

# SB 17-184



**BUILDING A STRONG PARTNERSHIP WITH COLORADO'S CITIES AND TOWNS**

## MARIJUANA

### MEMBERSHIP CLUBS - OPEN & PUBLIC CONSUMPTION

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#### YOUR "YES" VOTE RESPECTFULLY REQUESTED

SB 17-184 (Sen. Gardner/Rep. Pabon) is two-part legislation addressing issues left unresolved since the passage of Amendment 64.

#### **Marijuana Membership Clubs**

A floor amendment will appropriately rename the clubs in question to "marijuana membership clubs" to avoid confusion. The legal status and exact definition of "clubs" has been elusive since 2010. Each municipality and county has been left to regulate or prohibit membership clubs purely through zoning and land use regulations. SB 17-184 creates an opt-in provision for marijuana membership clubs. **These clubs should not be confused with licensed clubs with marijuana for sale for onsite consumption, which are not currently authorized in statute.** Membership clubs involve private individuals congregating with their own product, which must be approved by a local government if occurring in a commercial zone and acting as a business.

#### **Open and Public Consumption definition**

SB 17-184 also creates a statewide minimum definition of "open & public consumption." This issue has been unresolved since Amendment 64 was implemented, and consensus language defining the term was inexplicably removed from 2013 legislation.

The definition will allow:

1. Consumption within any licensed, publicly accessible business for on-premises consumption, should the General Assembly and local governments approve them in the future.
2. Consumption on the premises of a membership club authorized pursuant to this bill.
3. More restrictive provisions at local option
4. Exceptions at local option

The definition will NOT allow:

1. Consumption that is publicly visible, OR
2. Consumption that occurs in a manner that endangers others

SB 17-184 is essential legislation that establishes a clear definition of what constitutes "open and public consumption" that will serve as a guide, as well as clarify status for establishments that choose to remain member-only clubs.

*Updated March 7, 2017*