
23 THAT ADVERSELY AFFECTS THE PUBLIC HEALTH OR THE SAFETY OF THE  
24 IMMEDIATE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED.

25 (c) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
26 LICENSE IS VALID FOR A PERIOD TO BE ESTABLISHED BY RULE OF THE STATE  
27 LICENSING AUTHORITY, BUT NO LONGER THAN ONE YEAR, AND THE  
28 LICENSE MAY BE RENEWED. THE STATE LICENSING AUTHORITY SHALL  
29 ESTABLISH BY RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL  
30 FEE FOR THE LICENSE.

31 (d) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF  
32 ALL RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS IN THE  
33 STATE AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

34 (4) A RETAIL MARIJUANA HOSPITALITY AND SALES  
35 ESTABLISHMENT LICENSEE SHALL NOT:

36 (a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME  
37 PATRON DURING THE SAME BUSINESS DAY WHEN THE ESTABLISHMENT'S  
38 EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE  
39 SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE  
40 THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING  
41 AUTHORITY;

- 1 (b) ALLOW ON-DUTY EMPLOYEES OF THE ESTABLISHMENT TO  
2 CONSUME ANY MARIJUANA IN THE LICENSED PREMISES;
- 3 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF  
4 MARIJUANA IN THE LICENSED PREMISES OF THE ESTABLISHMENT;
- 5 (d) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN  
6 THE LICENSED PREMISES OF THE ESTABLISHMENT;
- 7 (e) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM  
8 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED  
9 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;
- 10 (f) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL  
11 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE  
12 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR  
13 CULTIVATION ACTIVITY;
- 14 (g) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY  
15 CONDUCT AS DESCRIBED IN SECTION 18-9-106;
- 16 (h) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL  
17 MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO  
18 SHOWS SIGNS OF VISIBLE INTOXICATION;
- 19 (i) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES  
20 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS  
21 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
- 22 (j) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA  
23 HOSPITALITY AND SALES ESTABLISHMENT ANY PERSON WHO IS UNDER  
24 TWENTY-ONE YEARS OF AGE.
- 25 (5) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
26 LICENSEE SHALL:
- 27 (a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA  
28 PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL  
29 MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR  
30 RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS  
31 PATRONS;
- 32 (b) LIMIT A PATRON TO ONE TRANSACTION OF NO MORE THAN THE  
33 SALES LIMIT SET BY THE STATE LICENSING AUTHORITY BY RULE PURSUANT  
34 TO SECTION 44-12-202 (3)(a)(XXV);
- 35 (c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED  
36 PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS,  
37 PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA  
38 PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE  
39 ESTABLISHMENT THAT COMPLY WITH THE REQUIREMENTS OF SECTION  
40 44-12-202 (3)(a)(VIII) AND (3)(d)(II);
- 41 (d) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND

1 RESPECTABLE MANNER;

2 (e) REQUIRE ALL EMPLOYEES OF THE ESTABLISHMENT TO  
3 SUCCESSFULLY COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING  
4 PROGRAM AUTHORIZED PURSUANT TO SECTION 44-11-1101;

5 (f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL  
6 MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM  
7 OUTSIDE OF THE ESTABLISHMENT;

8 (g) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING  
9 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF  
10 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS  
11 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,  
12 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE  
13 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS  
14 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS  
15 SUBSECTION (5)(g) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING  
16 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

17 (h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS  
18 REQUIRED BY SUBSECTION (5)(g) OF THIS SECTION IN THE LICENSED  
19 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
20 AND LAW ENFORCEMENT; AND

21 (i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
22 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER  
23 PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY  
24 AND SALES ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS  
25 OF THE ESTABLISHMENT CEASE ALL SALES, CONSUMPTION AND OTHER  
26 ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR  
27 INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

28 (6) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
29 AND ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE  
30 ESTABLISHMENT FOR ANY REASON, INCLUDING A PATRON WHO DISPLAYS  
31 ANY VISIBLE SIGNS OF INTOXICATION.

32 (7) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
33 MAY PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS  
34 FROM ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION  
35 FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

36 **SECTION 8.** In Colorado Revised Statutes, 44-12-901, **amend**  
37 (1) and (4)(g) as follows:

38 **44-12-901. Unlawful acts - exceptions.** (1) Except in the  
39 LICENSED PREMISES OF A MARIJUANA HOSPITALITY ESTABLISHMENT  
40 LICENSED PURSUANT TO SECTION 44-12-408 OR A RETAIL MARIJUANA  
41 HOSPITALITY AND SALES ESTABLISHMENT LICENSED PURSUANT TO

1 SECTION 44-12-409 OR as otherwise provided in this article 12, it is  
2 unlawful for a person to consume retail marijuana or retail marijuana  
3 products in a licensed retail marijuana establishment, and it is unlawful  
4 for a retail marijuana licensee to allow retail marijuana or retail marijuana  
5 products to be consumed upon its licensed premises.

6 (4) It is unlawful for any person licensed to sell retail marijuana  
7 or retail marijuana products pursuant to this article 12:

8 (g) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA  
9 HOSPITALITY ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408  
10 OR A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
11 LICENSED PURSUANT TO SECTION 44-12-409, to have on the licensed  
12 premises any retail marijuana, retail marijuana products, or marijuana  
13 paraphernalia that shows evidence of the retail marijuana having been  
14 consumed or partially consumed;

15 **SECTION 9.** In Colorado Revised Statutes, 18-18-406, **add**  
16 (5)(b)(IV) and (5)(b)(V) as follows:

17 **18-18-406. Offenses related to marijuana and marijuana**  
18 **concentrate - definitions.** (5) (b) (IV) PUBLIC DISPLAY, CONSUMPTION,  
19 OR USE OF MARIJUANA OR MARIJUANA CONCENTRATE PURSUANT TO THE  
20 PROVISIONS OF SECTION 44-12-408, WHEN SUCH DISPLAY, CONSUMPTION,  
21 OR USE IS WITHIN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY  
22 ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408, IS NOT A  
23 VIOLATION OF THIS SUBSECTION (5).

24 (V) PUBLIC DISPLAY, CONSUMPTION, OR USE OF RETAIL MARIJUANA  
25 OR RETAIL MARIJUANA CONCENTRATE PURSUANT TO THE PROVISIONS OF  
26 SECTION 44-12-409, WHEN SUCH DISPLAY, CONSUMPTION, OR USE IS  
27 WITHIN THE LICENSED PREMISES OF A RETAIL MARIJUANA HOSPITALITY  
28 AND SALES ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-409  
29 AND WHEN AN INDIVIDUAL'S DISPLAY, CONSUMPTION, OR USE DOES NOT  
30 EXCEED THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING  
31 AUTHORITY BY RULE PURSUANT TO SECTION 44-12-202 (3)(a)(XXV)(B),  
32 IS NOT A VIOLATION OF THIS SUBSECTION (5).

33 **SECTION 10.** In Colorado Revised Statutes, 25-14-205, **amend**  
34 (1) introductory portion, (1)(i), and (1)(k)(I)(C); and **add** (1)(l) as  
35 follows:

36 **25-14-205. Exceptions to smoking restrictions.** (1) This part 2  
37 ~~shall~~ DOES not apply to:

38 (i) A private, nonresidential building on a farm or ranch, as  
39 defined in section 39-1-102, ~~C.R.S.~~; that has annual gross income of less  
40 than five hundred thousand dollars; ~~or~~

41 (k) (I) The areas of assisted living facilities:

1 (C) To which access is restricted to the residents or their guests;  
2 OR

3 (1) IF AUTHORIZED BY LOCAL ORDINANCE, LICENSE, OR  
4 REGULATION, THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY  
5 ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408 OR A RETAIL  
6 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSED  
7 PURSUANT TO SECTION 44-12-409; EXCEPT THAT THIS EXCEPTION ONLY  
8 APPLIES TO THE SMOKING OF MARIJUANA AND DOES NOT ALLOW THE  
9 SMOKING OF TOBACCO WITHIN SUCH PREMISES.

10 **SECTION 11.** In Colorado Revised Statutes, 44-11-1101, **amend**  
11 (2) introductory portion, (2)(b)(IV), and (2)(b)(V); and **add** (2)(b)(VI) as  
12 follows:

13 **44-11-1101. Responsible vendor program - standards -**  
14 **designation.** (2) An approved training program ~~shall~~ MUST contain, at a  
15 minimum, the following standards and ~~shall~~ MUST be taught in a  
16 classroom setting in a minimum of a two-hour period:

17 (b) A core curriculum of pertinent statutory and regulatory  
18 provisions, which curriculum includes, but need not be limited to:

19 (IV) Acceptable forms of identification, including patient registry  
20 cards and associated documents and procedures; ~~and~~

21 (V) Local and state licensing and enforcement, which may  
22 include, but need not be limited to, key statutes and rules affecting  
23 patients, owners, managers, and employees; AND

24 (VI) INFORMATION ON SERVING SIZE, THC AND CANNABINOID  
25 POTENCY, AND IMPAIRMENT.

26 **SECTION 12. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the  
28 ninety-day period after final adjournment of the general assembly (August  
29 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
30 referendum petition is filed pursuant to section 1 (3) of article V of the  
31 state constitution against this act or an item, section, or part of this act  
32 within such period, then the act, item, section, or part will not take effect  
33 unless approved by the people at the general election to be held in  
34 November 2020 and, in such case, will take effect on the date of the  
35 official declaration of the vote thereon by the governor."."

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