

HB1230_L.010

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.HB19-1230 be amended as follows:

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.

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

28 **44-10-202. Powers and duties of state licensing authority -**
29 **rules - legislative declaration. (1) Powers and duties.** The state
30 licensing authority shall:

31 (a) Develop and maintain a seed-to-sale tracking system that
32 tracks regulated marijuana from either the seed or immature plant stage
33 until the regulated marijuana or regulated marijuana product is sold to a
34 patient at a medical marijuana store or to a customer at a retail marijuana
35 store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS to
36 ensure that no regulated marijuana grown or processed by a medical
37 marijuana business or retail marijuana business is sold or otherwise
38 transferred except by a medical or retail marijuana store OR A RETAIL
39 MARIJUANA HOSPITALITY AND SALES BUSINESS; except that the medical
40 marijuana or medical marijuana product is no longer subject to the

1 tracking system once the medical marijuana or medical marijuana product
2 has been:

3 (b) Grant or refuse state licenses for the cultivation, manufacture,
4 distribution, sale, HOSPITALITY, and testing of regulated marijuana and
5 regulated marijuana products as provided by law; suspend, fine, restrict,
6 or revoke such licenses, whether active, expired, or surrendered, upon a
7 violation of this article 10 or any rule promulgated pursuant to this article
8 10; and impose any penalty authorized by this article 10 or any rule
9 promulgated pursuant to this article 10. The state licensing authority may
10 take any action with respect to a registration pursuant to this article 10 as
11 it may with respect to a license pursuant to this article 10, in accordance
12 with the procedures established pursuant to this article 10.

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

16 **44-10-203. State licensing authority - rules. (2) Mandatory**
17 **rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c)
18 must include but need not be limited to the following subjects:

19 (aa) The implementation of an accelerator program including but
20 not limited to rules to establish severed liability for licensees operating on
21 the same physical premises, severed custodianship of regulated products,
22 protections of the intellectual property of the accelerator licensee,
23 incentives for licensees endorsed as accelerators, and additional
24 requirements if a person applying for an accelerator endorsement has less
25 than two years experience operating a licensed facility under this title 10;
26 **and**

27 (cc) THE IMPLEMENTATION OF MARIJUANA HOSPITALITY AND
28 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSES,
29 INCLUDING BUT NOT LIMITED TO:

30 (I) GENERAL INSURANCE LIABILITY REQUIREMENTS;

31 (II) A SALES LIMIT PER TRANSACTION FOR RETAIL MARIJUANA AND
32 RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD TO A PATRON OF A
33 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS; EXCEPT THAT THE
34 SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY MUST NOT
35 BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA FLOWER,
36 ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA CONCENTRATE, OR A
37 RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE THAN TEN
38 MILLIGRAMS OF ACTIVE THC;

39 (III) RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA OR
40 RETAIL MARIJUANA PRODUCT AUTHORIZED TO BE SOLD INCLUDING THAT
41 THE MARIJUANA OR PRODUCT BE MEANT FOR CONSUMPTION IN THE
42 LICENSED PREMISES OF THE BUSINESS;

43 (IV) PROHIBITIONS ON ACTIVITY THAT WOULD REQUIRE

- 1 ADDITIONAL LICENSURE ON THE LICENSED PREMISES, INCLUDING BUT NOT
 2 LIMITED TO SALES, MANUFACTURING, OR CULTIVATION ACTIVITY;
- 3 (V) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES
 4 AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES OPERATING
 5 PURSUANT TO SECTION 44-10-609 OR 44-10-610 IN A RETAIL FOOD
 6 BUSINESS;
- 7 (VI) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES
 8 AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEES TO
 9 DESTROY ANY UNCONSUMED MARIJUANA OR MARIJUANA PRODUCTS LEFT
 10 BEHIND BY A PATRON; AND
- 11 (VII) RULES TO ENSURE COMPLIANCE WITH SECTION 42-4-1305.5;
 12 AND
- 13 (dd) FOR MARIJUANA HOSPITALITY BUSINESSES THAT ARE MOBILE,
 14 REGULATIONS INCLUDING BUT NOT LIMITED TO:
- 15 (I) REGISTRATION OF VEHICLES AND PROPER DESIGNATION OF
 16 VEHICLES USED AS MOBILE LICENSED PREMISES;
- 17 (II) SURVEILLANCE CAMERAS INSIDE THE VEHICLES;
- 18 (III) GLOBAL POSITIONING SYSTEM TRACKING AND ROUTE LOGGING
 19 IN AN ESTABLISHED ROUTE MANIFEST SYSTEM;
- 20 (IV) COMPLIANCE WITH SECTION 42-4-1305.5;
- 21 (V) ENSURING ACTIVITY IS NOT VISIBLE OUTSIDE OF THE VEHICLE;
 22 AND
- 23 (VI) PROPER VENTILATION WITHIN THE VEHICLE.

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

26 **44-10-305. State licensing authority - application and issuance**
 27 **procedures - repeal.** (2) (b) (I) The state licensing authority may issue
 28 a state license to an applicant pursuant to this section for a retail
 29 marijuana business upon completion of the applicable criminal history
 30 background check associated with the application, and the state license
 31 is conditioned upon local jurisdiction approval. A license applicant is
 32 prohibited from operating a licensed retail marijuana business without
 33 state and local jurisdiction approval. If the applicant does not receive
 34 local jurisdiction approval within one year from the date of state licensing
 35 authority approval, the state license expires and may not be renewed. If
 36 an application is denied by the local licensing authority, the state licensing
 37 authority shall revoke the state-issued license.

38 (II) (A) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION
 39 (2)(B)(I) OF THIS SECTION, A BUSINESS OPERATING A LOCATION BEFORE
 40 DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA IS
 41 PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY
 42 CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED
 43 IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR

1 BEFORE DECEMBER 31, 2019. BEGINNING ON JANUARY 1, 2020, ANY SUCH
2 BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE
3 OPERATION.

4 (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
5 2021.

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

9 **44-10-401. Classes of licenses.** (1) For the purpose of regulating
10 the cultivation, manufacture, distribution, HOSPITALITY, and sale of
11 regulated marijuana and regulated marijuana products, the state licensing
12 authority in its discretion, upon application in the prescribed form made
13 to it, may issue and grant to the applicant a license from any of the
14 following classes, subject to the provisions and restrictions provided by
15 this article 10.

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

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

18 (IX) MARIJUANA HOSPITALITY BUSINESS LICENSE; AND

19 (X) RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
20 LICENSE.

21 (7) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO
22 THIS ARTICLE 12 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED
23 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44.

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

26 **44-10-601. Retail marijuana store license - rules - definition.**

27 (2) (c) A RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND
28 RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND
29 SALES BUSINESS LICENSEE.

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

32 **44-10-602. Retail marijuana cultivation facility license - rules**

33 **- definitions.** (1) A retail marijuana cultivation facility license may be
34 issued only to a person who cultivates retail marijuana for sale and
35 distribution to licensed retail marijuana stores, retail marijuana products
36 manufacturer licensees, RETAIL MARIJUANA HOSPITALITY AND SALES
37 BUSINESS, or other retail marijuana cultivation facilities.

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

40 **44-10-603. Retail marijuana products manufacturer license -**

41 **rules - definition.** (1) (e) A RETAIL MARIJUANA PRODUCTS
42 MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA
43 PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS.

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

3 **44-10-609. Marijuana hospitality business license - rules -**
4 **definition.** (1) (a) THE STATE LICENSING AUTHORITY MAY ISSUE A
5 MARIJUANA HOSPITALITY BUSINESS LICENSE AUTHORIZING THE LICENSEE
6 TO OPERATE A LICENSED PREMISES IN WHICH MARIJUANA MAY BE
7 CONSUMED PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED
8 PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE
9 OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE
10 OPERATES.

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

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

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

39 (2) A MARIJUANA HOSPITALITY BUSINESS SHALL NOT:

40 (a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR
41 REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA
42 PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED
43 PREMISES;

- 1 (b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
2 ANY MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;
- 3 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
4 MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;
- 5 (d) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
6 PREMISES;
- 7 (e) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
8 THE LICENSED PREMISES OF THE BUSINESS;
- 9 (f) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
10 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
11 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;
- 12 (g) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
13 LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
14 BUSINESS, INCLUDING BUT NOT LIMITED TO SALES, MANUFACTURING, OR
15 CULTIVATION;
- 16 (h) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
17 CONDUCT AS DESCRIBED IN SECTION 18-9-106;
- 18 (i) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A PATRON
19 WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;
- 20 (j) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
21 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
22 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
- 23 (k) ADMIT INTO THE LICENSED PREMISES OF THE BUSINESS ANY
24 PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.
- 25 (3) A MARIJUANA HOSPITALITY BUSINESS SHALL:
- 26 (a) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND
27 RESPECTABLE MANNER;
- 28 (b) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY
29 COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM
30 AUTHORIZED PURSUANT TO SECTION 44-10-1201;
- 31 (c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY
32 MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF
33 THE BUSINESS;
- 34 (d) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING
35 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF
36 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS
37 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,
38 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE
39 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS
40 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS
41 SUBSECTION (3)(d) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING
42 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.
- 43 (e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS

1 REQUIRED BY SUBSECTION (3)(d) OF THIS SECTION IN THE LICENSED
2 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES
3 AND LAW ENFORCEMENT; AND

4 (f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,
5 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER
6 PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY
7 BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE BUSINESS
8 CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL SUCH PERSONNEL
9 HAVE COMPLETED THEIR INVESTIGATION OR SERVICES AND HAVE LEFT THE
10 LICENSED PREMISES.

11 (4) A MARIJUANA HOSPITALITY BUSINESS AND ITS EMPLOYEES MAY
12 REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR ANY REASON, INCLUDING
13 A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION.

14 **44-12-610. Retail marijuana hospitality and sales business**
15 **license - rules - definition.** (1) (a) THE STATE LICENSING AUTHORITY
16 MAY ISSUE A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
17 LICENSE AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES
18 IN WHICH MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS
19 ARTICLE 10, RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, AND
20 THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL
21 JURISDICTION IN WHICH THE LICENSEE OPERATES.

22 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE
23 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE
24 LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION
25 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED
26 PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A
27 LICENSE TO OPERATE A RETAIL MARIJUANA HOSPITALITY AND SALES
28 BUSINESS IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD
29 BUSINESS. A RETAIL FOOD BUSINESS OPERATING A RETAIL MARIJUANA
30 HOSPITALITY AND SALES BUSINESS PURSUANT TO THIS SUBSECTION (1)(b)
31 IS SUBJECT TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND
32 THE RULES PROMULGATED PURSUANT TO THAT ARTICLE, INCLUDING BUT
33 NOT LIMITED TO LICENSURE REQUIREMENTS AND INSPECTION AND
34 ENFORCEMENT AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC
35 HEALTH AND ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT
36 AUTHORIZE THE RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS TO
37 ENGAGE IN THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED
38 PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO
39 FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD BUSINESS.

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

43 (2) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS

1 LICENSEE SHALL NOT:
2 (a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME
3 PATRON DURING THE SAME BUSINESS DAY WHEN THE BUSINESS'S
4 EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE
5 SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE
6 THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING
7 AUTHORITY;
8 (b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME
9 ANY MARIJUANA IN THE LICENSED PREMISES;
10 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF
11 MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;
12 (d) SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA
13 PRODUCTS THAT CONTAIN NICOTINE OR, IF THE SALE OF ALCOHOL WOULD
14 REQUIRE A LICENSE OR PERMIT PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS
15 TITLE 44, ALCOHOL;
16 (e) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
17 PREMISES;
18 (f) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
19 THE LICENSED PREMISES OF THE BUSINESS;
20 (g) 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 (h) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
24 LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE
25 BUSINESS, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR
26 CULTIVATION ACTIVITY;
27 (i) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
28 CONDUCT AS DESCRIBED IN SECTION 18-9-106;
29 (j) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL
30 MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO
31 SHOWS SIGNS OF VISIBLE INTOXICATION;
32 (k) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
33 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
34 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
35 (l) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA
36 HOSPITALITY AND SALES BUSINESS ANY PERSON WHO IS UNDER
37 TWENTY-ONE YEARS OF AGE.
38 (3) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS
39 LICENSEE SHALL:
40 (a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA
41 PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL
42 MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR
43 RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS

1 PATRONS;

2 (b) LIMIT A PATRON TO ONE TRANSACTION OF NO MORE THAN THE
3 SALES LIMIT SET BY THE STATE LICENSING AUTHORITY BY RULE PURSUANT
4 TO SECTION 44-10-203 (2)(cc)(II);

5 (c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED
6 PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS,
7 PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA
8 PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE
9 BUSINESS THAT COMPLY WITH THE REQUIREMENTS OF SECTION 44-10-203
10 (2)(f) AND (3)(b);

11 (d) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND
12 RESPECTABLE MANNER;

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

16 (f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL
17 MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM
18 OUTSIDE OF THE BUSINESS;

19 (g) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING
20 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF
21 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS
22 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,
23 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE
24 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS
25 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS
26 SUBSECTION (3)(g) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING
27 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

28 (h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS
29 REQUIRED BY SUBSECTION (3)(g) OF THIS SECTION IN THE LICENSED
30 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES
31 AND LAW ENFORCEMENT; AND

32 (i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,
33 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER
34 PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY
35 AND SALES BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE
36 BUSINESS CEASE ALL SALES, CONSUMPTION AND OTHER ACTIVITIES UNTIL
37 SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES
38 AND HAVE LEFT THE LICENSED PREMISES.

39 (4) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS AND
40 ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR
41 ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF
42 INTOXICATION.

43 (5) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS MAY

1 PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS FROM
2 ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION
3 FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

4 **SECTION 21.** In Colorado Revised Statutes, 44-10-701, **amend**
5 **as relocated by Senate Bill 19-224** (1)(a), (3)(d), and (3)(f) as follows:

6 **44-10-701. Unlawful acts - exceptions.** (1) Except as otherwise
7 provided in this article 10, it is unlawful for a person:

8 (a) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA
9 HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A
10 RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED
11 PURSUANT TO SECTION 44-10-610:

12 (I) To consume regulated marijuana or regulated marijuana
13 products in a licensed medical marijuana business or retail marijuana
14 business; ~~and it shall be unlawful~~ OR

15 (II) For a medical marijuana business or retail marijuana business
16 to allow regulated marijuana or regulated marijuana products to be
17 consumed upon its licensed premises;

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

19 (d) To provide public premises, or any portion thereof, for the
20 purpose of consumption of regulated marijuana in any form, EXCEPT IN
21 THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS
22 LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA
23 HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION
24 44-10-610;

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

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

29 (II) IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY
30 BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL
31 MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO
32 SECTION 44-10-610;

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

36 **44-10-1201. Responsible vendor program - standards -**
37 **designation.** (2) An approved training program must contain, at a
38 minimum, the following standards and be taught in a classroom setting in
39 a minimum of a two-hour period:

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

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

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

4 (VI) INFORMATION ON SERVING SIZE, THC AND CANNABINOID
5 POTENCY, AND IMPAIRMENT.

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

8 **18-18-406. Offenses related to marijuana and marijuana**
9 **concentrate - definitions.** (5) (b) (IV) Public display, consumption, or
10 use of marijuana or marijuana concentrate pursuant to the provisions of
11 ~~section 44-12-408~~ SECTION 44-10-609, when such display, consumption,
12 or use is within the licensed premises of a marijuana hospitality
13 ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-408~~ SECTION
14 44-10-609, is not a violation of this subsection (5).

15 (V) Public display, consumption, or use of retail marijuana or
16 retail marijuana concentrate pursuant to the provisions of ~~section~~
17 ~~44-12-409~~ SECTION 44-10-610, when such display, consumption, or use
18 is within the licensed premises of a retail marijuana hospitality and sales
19 ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-409~~ SECTION
20 44-10-610 and when an individual's display, consumption, or use does not
21 exceed the sales limit established by the state licensing authority by rule
22 pursuant to ~~section 44-12-202 (3)(a)(XXV)(B)~~ SECTION 44-10-203
23 (2)(cc)(II), is not a violation of this subsection (5).

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

26 **25-14-205. Exceptions to smoking restrictions.** (1) This part 2
27 does not apply to:

28 (l) If authorized by local ordinance, license, or regulation, the
29 licensed premises of a marijuana hospitality ~~establishment~~ BUSINESS
30 licensed pursuant to ~~section 44-12-408~~ SECTION 44-10-609 or a retail
31 marijuana hospitality and sales ~~establishment~~ BUSINESS licensed pursuant
32 to ~~section 44-12-409~~ SECTION 44-10-610; except that this exception only
33 applies to the smoking of marijuana and does not allow the smoking of
34 tobacco within such premises."

35 Renumber succeeding sections accordingly.

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

38 Page 24, after line 8, insert:

39 "(2) Sections 12 through 24 of this act take effect January 1, 2020,
40 only if Senate Bill 19-224 becomes law; except that, if a referendum

1 petition is filed pursuant to section 1 (3) of article V of the state
2 constitution against this act or an item, section, or part of this act within
3 the ninety-day period after final adjournment of the general assembly,
4 then the act, item, section, or part will not take effect unless approved by
5 the people at the general election to be held in November 2020 and, in
6 such case, will take effect on the date of the official declaration of the
7 vote thereon by the governor."

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