

SENATE COMMITTEE OF REFERENCE REPORT

_____ April 25, 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 Amend reengrossed bill, page 22, after line 23 insert:
- 2 "SECTION 12. In Colorado Revised Statutes, 44-10-103, **amend**
- 3 **as relocated by Senate Bill 19-224** (46); and **add as relocated by**
- 4 **Senate Bill 19-224** (24.5) and (48.5) as follows:
- 5 **44-10-103. Definitions.** As used in this article 10, unless the
- 6 context otherwise requires:
- 7 (24.5) "MARIJUANA HOSPITALITY BUSINESS" MEANS A FACILITY,
- 8 WHICH MAY BE MOBILE, LICENSED TO PERMIT THE CONSUMPTION OF
- 9 MARIJUANA PURSUANT TO THIS ARTICLE 10; RULES PROMULGATED
- 10 PURSUANT TO THIS ARTICLE 10; AND THE PROVISIONS OF AN ENACTED,
- 11 INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL
- 12 JURISDICTION IN WHICH THE LICENSEE OPERATES.
- 13 (46) "Retail marijuana business" means a retail marijuana store,
- 14 a retail marijuana cultivation facility, a retail marijuana products
- 15 manufacturer, A MARIJUANA HOSPITALITY BUSINESS, A RETAIL MARIJUANA
- 16 HOSPITALITY AND SALES BUSINESS, a retail marijuana testing facility, a
- 17 retail marijuana business operator, or a retail marijuana transporter
- 18 licensed pursuant to this article 10.
- 19 (48.5) "RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS"
- 20 MEANS A FACILITY, WHICH CANNOT BE MOBILE, LICENSED TO PERMIT THE
- 21 CONSUMPTION OF ONLY THE RETAIL MARIJUANA OR RETAIL MARIJUANA
- 22 PRODUCTS IT HAS SOLD PURSUANT TO THE PROVISIONS OF AN ENACTED,
- 23 INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL
- 24 JURISDICTION IN WHICH THE LICENSEE OPERATES.

1 **SECTION 13.** In Colorado Revised Statutes, 44-10-202, **amend**
2 **as relocated by Senate Bill 19-224** (1)(a) introductory portion and (1)(b)
3 as follows:

4 **44-10-202. Powers and duties of state licensing authority -**
5 **rules - legislative declaration.** (1) **Powers and duties.** The state
6 licensing authority shall:

7 (a) Develop and maintain a seed-to-sale tracking system that
8 tracks regulated marijuana from either the seed or immature plant stage
9 until the regulated marijuana or regulated marijuana product is sold to a
10 patient at a medical marijuana store or to a customer at a retail marijuana
11 store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS to
12 ensure that no regulated marijuana grown or processed by a medical
13 marijuana business or retail marijuana business is sold or otherwise
14 transferred except by a medical or retail marijuana store OR A RETAIL
15 MARIJUANA HOSPITALITY AND SALES BUSINESS; except that the medical
16 marijuana or medical marijuana product is no longer subject to the
17 tracking system once the medical marijuana or medical marijuana product
18 has been:

19 (b) Grant or refuse state licenses for the cultivation, manufacture,
20 distribution, sale, HOSPITALITY, and testing of regulated marijuana and
21 regulated marijuana products as provided by law; suspend, fine, restrict,
22 or revoke such licenses, whether active, expired, or surrendered, upon a
23 violation of this article 10 or any rule promulgated pursuant to this article
24 10; and impose any penalty authorized by this article 10 or any rule
25 promulgated pursuant to this article 10. The state licensing authority may
26 take any action with respect to a registration pursuant to this article 10 as
27 it may with respect to a license pursuant to this article 10, in accordance
28 with the procedures established pursuant to this article 10.

29 **SECTION 14.** In Colorado Revised Statutes, 44-10-203, **amend**
30 **as relocated by Senate Bill 19-224** (2)(aa); and **add as relocated by**
31 **Senate Bill 19-224** (2)(cc) and (2)(dd) as follows:

32 **44-10-203. State licensing authority - rules.** (2) **Mandatory**
33 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
34 must include but need not be limited to the following subjects:

35 (aa) The implementation of an accelerator program including but
36 not limited to rules to establish severed liability for licensees operating on
37 the same physical premises, severed custodianship of regulated products,
38 protections of the intellectual property of the accelerator licensee,
39 incentives for licensees endorsed as accelerators, and additional
40 requirements if a person applying for an accelerator endorsement has less
41 than two years experience operating a licensed facility under this title 10;

1 and
2 (cc) THE IMPLEMENTATION OF MARIJUANA HOSPITALITY AND
3 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSES,
4 INCLUDING BUT NOT LIMITED TO:
5 (I) GENERAL INSURANCE LIABILITY REQUIREMENTS;
6 (II) A SALES LIMIT PER TRANSACTION FOR RETAIL MARIJUANA AND
7 RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD TO A PATRON OF A
8 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS; EXCEPT THAT THE
9 SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY MUST NOT
10 BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA FLOWER,
11 ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA CONCENTRATE, OR A
12 RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE THAN TEN
13 MILLIGRAMS OF ACTIVE THC;
14 (III) RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA OR
15 RETAIL MARIJUANA PRODUCT AUTHORIZED TO BE SOLD INCLUDING THAT
16 THE MARIJUANA OR PRODUCT BE MEANT FOR CONSUMPTION IN THE
17 LICENSED PREMISES OF THE BUSINESS;
18 (IV) PROHIBITIONS ON ACTIVITY THAT WOULD REQUIRE
19 ADDITIONAL LICENSURE ON THE LICENSED PREMISES, INCLUDING BUT NOT
20 LIMITED TO SALES, MANUFACTURING, OR CULTIVATION ACTIVITY;
21 (V) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES
22 AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES OPERATING
23 PURSUANT TO SECTION 44-10-609 OR 44-10-610 IN A RETAIL FOOD
24 BUSINESS;
25 (VI) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES
26 AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEES TO
27 DESTROY ANY UNCONSUMED MARIJUANA OR MARIJUANA PRODUCTS LEFT
28 BEHIND BY A PATRON; AND
29 (VII) RULES TO ENSURE COMPLIANCE WITH SECTION 42-4-1305.5;
30 AND
31 (dd) FOR MARIJUANA HOSPITALITY BUSINESSES THAT ARE MOBILE,
32 REGULATIONS INCLUDING BUT NOT LIMITED TO:
33 (I) REGISTRATION OF VEHICLES AND PROPER DESIGNATION OF
34 VEHICLES USED AS MOBILE LICENSED PREMISES;
35 (II) SURVEILLANCE CAMERAS INSIDE THE VEHICLES;
36 (III) GLOBAL POSITIONING SYSTEM TRACKING AND ROUTE LOGGING
37 IN AN ESTABLISHED ROUTE MANIFEST SYSTEM;
38 (IV) COMPLIANCE WITH SECTION 42-4-1305.5;
39 (V) ENSURING ACTIVITY IS NOT VISIBLE OUTSIDE OF THE VEHICLE;
40 AND
41 (VI) PROPER VENTILATION WITHIN THE VEHICLE.

1 **SECTION 15.** In Colorado Revised Statutes, 44-10-305, **amend**
2 **as relocated by Senate Bill 19-224 (2)(b)** as follows:

3 **44-10-305. State licensing authority - application and issuance**
4 **procedures - repeal.** (2) (b) (I) The state licensing authority may issue
5 a state license to an applicant pursuant to this section for a retail
6 marijuana business upon completion of the applicable criminal history
7 background check associated with the application, and the state license
8 is conditioned upon local jurisdiction approval. A license applicant is
9 prohibited from operating a licensed retail marijuana business without
10 state and local jurisdiction approval. If the applicant does not receive
11 local jurisdiction approval within one year from the date of state licensing
12 authority approval, the state license expires and may not be renewed. If
13 an application is denied by the local licensing authority, the state licensing
14 authority shall revoke the state-issued license.

15 (II) (A) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION
16 (2)(B)(I) OF THIS SECTION, A BUSINESS OPERATING A LOCATION BEFORE
17 DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA IS
18 PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY
19 CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED
20 IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR
21 BEFORE DECEMBER 31, 2019. BEGINNING ON JANUARY 1, 2020, ANY SUCH
22 BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE
23 OPERATION.

24 (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
25 2021.

26 **SECTION 16.** In Colorado Revised Statutes, 44-10-401, **amend**
27 **as relocated by Senate Bill 19-224 (1) and (2)(b)(VII); and add as**
28 **relocated by Senate Bill 19-224 (2)(b)(IX), (2)(b)(X), and (7) as follows:**

29 **44-10-401. Classes of licenses.** (1) For the purpose of regulating
30 the cultivation, manufacture, distribution, HOSPITALITY, and sale of
31 regulated marijuana and regulated marijuana products, the state licensing
32 authority in its discretion, upon application in the prescribed form made
33 to it, may issue and grant to the applicant a license from any of the
34 following classes, subject to the provisions and restrictions provided by
35 this article 10.

36 (2) (b) The following are retail marijuana licenses:

37 (VII) Retail marijuana accelerator cultivator license; ~~and~~

38 (IX) MARIJUANA HOSPITALITY BUSINESS LICENSE; AND

39 (X) RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
40 LICENSE.

41 (7) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO

1 THIS ARTICLE 12 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED
2 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44.

3 **SECTION 17.** In Colorado Revised Statutes, 44-10-601, **add as**
4 **relocated by Senate Bill 19-224 (2)(c)** as follows:

5 **44-10-601. Retail marijuana store license - rules - definition.**
6 (2) (c) A RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND
7 RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND
8 SALES BUSINESS LICENSEE.

9 **SECTION 18.** In Colorado Revised Statutes, 44-10-601, **amend**
10 **as relocated by Senate Bill 19-224 (1)** as follows:

11 **44-10-602. Retail marijuana cultivation facility license - rules**
12 **- definitions.** (1) A retail marijuana cultivation facility license may be
13 issued only to a person who cultivates retail marijuana for sale and
14 distribution to licensed retail marijuana stores, retail marijuana products
15 manufacturer licensees, RETAIL MARIJUANA HOSPITALITY AND SALES
16 BUSINESS, or other retail marijuana cultivation facilities.

17 **SECTION 19.** In Colorado Revised Statutes, 44-10-603, **add as**
18 **relocated by Senate Bill 19-224 (1)(e)** as follows:

19 **44-10-603. Retail marijuana products manufacturer license -**
20 **rules - definition.** (1) (e) A RETAIL MARIJUANA PRODUCTS
21 MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA
22 PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS.

23 **SECTION 20.** In Colorado Revised Statutes, **add to article 10**
24 **as relocated by Senate Bill 19-224 44-10-609 and 44-10-610** as follows:

25 **44-10-609. Marijuana hospitality business license - rules -**
26 **definition.** (1) (a) THE STATE LICENSING AUTHORITY MAY ISSUE A
27 MARIJUANA HOSPITALITY BUSINESS LICENSE AUTHORIZING THE LICENSEE
28 TO OPERATE A LICENSED PREMISES IN WHICH MARIJUANA MAY BE
29 CONSUMED PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED
30 PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE
31 OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE
32 OPERATES.

33 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE
34 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE
35 LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION
36 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED
37 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A
38 LICENSE TO OPERATE A MARIJUANA HOSPITALITY BUSINESS IN AN
39 ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD BUSINESS. A
40 RETAIL FOOD BUSINESS OPERATING A MARIJUANA HOSPITALITY BUSINESS
41 PURSUANT TO THIS SUBSECTION (1)(b) IS SUBJECT TO THE TERMS AND

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

10 (c) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY HAS
11 IN EFFECT AS OF THE EFFECTIVE DATE OF THIS SECTION AN ORDINANCE OR
12 RESOLUTION RELATED TO CONSUMPTION OF MARIJUANA, NOTHING IN THIS
13 SECTION RESTRICTS THE ENFORCEMENT OF THAT ORDINANCE OR
14 RESOLUTION, AND THE LOCAL JURISDICTION MAY, BY ORDINANCE OR
15 RESOLUTION, REQUIRE A BUSINESS OPERATING AS A PLACE FOR ON-SITE
16 MARIJUANA CONSUMPTION TO BE LICENSED PURSUANT TO THIS SECTION.

17 (d) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF
18 ALL MARIJUANA HOSPITALITY BUSINESSES IN THE STATE AND SHALL MAKE
19 THE LIST AVAILABLE ON ITS WEBSITE.

20 (2) A MARIJUANA HOSPITALITY BUSINESS SHALL NOT:

21 (a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR
22 REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA
23 PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED
24 PREMISES;

25 (b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
26 ANY MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

27 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
28 MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

29 (d) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
30 PREMISES;

31 (e) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
32 THE LICENSED PREMISES OF THE BUSINESS;

33 (f) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
34 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
35 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

36 (g) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
37 LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
38 BUSINESS, INCLUDING BUT NOT LIMITED TO SALES, MANUFACTURING, OR
39 CULTIVATION;

40 (h) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
41 CONDUCT AS DESCRIBED IN SECTION 18-9-106;

1 (i) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A PATRON
2 WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;
3 (j) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
4 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
5 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
6 (k) ADMIT INTO THE LICENSED PREMISES OF THE BUSINESS ANY
7 PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.
8 (3) A MARIJUANA HOSPITALITY BUSINESS SHALL:
9 (a) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND
10 RESPECTABLE MANNER;
11 (b) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY
12 COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM
13 AUTHORIZED PURSUANT TO SECTION 44-10-1201;
14 (c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY
15 MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF
16 THE BUSINESS;
17 (d) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING
18 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF
19 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS
20 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,
21 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE
22 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS
23 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS
24 SUBSECTION (3)(d) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING
25 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.
26 (e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS
27 REQUIRED BY SUBSECTION (3)(d) OF THIS SECTION IN THE LICENSED
28 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES
29 AND LAW ENFORCEMENT; AND
30 (f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,
31 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER
32 PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY
33 BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE BUSINESS
34 CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL SUCH PERSONNEL
35 HAVE COMPLETED THEIR INVESTIGATION OR SERVICES AND HAVE LEFT THE
36 LICENSED PREMISES.
37 (4) A MARIJUANA HOSPITALITY BUSINESS AND ITS EMPLOYEES MAY
38 REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR ANY REASON, INCLUDING
39 A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION.
40 **44-12-610. Retail marijuana hospitality and sales business**
41 **license - rules - definition.** (1) (a) THE STATE LICENSING AUTHORITY

1 MAY ISSUE A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
2 LICENSE AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES
3 IN WHICH MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS
4 ARTICLE 10, RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, AND
5 THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL
6 JURISDICTION IN WHICH THE LICENSEE OPERATES.

7 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE
8 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE
9 LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION
10 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED
11 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A
12 LICENSE TO OPERATE A RETAIL MARIJUANA HOSPITALITY AND SALES
13 BUSINESS IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD
14 BUSINESS. A RETAIL FOOD BUSINESS OPERATING A RETAIL MARIJUANA
15 HOSPITALITY AND SALES BUSINESS PURSUANT TO THIS SUBSECTION (1)(b)
16 IS SUBJECT TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND
17 THE RULES PROMULGATED PURSUANT TO THAT ARTICLE, INCLUDING BUT
18 NOT LIMITED TO LICENSURE REQUIREMENTS AND INSPECTION AND
19 ENFORCEMENT AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC
20 HEALTH AND ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT
21 AUTHORIZE THE RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS TO
22 ENGAGE IN THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED
23 PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO
24 FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD BUSINESS.

25 (c) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF
26 ALL RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES IN THE STATE
27 AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

28 (2) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
29 LICENSEE SHALL NOT:

30 (a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME
31 PATRON DURING THE SAME BUSINESS DAY WHEN THE BUSINESS'S
32 EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE
33 SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE
34 THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING
35 AUTHORITY;

36 (b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
37 ANY MARIJUANA IN THE LICENSED PREMISES;

38 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
39 MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

40 (d) SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA
41 PRODUCTS THAT CONTAIN NICOTINE OR, IF THE SALE OF ALCOHOL WOULD

1 REQUIRE A LICENSE OR PERMIT PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS
2 TITLE 44, ALCOHOL;

3 (e) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
4 PREMISES;

5 (f) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
6 THE LICENSED PREMISES OF THE BUSINESS;

7 (g) 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 (h) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
11 LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
12 BUSINESS, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR
13 CULTIVATION ACTIVITY;

14 (i) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
15 CONDUCT AS DESCRIBED IN SECTION 18-9-106;

16 (j) 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 (k) 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 (l) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA
23 HOSPITALITY AND SALES BUSINESS ANY PERSON WHO IS UNDER
24 TWENTY-ONE YEARS OF AGE.

25 (3) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
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 44-10-203 (2)(cc)(II);

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 BUSINESS THAT COMPLY WITH THE REQUIREMENTS OF SECTION 44-10-203
40 (2)(f) AND (3)(b);

41 (d) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND

1 RESPECTABLE MANNER;

2 (e) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY
3 COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM
4 AUTHORIZED PURSUANT TO SECTION 44-10-1201;

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 BUSINESS;

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 (3)(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 (3)(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 BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE
25 BUSINESS CEASE ALL SALES, CONSUMPTION AND OTHER ACTIVITIES UNTIL
26 SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES
27 AND HAVE LEFT THE LICENSED PREMISES.

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

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

36 **SECTION 21.** In Colorado Revised Statutes, 44-10-701, **amend**
37 **as relocated by Senate Bill 19-224** (1)(a), (3)(d), and (3)(f) as follows:
38 **44-10-701. Unlawful acts - exceptions.** (1) Except as otherwise
39 provided in this article 10, it is unlawful for a person:
40 (a) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA
41 HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A

1 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED
2 PURSUANT TO SECTION 44-10-610:

3 (I) To consume regulated marijuana or regulated marijuana
4 products in a licensed medical marijuana business or retail marijuana
5 business; ~~and it shall be unlawful~~ OR

6 (II) For a medical marijuana business or retail marijuana business
7 to allow regulated marijuana or regulated marijuana products to be
8 consumed upon its licensed premises;

9 (3) It is unlawful for a person licensed pursuant to this article 10:

10 (d) To provide public premises, or any portion thereof, for the
11 purpose of consumption of regulated marijuana in any form, EXCEPT IN
12 THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS
13 LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA
14 HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION
15 44-10-610;

16 (f) To have on the licensed premises any regulated marijuana or
17 marijuana paraphernalia that shows evidence of the regulated marijuana
18 having been consumed or partially consumed, EXCEPT:

19 (I) If it is for purposes of recycling; OR

20 (II) IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY
21 BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL
22 MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO
23 SECTION 44-10-610;

24 **SECTION 22.** In Colorado Revised Statutes, 44-10-1201, **amend**
25 **as relocated by Senate Bill 19-224 (2)(b)(IV) and (2)(b)(V); and add as**
26 **relocated by Senate Bill 19-224 (2)(b)(VI) as follows:**

27 **44-10-1201. Responsible vendor program - standards -**
28 **designation.** (2) An approved training program must contain, at a
29 minimum, the following standards and be taught in a classroom setting in
30 a minimum of a two-hour period:

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

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

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

38 (VI) INFORMATION ON SERVING SIZE, THC AND CANNABINOID
39 POTENCY, AND IMPAIRMENT.

40 **SECTION 23.** In Colorado Revised Statutes, 18-18-406, **amend**
41 **as enacted in section 9 of this act (5)(b)(IV) and (5)(b)(V) as follows:**

1 **18-18-406. Offenses related to marijuana and marijuana**
2 **concentrate - definitions.** (5) (b) (IV) Public display, consumption, or
3 use of marijuana or marijuana concentrate pursuant to the provisions of
4 ~~section 44-12-408~~ SECTION 44-10-609, when such display, consumption,
5 or use is within the licensed premises of a marijuana hospitality
6 ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-408~~ SECTION
7 44-10-609, is not a violation of this subsection (5).

8 (V) Public display, consumption, or use of retail marijuana or
9 retail marijuana concentrate pursuant to the provisions of ~~section~~
10 ~~44-12-409~~ SECTION 44-10-610, when such display, consumption, or use
11 is within the licensed premises of a retail marijuana hospitality and sales
12 ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-409~~ SECTION
13 44-10-610 and when an individual's display, consumption, or use does not
14 exceed the sales limit established by the state licensing authority by rule
15 pursuant to ~~section 44-12-202 (3)(a)(XXV)(B)~~ SECTION 44-10-203
16 (2)(cc)(II), is not a violation of this subsection (5).

17 **SECTION 24.** In Colorado Revised Statutes, 25-14-205, **amend**
18 **as amended in section 10 of this act** (1)(l) as follows:

19 **25-14-205. Exceptions to smoking restrictions.** (1) This part 2
20 does not apply to:

21 (1) If authorized by local ordinance, license, or regulation, the
22 licensed premises of a marijuana hospitality ~~establishment~~ BUSINESS
23 licensed pursuant to ~~section 44-12-408~~ SECTION 44-10-609 or a retail
24 marijuana hospitality and sales ~~establishment~~ BUSINESS licensed pursuant
25 to ~~section 44-12-409~~ SECTION 44-10-610; except that this exception only
26 applies to the smoking of marijuana and does not allow the smoking of
27 tobacco within such premises."

28 Renumber succeeding sections accordingly.

29 Page 23, line 26, strike "This" and substitute "(1) Except as otherwise
30 provided in subsection (2) of this section, this".

31 Page 24, after line 8, insert:

32 "(2) Sections 12 through 24 of this act take effect January 1, 2020,
33 only if Senate Bill 19-224 becomes law; except that, if a referendum
34 petition is filed pursuant to section 1 (3) of article V of the state
35 constitution against this act or an item, section, or part of this act within
36 the ninety-day period after final adjournment of the general assembly,
37 then the act, item, section, or part will not take effect unless approved by

1 the people at the general election to be held in November 2020 and, in
2 such case, will take effect on the date of the official declaration of the
3 vote thereon by the governor."

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