

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0080.01 Jerry Barry x4341

HOUSE BILL 18-1258

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HOUSE SPONSORSHIP

Singer and Melton, Herod

SENATE SPONSORSHIP

Neville T. and Fenberg, Marble

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House Committees  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING AUTHORIZATION FOR AN ENDORSEMENT TO AN EXISTING  
102 MARIJUANA LICENSE TO ALLOW FOR A MARIJUANA ACCESSORY  
103 CONSUMPTION ESTABLISHMENT.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill authorizes each licensed medical marijuana center or retail marijuana store to establish one medical or retail marijuana accessory consumption establishment (establishment) that may sell marijuana, marijuana concentrate, and marijuana-infused products for consumption, other than smoking, at the establishment. The bill contains requirements

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

for obtaining endorsements, authorizing an establishment, and required actions and prohibited actions for persons operating an establishment.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **add**  
3 (7.3) as follows:

4 **12-43.3-104. Definitions.** As used in this article 43.3, unless the  
5 context otherwise requires:

6 (7.3) "MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
7 ESTABLISHMENT" MEANS AN ESTABLISHMENT WHERE A MEDICAL  
8 MARIJUANA CENTER LICENSEE THAT HAS BEEN APPROVED FOR A MEDICAL  
9 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT ENDORSEMENT TO  
10 AN EXISTING MEDICAL MARIJUANA CENTER LICENSE MAY SELL MEDICAL  
11 MARIJUANA, MEDICAL MARIJUANA CONCENTRATE, AND MEDICAL  
12 MARIJUANA-INFUSED PRODUCTS FOR CONSUMPTION, OTHER THAN  
13 SMOKING, AT THE ESTABLISHMENT.

14 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-202, **amend**  
15 (1)(h) introductory portion; and **add** (2.5)(a)(IV) as follows:

16 **12-43.3-202. Powers and duties of state licensing authority -**  
17 **rules.** (1) The state licensing authority shall:

18 (h) Develop and maintain a seed-to-sale tracking system that  
19 tracks medical marijuana from either the seed or immature plant stage  
20 until the medical marijuana or medical marijuana-infused product is sold  
21 to a customer at a medical marijuana center OR A MEDICAL MARIJUANA  
22 ACCESSORY CONSUMPTION ESTABLISHMENT to ensure that no medical  
23 marijuana grown or processed by a medical marijuana establishment is  
24 sold or otherwise transferred except by a medical marijuana center;  
25 except that the medical marijuana or medical marijuana-infused product

1 is no longer subject to the tracking system once the medical marijuana or  
2 medical marijuana-infused product has been:

3 (2.5) (a) Rules promulgated pursuant to subsection (1)(b) of this  
4 section must include, but need not be limited to, the following subjects:

5 (IV) (A) THE IMPLEMENTATION OF MEDICAL MARIJUANA  
6 ACCESSORY CONSUMPTION ESTABLISHMENT ENDORSEMENTS, INCLUDING  
7 A PURCHASE LIMIT FOR A PATRON OF A MEDICAL MARIJUANA ACCESSORY  
8 CONSUMPTION ESTABLISHMENT THAT MUST BE AT LEAST THREE AND  
9 ONE-HALF GRAMS OF MEDICAL MARIJUANA OR ONE GRAM OF MEDICAL  
10 MARIJUANA CONCENTRATE OR MEDICAL MARIJUANA-INFUSED PRODUCT  
11 CONTAINING NOT MORE THAN TEN MILLIGRAMS OF ACTIVE THC; AND

12 (B) AFTER CONSULTATION WITH THE DEPARTMENT OF PUBLIC  
13 HEALTH AND ENVIRONMENT, POINT-OF-SALE SAFE CONSUMPTION  
14 INFORMATION FOR MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
15 ESTABLISHMENTS, AS REQUIRED BY SECTION 12-43.3-402.5 (10)(a).

16 **SECTION 3.** In Colorado Revised Statutes, 12-43.3-402, **add**  
17 (1)(c) as follows:

18 **12-43.3-402. Medical marijuana center license.** (1) (c) (I) ON  
19 AND AFTER JANUARY 1, 2019, SUBJECT TO THE RECEIPT OF THE NECESSARY  
20 ENDORSEMENT PURSUANT TO SECTION 12-43.3-402.5, A LICENSED  
21 MEDICAL MARIJUANA CENTER MAY OPERATE A MEDICAL MARIJUANA  
22 ACCESSORY CONSUMPTION ESTABLISHMENT TO SELL MEDICAL MARIJUANA,  
23 MEDICAL MARIJUANA CONCENTRATE, AND MEDICAL MARIJUANA-INFUSED  
24 PRODUCTS FOR ON-PREMISES CONSUMPTION, OTHER THAN SMOKING, AT  
25 THE ESTABLISHMENT.

26 (II) EACH LICENSED MEDICAL MARIJUANA CENTER MAY OPERATE  
27 ONLY ONE MEDICAL MARIJUANA ACCESSORY CONSUMPTION

1 ESTABLISHMENT. IF A MEDICAL MARIJUANA CENTER LICENSEE AND A  
2 RETAIL MARIJUANA STORE LICENSEE OCCUPY A SINGLE LOCATION, THE  
3 LICENSEES MAY ONLY OBTAIN ONE MEDICAL MARIJUANA ACCESSORY  
4 CONSUMPTION OR RETAIL MARIJUANA ACCESSORY CONSUMPTION  
5 ESTABLISHMENT ENDORSEMENT.

6 (III) THE MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
7 ESTABLISHMENT MUST BE PHYSICALLY SEPARATE FROM THE MEDICAL  
8 MARIJUANA CENTER PREMISES AND MUST BE LOCATED IN THE SAME LOCAL  
9 JURISDICTION AS THE MEDICAL MARIJUANA CENTER.

10 (IV) A MEDICAL MARIJUANA CENTER THAT HAS BEEN APPROVED  
11 FOR A MEDICAL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT  
12 ENDORSEMENT MAY SELL ITS MEDICAL MARIJUANA, MEDICAL MARIJUANA  
13 CONCENTRATE, AND MEDICAL MARIJUANA-INFUSED PRODUCTS TO ITS  
14 MEDICAL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT, AND  
15 THE MEDICAL MARIJUANA CENTER SHALL PACKAGE AND LABEL  
16 INDIVIDUALLY MEDICAL MARIJUANA, MEDICAL MARIJUANA CONCENTRATE,  
17 AND MEDICAL MARIJUANA-INFUSED PRODUCT FOR SALE AT THE  
18 ESTABLISHMENT.

19 **SECTION 4.** In Colorado Revised Statutes, **add** 12-43.3-402.5  
20 as follows:

21 **12-43.3-402.5. Medical marijuana accessory consumption**  
22 **establishment endorsement - rules - definition.** (1) (a) IN A LOCAL  
23 JURISDICTION THAT HAS AUTHORIZED THE ESTABLISHMENT OF MEDICAL  
24 MARIJUANA CENTERS, THE LOCAL JURISDICTION MAY AUTHORIZE THE  
25 OPERATION OF MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
26 ESTABLISHMENTS WITHIN ITS JURISDICTION THROUGH THE ENACTMENT OF  
27 AN ORDINANCE OR THROUGH A REFERRED OR INITIATED MEASURE. IF A

1 COUNTY ACTS THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL  
2 SUBMIT A PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE  
3 REGISTERED ELECTORS IN THE COUNTY.

4 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY  
5 AUTHORIZES THE OPERATION OF MEDICAL MARIJUANA ACCESSORY  
6 CONSUMPTION ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL  
7 REQUIREMENT THAT COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE  
8 43.3. THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY  
9 REQUIRE ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE  
10 PROVIDED IN THIS SECTION.

11 (2) ON AND AFTER JANUARY 1, 2019, THE STATE LICENSING  
12 AUTHORITY MAY ISSUE A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
13 ESTABLISHMENT ENDORSEMENT ONLY TO A MEDICAL MARIJUANA CENTER  
14 LICENSEE TO SELL FOR ON-PREMISES CONSUMPTION MEDICAL MARIJUANA,  
15 MEDICAL MARIJUANA CONCENTRATE, OR MEDICAL MARIJUANA-INFUSED  
16 PRODUCTS FOR ON-PREMISES CONSUMPTION.

17 (3) (a) (I) WHEN THE STATE LICENSING AUTHORITY RECEIVES AN  
18 APPLICATION FOR AN INITIAL ENDORSEMENT OR A RENEWAL OF AN  
19 ENDORSEMENT PURSUANT TO THIS SECTION, THE LOCAL LICENSING  
20 AUTHORITY SHALL DETERMINE WHETHER THE APPLICATION COMPLIES  
21 WITH LOCAL RESTRICTIONS ON TIME, PLACE, MANNER, AND THE NUMBER  
22 OF MEDICAL MARIJUANA BUSINESSES. THE LOCAL LICENSING AUTHORITY  
23 SHALL INFORM THE STATE LICENSING AUTHORITY WHETHER THE  
24 APPLICATION COMPLIES WITH LOCAL RESTRICTIONS ON TIME, PLACE,  
25 MANNER, AND THE NUMBER OF MEDICAL MARIJUANA ACCESSORY  
26 CONSUMPTION ESTABLISHMENTS.

27 (II) A LOCAL LICENSING AUTHORITY MAY IMPOSE A SEPARATE

1 LOCAL REQUIREMENT AS A PART OF ITS RESTRICTIONS ON TIME, PLACE,  
2 MANNER, AND THE NUMBER OF SUCH ESTABLISHMENTS. A LOCAL  
3 JURISDICTION MAY DECLINE TO IMPOSE ANY LOCAL REQUIREMENTS, BUT  
4 A LOCAL LICENSING AUTHORITY SHALL NOTIFY THE STATE LICENSING  
5 AUTHORITY THAT IT EITHER APPROVES OR DENIES EACH APPLICATION  
6 FORWARDED TO IT.

7 (b) APPLICATIONS FOR AN ENDORSEMENT PURSUANT TO THIS  
8 SECTION MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS  
9 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY AND  
10 MUST SET FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY  
11 MAY REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO  
12 DETERMINE WHETHER A STATE ENDORSEMENT SHOULD BE GRANTED. THE  
13 INFORMATION MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT,  
14 THE ADDRESS OF THE LICENSED MEDICAL MARIJUANA CENTER AND THE  
15 ENDORSED PREMISES, AND ANY OTHER INFORMATION REQUESTED BY THE  
16 STATE LICENSING AUTHORITY. EACH APPLICATION MUST BE VERIFIED BY  
17 THE OATH OR AFFIRMATION OF SUCH PERSON OR PERSONS AS THE STATE  
18 LICENSING AUTHORITY MAY PRESCRIBE. THE STATE ENDORSEMENT IS  
19 CONDITIONED UPON LOCAL LICENSING AUTHORITY APPROVAL. AN  
20 APPLICANT IS PROHIBITED FROM OPERATING A MEDICAL MARIJUANA  
21 ACCESSORY CONSUMPTION ESTABLISHMENT WITHOUT STATE AND LOCAL  
22 LICENSING AUTHORITY APPROVAL. IF THE APPLICANT DOES NOT RECEIVE  
23 LOCAL LICENSING AUTHORITY APPROVAL WITHIN ONE YEAR FROM THE  
24 DATE OF STATE LICENSING AUTHORITY APPROVAL, THE STATE  
25 ENDORSEMENT EXPIRES AND MAY NOT BE RENEWED. IF AN APPLICATION  
26 IS DENIED BY THE LOCAL LICENSING AUTHORITY OR THE APPROVAL OF THE  
27 LOCAL LICENSING AUTHORITY IS REVOKED, THE STATE LICENSING

1 AUTHORITY SHALL REVOKE THE STATE-ISSUED ENDORSEMENT.

2 (c) THE STATE LICENSING AUTHORITY SHALL DENY A STATE  
3 ENDORSEMENT IF THE PREMISES ON WHICH THE APPLICANT PROPOSES TO  
4 CONDUCT ITS BUSINESS DOES NOT MEET THE REQUIREMENTS OF THIS  
5 ARTICLE 43.3 OR FOR REASONS SET FORTH IN SUBSECTION (3)(b) OF THIS  
6 SECTION. THE STATE LICENSING AUTHORITY MAY REVOKE OR DENY AN  
7 ENDORSEMENT RENEWAL OR REINSTATEMENT OR AN INITIAL  
8 ENDORSEMENT FOR GOOD CAUSE. FOR PURPOSES OF THIS SUBSECTION  
9 (3)(c), "GOOD CAUSE" MEANS:

10 (I) THE ENDORSED LICENSEE OR APPLICANT HAS VIOLATED, DOES  
11 NOT MEET, OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS,  
12 CONDITIONS, OR PROVISIONS OF THIS ARTICLE 43.3, ANY RULES  
13 PROMULGATED PURSUANT TO THIS ARTICLE 43.3, OR ANY SUPPLEMENTAL  
14 LOCAL LAW, RULES, OR REGULATIONS;

15 (II) THE ENDORSED LICENSEE OR APPLICANT HAS FAILED TO  
16 COMPLY WITH ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON  
17 ITS ENDORSEMENT PURSUANT TO AN ORDER OF THE STATE OR LOCAL  
18 LICENSING AUTHORITY; OR

19 (III) THE PREMISES HAVE BEEN OPERATED IN A MANNER THAT  
20 ADVERSELY AFFECTS THE PUBLIC HEALTH OR THE SAFETY OF THE  
21 IMMEDIATE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED.

22 (d) THE MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
23 ESTABLISHMENT ENDORSEMENT IS VALID FOR ONE YEAR AND MAY BE  
24 RENEWED ANNUALLY UPON THE RENEWAL OF THE MEDICAL MARIJUANA  
25 CENTER LICENSE. THE STATE LICENSING AUTHORITY SHALL ESTABLISH BY  
26 RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL FEE FOR THE  
27 ENDORSEMENT.

1 (e) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF  
2 ALL MEDICAL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENTS IN  
3 THE STATE AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

4 (f) EXCEPT AS OTHERWISE SPECIFIED IN THIS ARTICLE 43.3, ALL  
5 REQUIREMENTS OF THE MEDICAL MARIJUANA CENTER APPLY TO THE  
6 MEDICAL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT.

7 (4) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
8 ESTABLISHMENT IS SUBJECT TO THE "COLORADO CLEAN INDOOR AIR  
9 ACT", PART 2 OF ARTICLE 14 OF TITLE 25.

10 (5) AN ENDORSED LICENSEE AND ITS EMPLOYEES SHALL NOT:

11 (a) PERMIT A PATRON TO BRING MEDICAL OR RETAIL MARIJUANA,  
12 MEDICAL OR RETAIL MARIJUANA CONCENTRATE, A MEDICAL  
13 MARIJUANA-INFUSED PRODUCT, OR A RETAIL MARIJUANA PRODUCT INTO  
14 A MEDICAL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT;

15 (b) SELL ALCOHOL, INCLUDING MALT, VINOUS, OR SPIRITUOUS  
16 LIQUOR; SELL TOBACCO OR NICOTINE PRODUCTS; OR ALLOW THE  
17 CONSUMPTION OF ALCOHOL OR TOBACCO OR NICOTINE PRODUCTS ON  
18 PREMISES;

19 (c) SELL OR PROVIDE FOOD ON PREMISES;

20 (d) ALLOW ON-DUTY EMPLOYEES OF THE ESTABLISHMENT TO  
21 CONSUME ANY MEDICAL MARIJUANA, MEDICAL MARIJUANA  
22 CONCENTRATE, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE  
23 ESTABLISHMENT; OR

24 (e) ALLOW DISTRIBUTION OF FREE SAMPLES OF MEDICAL  
25 MARIJUANA, MEDICAL MARIJUANA CONCENTRATE, OR MEDICAL  
26 MARIJUANA-INFUSED PRODUCTS IN THE ESTABLISHMENT.

27 (6) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION

1 ESTABLISHMENT AND ITS EMPLOYEES SHALL ADMIT INTO THE  
2 ESTABLISHMENT ONLY PATRONS WHO ARE QUALIFIED TO PURCHASE  
3 MEDICAL MARIJUANA AT A MEDICAL MARIJUANA CENTER AS REQUIRED BY  
4 SECTION 12-43.3-402 (5).

5 (7) (a) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
6 ESTABLISHMENT SHALL LIMIT A PATRON TO ONE TRANSACTION OF NO  
7 MORE THAN THE PURCHASE LIMIT SET BY THE STATE LICENSING  
8 AUTHORITY BY RULE PURSUANT TO SECTION 12-43.3-202 (2.5)(a)(IV)(A).  
9 A PATRON MAY LEAVE THE ESTABLISHMENT WITH PRODUCT THAT HE OR  
10 SHE DOES NOT CONSUME ONLY IF, PRIOR TO LEAVING THE PREMISES, THE  
11 MEDICAL MARIJUANA, MEDICAL MARIJUANA CONCENTRATE, OR MEDICAL  
12 MARIJUANA-INFUSED PRODUCT IS PACKAGED PURSUANT TO THE  
13 REQUIREMENTS OF SECTION 12-43.3-202 (2)(a)(XIV.5).

14 (b) WHEN A PATRON LEAVES A MEDICAL MARIJUANA ACCESSORY  
15 CONSUMPTION ESTABLISHMENT, THE ESTABLISHMENT SHALL DESTROY  
16 ANY REMAINING UNCONSUMED MEDICAL MARIJUANA, MEDICAL  
17 MARIJUANA CONCENTRATE, OR MEDICAL MARIJUANA-INFUSED PRODUCTS  
18 THAT ARE NOT TAKEN BY A PATRON PURSUANT TO SUBSECTION (7)(a) OF  
19 THIS SECTION.

20 (8) (a) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
21 ESTABLISHMENT AND ITS EMPLOYEES:

22 (I) SHALL OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY,  
23 AND RESPECTABLE MANNER AND SHALL NOT SERVE ANY PATRON WHO  
24 DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

25 (II) MAY REMOVE AN INDIVIDUAL FROM THE ESTABLISHMENT FOR  
26 ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF  
27 INTOXICATION;

1 (III) SHALL NOT KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF  
2 DISORDERLY CONDUCT AS DEFINED BY AND PROVIDED FOR IN SECTION  
3 18-9-106; AND

4 (IV) SHALL NOT PERMIT ROWDINESS, UNDUE NOISE, OR OTHER  
5 DISTURBANCES OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO  
6 THE RESIDENTS OF THE NEIGHBORHOOD IN WHICH THE LICENSED  
7 ESTABLISHMENT IS LOCATED.

8 (b) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
9 ESTABLISHMENT AND ITS EMPLOYEES SHALL NOT ALLOW THE USE OF A  
10 BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE ESTABLISHMENT.

11 (9) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
12 ESTABLISHMENT AND ALL OF ITS EMPLOYEES WHO WORK AT THE  
13 ENDORSED PREMISES SHALL SUCCESSFULLY COMPLETE AN ANNUAL  
14 RESPONSIBLE VENDOR TRAINING PROGRAM AUTHORIZED PURSUANT TO  
15 SECTION 12-43.3-1102.

16 (10) (a) A MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
17 ESTABLISHMENT SHALL PROVIDE INFORMATION REGARDING THE SAFE  
18 CONSUMPTION OF MEDICAL MARIJUANA CONCENTRATE OR A MEDICAL  
19 MARIJUANA-INFUSED PRODUCT AT THE POINT OF SALE TO ALL PATRONS  
20 WHO PURCHASE SUCH A PRODUCT. THE REQUIREMENTS FOR AND CONTENT  
21 OF SUCH INFORMATION SHALL BE ESTABLISHED BY THE STATE LICENSING  
22 AUTHORITY BY RULE AFTER CONSULTATION WITH THE DEPARTMENT OF  
23 PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 12-43.3-202  
24 (2.5)(a)(IV)(B).

25 (b) A LOCAL JURISDICTION MAY REQUIRE INFORMATION  
26 REGARDING THE SAFE CONSUMPTION OF MEDICAL MARIJUANA  
27 CONCENTRATE OR A MEDICAL MARIJUANA-INFUSED PRODUCT IN ADDITION

1 TO THAT REQUIRED BY SUBSECTION (10)(a) OF THIS SECTION.

2 (c) THE INFORMATION REQUIRED BY SUBSECTIONS (10)(a) AND  
3 (10)(b) OF THIS SECTION MUST BE MAINTAINED ON THE ENDORSED  
4 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
5 AND LAW ENFORCEMENT.

6 (11) THE WINDOWS AND DOORS OF A MEDICAL MARIJUANA  
7 ACCESSORY CONSUMPTION ESTABLISHMENT MUST BE OPAQUE, AND THE  
8 ESTABLISHMENT SHALL ENSURE THAT ANY MEDICAL MARIJUANA, MEDICAL  
9 MARIJUANA CONCENTRATE, OR MEDICAL MARIJUANA-INFUSED PRODUCT  
10 IS NOT VISIBLE FROM OUTSIDE OF THE ESTABLISHMENT.

11 (12) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
12 FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PROVIDERS, OR OTHER  
13 PUBLIC SAFETY PERSONNEL TO ENTER A MEDICAL MARIJUANA ACCESSORY  
14 CONSUMPTION ESTABLISHMENT, EMPLOYEES OF THE ESTABLISHMENT  
15 SHALL CEASE ALL ON-SITE SALES AND PROHIBIT ON-SITE CONSUMPTION  
16 UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR  
17 SERVICES AND HAVE LEFT THE PREMISES.

18 **SECTION 5.** In Colorado Revised Statutes, 12-43.3-901, **amend**  
19 (1) introductory portion and (1)(a) as follows:

20 **12-43.3-901. Unlawful acts - exceptions.** (1) Except as  
21 otherwise provided in this ~~article~~ ARTICLE 43.3, it is unlawful for a  
22 person:

23 (a) To consume medical marijuana in a licensed medical  
24 marijuana center, and it shall be unlawful for a medical marijuana  
25 licensee to allow medical marijuana to be consumed upon its licensed  
26 premises; EXCEPT THAT IT IS NOT UNLAWFUL TO CONSUME, OR FOR A  
27 MEDICAL MARIJUANA LICENSEE TO PERMIT THE CONSUMPTION OF, OTHER

1 THAN SMOKING, MEDICAL MARIJUANA ON THE PREMISES OF A MEDICAL  
2 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT AUTHORIZED  
3 PURSUANT TO SECTION 12-43.3-402.5;

4 **SECTION 6.** In Colorado Revised Statutes, 12-43.4-103, **add**  
5 (15.5) as follows:

6 **12-43.4-103. Definitions.** As used in this article 43.4, unless the  
7 context otherwise requires:

8 (15.5) "RETAIL MARIJUANA ACCESSORY CONSUMPTION  
9 ESTABLISHMENT" MEANS AN ESTABLISHMENT WHERE A RETAIL  
10 MARIJUANA STORE LICENSEE THAT HAS BEEN APPROVED FOR A RETAIL  
11 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT ENDORSEMENT TO  
12 AN EXISTING RETAIL MARIJUANA STORE LICENSE MAY SELL RETAIL  
13 MARIJUANA, RETAIL MARIJUANA CONCENTRATE, AND RETAIL MARIJUANA  
14 PRODUCTS FOR CONSUMPTION, OTHER THAN SMOKING, AT THE  
15 ESTABLISHMENT.

16 **SECTION 7.** In Colorado Revised Statutes, 12-43.4-202, **amend**  
17 (1) introductory portion, (3)(a)(XIX), (3)(a)(XX), (3)(c) introductory  
18 portion, and (3)(c)(VIII); and **add** (3)(a)(XXI) and (3)(c)(X) as follows:

19 **12-43.4-202. Powers and duties of state licensing authority -**  
20 **rules.** (1) To ensure that ~~no~~ marijuana grown or processed by a retail  
21 marijuana establishment is NOT sold or otherwise transferred except by a  
22 retail marijuana store or as authorized by law, the state licensing authority  
23 shall develop and maintain a seed-to-sale tracking system that tracks retail  
24 marijuana from either seed or immature plant stage until the marijuana or  
25 retail marijuana product is sold to a customer at a retail marijuana store  
26 OR A RETAIL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT;  
27 except that retail marijuana or retail marijuana product is no longer

1 subject to the tracking system once the retail marijuana has been:

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

4 (XIX) Nonescorted visitors in limited access areas; ~~and~~

5 (XX) The parameters and qualifications of an indirect beneficial  
6 interest owner and a qualified limited passive investor; AND

7 (XXI) THE IMPLEMENTATION OF RETAIL MARIJUANA ACCESSORY  
8 CONSUMPTION ESTABLISHMENT ENDORSEMENTS, INCLUDING A PURCHASE  
9 LIMIT FOR A PATRON OF A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
10 ESTABLISHMENT THAT MUST BE AT LEAST THREE AND ONE-HALF GRAMS  
11 OF RETAIL MARIJUANA OR ONE GRAM OF RETAIL MARIJUANA  
12 CONCENTRATE OR RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE  
13 THAN TEN MILLIGRAMS OF ACTIVE THC.

14 (c) Rules promulgated pursuant to ~~paragraph (b) of subsection (2)~~  
15 SUBSECTION (2)(b) of this section must also include the following  
16 subjects, and the state licensing authority may seek the assistance of the  
17 department of public health and environment when necessary before  
18 promulgating the rules:

19 (VIII) Permission for a local fire department to conduct an annual  
20 fire inspection of a retail marijuana cultivation facility; ~~and~~

21 (X) POINT-OF-SALE SAFE CONSUMPTION INFORMATION FOR RETAIL  
22 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENTS, AS REQUIRED BY  
23 SECTION 12-43.4-402.5 (10)(a).

24 **SECTION 8.** In Colorado Revised Statutes, 12-43.4-402, ~~add~~  
25 (1)(f) as follows:

26 **12-43.4-402. Retail marijuana store license.** (1) (f) (I) ON AND  
27 AFTER JANUARY 1, 2019, SUBJECT TO THE RECEIPT OF THE NECESSARY

1 ENDORSEMENT PURSUANT TO SECTION 12-43.4-402.5, A LICENSED RETAIL  
2 MARIJUANA STORE MAY OPERATE A RETAIL MARIJUANA ACCESSORY  
3 CONSUMPTION ESTABLISHMENT TO SELL RETAIL MARIJUANA, RETAIL  
4 MARIJUANA CONCENTRATE, AND RETAIL MARIJUANA PRODUCTS FOR  
5 ON-PREMISES CONSUMPTION, OTHER THAN SMOKING, AT THE  
6 ESTABLISHMENT.

7 (II) EACH LICENSED RETAIL MARIJUANA STORE MAY OPERATE  
8 ONLY ONE RETAIL MARIJUANA ACCESSORY CONSUMPTION  
9 ESTABLISHMENT. IF A RETAIL MARIJUANA STORE LICENSEE AND A MEDICAL  
10 MARIJUANA CENTER LICENSEE OCCUPY A SINGLE LOCATION, THE  
11 LICENSEES MAY ONLY OBTAIN ONE RETAIL MARIJUANA ACCESSORY  
12 CONSUMPTION OR MEDICAL MARIJUANA ACCESSORY CONSUMPTION  
13 ESTABLISHMENT ENDORSEMENT.

14 (III) THE RETAIL MARIJUANA ACCESSORY CONSUMPTION  
15 ESTABLISHMENT MUST BE PHYSICALLY SEPARATE FROM THE RETAIL  
16 MARIJUANA STORE PREMISES AND MUST BE LOCATED IN THE SAME LOCAL  
17 JURISDICTION AS THE RETAIL MARIJUANA STORE.

18 (IV) A RETAIL MARIJUANA STORE THAT HAS BEEN APPROVED FOR  
19 A RETAIL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT  
20 ENDORSEMENT MAY SELL ITS RETAIL MARIJUANA, RETAIL MARIJUANA  
21 CONCENTRATE, AND RETAIL MARIJUANA PRODUCTS TO ITS RETAIL  
22 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT, AND THE RETAIL  
23 MARIJUANA STORE SHALL PACKAGE AND LABEL INDIVIDUALLY RETAIL  
24 MARIJUANA, RETAIL MARIJUANA CONCENTRATE, AND RETAIL MARIJUANA  
25 PRODUCT FOR SALE AT THE ESTABLISHMENT.

26 **SECTION 9.** In Colorado Revised Statutes, **add** 12-43.4-402.5  
27 as follows:

1           **12-43.4-402.5. Retail marijuana accessory consumption**  
2           **establishment endorsement - rules - definition.** (1) (a) IN A LOCAL  
3 JURISDICTION THAT HAS AUTHORIZED THE ESTABLISHMENT OF RETAIL  
4 MARIJUANA STORES, THE LOCAL JURISDICTION MAY AUTHORIZE THE  
5 OPERATION OF RETAIL MARIJUANA ACCESSORY CONSUMPTION  
6 ESTABLISHMENTS WITHIN ITS JURISDICTION THROUGH THE ENACTMENT OF  
7 AN ORDINANCE OR THROUGH A REFERRED OR INITIATED MEASURE. IF A  
8 COUNTY ACTS THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL  
9 SUBMIT A PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE  
10 REGISTERED ELECTORS IN THE COUNTY.

11           (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY  
12 AUTHORIZES THE OPERATION OF RETAIL MARIJUANA ACCESSORY  
13 CONSUMPTION ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL  
14 REQUIREMENT THAT COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE  
15 43.4. THE MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY  
16 REQUIRE ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE  
17 PROVIDED IN THIS SECTION.

18           (2) ON AND AFTER JANUARY 1, 2019, THE STATE LICENSING  
19 AUTHORITY MAY ISSUE A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
20 ESTABLISHMENT ENDORSEMENT ONLY TO A RETAIL MARIJUANA STORE  
21 LICENSEE TO SELL FOR ON-PREMISES CONSUMPTION RETAIL MARIJUANA,  
22 RETAIL CONCENTRATE, OR RETAIL MARIJUANA PRODUCTS FOR  
23 ON-PREMISES CONSUMPTION.

24           (3) (a) (I) WHEN THE STATE LICENSING AUTHORITY RECEIVES AN  
25 APPLICATION FOR AN INITIAL ENDORSEMENT OR A RENEWAL OF AN  
26 ENDORSEMENT PURSUANT TO THIS SECTION, THE LOCAL LICENSING  
27 AUTHORITY SHALL DETERMINE WHETHER THE APPLICATION COMPLIES

1 WITH LOCAL RESTRICTIONS ON TIME, PLACE, MANNER, AND THE NUMBER  
2 OF RETAIL MARIJUANA BUSINESSES. THE LOCAL LICENSING AUTHORITY  
3 SHALL INFORM THE STATE LICENSING AUTHORITY WHETHER THE  
4 APPLICATION COMPLIES WITH LOCAL RESTRICTIONS ON TIME, PLACE,  
5 MANNER, AND THE NUMBER OF RETAIL MARIJUANA ACCESSORY  
6 CONSUMPTION ESTABLISHMENTS.

7 (II) A LOCAL LICENSING AUTHORITY MAY IMPOSE A SEPARATE  
8 LOCAL REQUIREMENT AS A PART OF ITS RESTRICTIONS ON TIME, PLACE,  
9 MANNER, AND THE NUMBER OF SUCH ESTABLISHMENTS. A LOCAL  
10 JURISDICTION MAY DECLINE TO IMPOSE ANY LOCAL REQUIREMENTS, BUT  
11 A LOCAL LICENSING AUTHORITY SHALL NOTIFY THE STATE LICENSING  
12 AUTHORITY THAT IT EITHER APPROVES OR DENIES EACH APPLICATION  
13 FORWARDED TO IT.

14 (b) APPLICATIONS FOR AN ENDORSEMENT PURSUANT TO THIS  
15 SECTION MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS  
16 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY AND  
17 MUST SET FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY  
18 MAY REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO  
19 DETERMINE WHETHER A STATE ENDORSEMENT SHOULD BE GRANTED. THE  
20 INFORMATION MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT,  
21 THE ADDRESS OF THE LICENSED RETAIL MARIJUANA STORE AND THE  
22 ENDORSED PREMISES, AND ANY OTHER INFORMATION REQUESTED BY THE  
23 STATE LICENSING AUTHORITY. EACH APPLICATION MUST BE VERIFIED BY  
24 THE OATH OR AFFIRMATION OF SUCH PERSON OR PERSONS AS THE STATE  
25 LICENSING AUTHORITY MAY PRESCRIBE. THE STATE ENDORSEMENT IS  
26 CONDITIONED UPON LOCAL LICENSING AUTHORITY APPROVAL. AN  
27 APPLICANT IS PROHIBITED FROM OPERATING A RETAIL MARIJUANA

1 ACCESSORY CONSUMPTION ESTABLISHMENT WITHOUT STATE AND LOCAL  
2 LICENSING AUTHORITY APPROVAL. IF THE APPLICANT DOES NOT RECEIVE  
3 LOCAL LICENSING AUTHORITY APPROVAL WITHIN ONE YEAR FROM THE  
4 DATE OF STATE LICENSING AUTHORITY APPROVAL, THE STATE  
5 ENDORSEMENT EXPIRES AND MAY NOT BE RENEWED. IF AN APPLICATION  
6 IS DENIED BY THE LOCAL LICENSING AUTHORITY OR THE APPROVAL OF THE  
7 LOCAL LICENSING AUTHORITY IS REVOKED, THE STATE LICENSING  
8 AUTHORITY SHALL REVOKE THE STATE-ISSUED ENDORSEMENT.

9 (c) THE STATE LICENSING AUTHORITY SHALL DENY A STATE  
10 ENDORSEMENT IF THE PREMISES ON WHICH THE APPLICANT PROPOSES TO  
11 CONDUCT ITS BUSINESS DOES NOT MEET THE REQUIREMENTS OF THIS  
12 ARTICLE 43.4 OR FOR REASONS SET FORTH IN SUBSECTION (3)(b) OF THIS  
13 SECTION. THE STATE LICENSING AUTHORITY MAY REVOKE OR DENY AN  
14 ENDORSEMENT RENEWAL OR REINSTATEMENT OR AN INITIAL  
15 ENDORSEMENT FOR GOOD CAUSE. FOR PURPOSES OF THIS SUBSECTION  
16 (3)(c), "GOOD CAUSE" MEANS:

17 (I) THE ENDORSED LICENSEE OR APPLICANT HAS VIOLATED, DOES  
18 NOT MEET, OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS,  
19 CONDITIONS, OR PROVISIONS OF THIS ARTICLE 43.4, ANY RULES  
20 PROMULGATED PURSUANT TO THIS ARTICLE 43.4, OR ANY SUPPLEMENTAL  
21 LOCAL LAW, RULES, OR REGULATIONS;

22 (II) THE ENDORSED LICENSEE OR APPLICANT HAS FAILED TO  
23 COMPLY WITH ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON  
24 ITS ENDORSEMENT PURSUANT TO AN ORDER OF THE STATE OR LOCAL  
25 LICENSING AUTHORITY; OR

26 (III) THE PREMISES HAVE BEEN OPERATED IN A MANNER THAT  
27 ADVERSELY AFFECTS THE PUBLIC HEALTH OR THE SAFETY OF THE

1 IMMEDIATE NEIGHBORHOOD IN WHICH THE ESTABLISHMENT IS LOCATED.

2 (d) THE RETAIL MARIJUANA ACCESSORY CONSUMPTION  
3 ESTABLISHMENT ENDORSEMENT IS VALID FOR ONE YEAR AND MAY BE  
4 RENEWED ANNUALLY UPON THE RENEWAL OF THE RETAIL MARIJUANA  
5 STORE LICENSE. THE STATE LICENSING AUTHORITY SHALL ESTABLISH BY  
6 RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL FEE FOR THE  
7 ENDORSEMENT.

8 (e) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF  
9 ALL RETAIL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENTS IN  
10 THE STATE AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

11 (f) EXCEPT AS OTHERWISE SPECIFIED IN THIS ARTICLE 43.4, ALL  
12 REQUIREMENTS OF THE RETAIL MARIJUANA STORE APPLY TO THE RETAIL  
13 MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT.

14 (4) A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
15 ESTABLISHMENT IS SUBJECT TO THE "COLORADO CLEAN INDOOR AIR  
16 ACT", PART 2 OF ARTICLE 14 OF TITLE 25.

17 (5) AN ENDORSED LICENSEE AND ITS EMPLOYEES SHALL NOT:

18 (a) PERMIT A PATRON TO BRING MEDICAL OR RETAIL MARIJUANA,  
19 MEDICAL OR RETAIL MARIJUANA CONCENTRATE, A MEDICAL  
20 MARIJUANA-INFUSED PRODUCT, OR A RETAIL MARIJUANA PRODUCT INTO  
21 A RETAIL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT;

22 (b) SELL ALCOHOL, INCLUDING MALT, VINOUS, OR SPIRITUOUS  
23 LIQUOR; SELL TOBACCO OR NICOTINE PRODUCTS; OR ALLOW THE  
24 CONSUMPTION OF ALCOHOL OR TOBACCO OR NICOTINE PRODUCTS ON  
25 PREMISES;

26 (c) SELL OR PROVIDE FOOD ON PREMISES;

27 (d) ALLOW ON-DUTY EMPLOYEES OF THE ESTABLISHMENT TO

1 CONSUME ANY RETAIL MARIJUANA, RETAIL MARIJUANA CONCENTRATE, OR  
2 RETAIL MARIJUANA PRODUCTS IN THE ESTABLISHMENT; OR

3 (e) ALLOW DISTRIBUTION OF FREE SAMPLES OF RETAIL MARIJUANA,  
4 RETAIL MARIJUANA CONCENTRATE, OR RETAIL MARIJUANA PRODUCTS IN  
5 THE ESTABLISHMENT.

6 (6) A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
7 ESTABLISHMENT AND ITS EMPLOYEES SHALL ADMIT INTO THE  
8 ESTABLISHMENT ONLY PATRONS WHO ARE AT LEAST TWENTY-ONE YEARS  
9 OF AGE.

10 (7) (a) A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
11 ESTABLISHMENT SHALL LIMIT A PATRON TO ONE TRANSACTION OF NO  
12 MORE THAN THE PURCHASE LIMIT SET BY THE STATE LICENSING  
13 AUTHORITY BY RULE PURSUANT TO SECTION 12-43.4-202 (3)(a)(XXI). A  
14 PATRON MAY LEAVE THE ESTABLISHMENT WITH PRODUCT THAT HE OR SHE  
15 DOES NOT CONSUME ONLY IF, PRIOR TO LEAVING THE PREMISES, THE  
16 RETAIL MARIJUANA, RETAIL MARIJUANA CONCENTRATE, OR RETAIL  
17 MARIJUANA PRODUCT IS PACKAGED PURSUANT TO THE REQUIREMENTS OF  
18 SECTION 12-43.4-202 (3)(c)(III).

19 (b) WHEN A PATRON LEAVES A RETAIL MARIJUANA ACCESSORY  
20 CONSUMPTION ESTABLISHMENT, THE ESTABLISHMENT SHALL DESTROY  
21 ANY REMAINING UNCONSUMED RETAIL MARIJUANA, RETAIL MARIJUANA  
22 CONCENTRATE, OR RETAIL MARIJUANA PRODUCTS THAT ARE NOT TAKEN  
23 BY A PATRON PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION.

24 (8) (a) A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
25 ESTABLISHMENT AND ITS EMPLOYEES:

26 (I) SHALL OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY,  
27 AND RESPECTABLE MANNER AND SHALL NOT SERVE ANY PATRON WHO

1       DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

2               (II) MAY REMOVE AN INDIVIDUAL FROM THE ESTABLISHMENT FOR  
3       ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF  
4       INTOXICATION;

5               (III) SHALL NOT KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF  
6       DISORDERLY CONDUCT AS DEFINED BY AND PROVIDED FOR IN SECTION  
7       18-9-106; AND

8               (IV) SHALL NOT PERMIT ROWDINESS, UNDUE NOISE, OR OTHER  
9       DISTURBANCES OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO  
10       THE RESIDENTS OF THE NEIGHBORHOOD IN WHICH THE LICENSED  
11       ESTABLISHMENT IS LOCATED.

12              (b)    A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
13       ESTABLISHMENT AND ITS EMPLOYEES SHALL NOT ALLOW THE USE OF A  
14       BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE ESTABLISHMENT.

15              (9)    A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
16       ESTABLISHMENT AND ALL OF ITS EMPLOYEES WHO WORK AT THE  
17       ENDORSED PREMISES SHALL SUCCESSFULLY COMPLETE AN ANNUAL  
18       RESPONSIBLE VENDOR TRAINING PROGRAM AUTHORIZED PURSUANT TO  
19       SECTION 12-43.3-1102.

20              (10) (a) A RETAIL MARIJUANA ACCESSORY CONSUMPTION  
21       ESTABLISHMENT SHALL PROVIDE INFORMATION REGARDING THE SAFE  
22       CONSUMPTION OF RETAIL MARIJUANA CONCENTRATE OR A RETAIL  
23       MARIJUANA PRODUCT AT THE POINT OF SALE TO ALL PATRONS WHO  
24       PURCHASE SUCH A PRODUCT. THE REQUIREMENTS FOR AND CONTENT OF  
25       SUCH INFORMATION SHALL BE ESTABLISHED BY THE STATE LICENSING  
26       AUTHORITY BY RULE AFTER CONSULTATION WITH THE DEPARTMENT OF  
27       PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 12-43.4-202

1 (3)(c)(X).

2 (b) A LOCAL JURISDICTION MAY REQUIRE INFORMATION  
3 REGARDING THE SAFE CONSUMPTION OF RETAIL MARIJUANA CONCENTRATE  
4 OR A RETAIL MARIJUANA PRODUCT IN ADDITION TO THAT REQUIRED BY  
5 SUBSECTION (10)(a) OF THIS SECTION.

6 (c) THE INFORMATION REQUIRED BY SUBSECTIONS (10)(a) AND  
7 (10)(b) OF THIS SECTION MUST BE MAINTAINED ON THE ENDORSED  
8 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
9 AND LAW ENFORCEMENT.

10 (11) THE WINDOWS AND DOORS OF A RETAIL ACCESSORY  
11 CONSUMPTION ESTABLISHMENT MUST BE OPAQUE, AND THE  
12 ESTABLISHMENT SHALL ENSURE THAT ANY RETAIL MARIJUANA, RETAIL  
13 MARIJUANA CONCENTRATE, OR RETAIL MARIJUANA PRODUCT IS NOT  
14 VISIBLE FROM OUTSIDE OF THE ESTABLISHMENT.

15 (12) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
16 FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PROVIDERS, OR OTHER  
17 PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA ACCESSORY  
18 CONSUMPTION ESTABLISHMENT, EMPLOYEES OF THE ESTABLISHMENT  
19 SHALL CEASE ALL ON-SITE SALES AND PROHIBIT ON-SITE CONSUMPTION  
20 UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR  
21 SERVICES AND HAVE LEFT THE PREMISES.

22 **SECTION 10.** In Colorado Revised Statutes, 12-43.4-901,  
23 **amend** (1) as follows:

24 **12-43.4-901. Unlawful acts - exceptions.** (1) Except as  
25 otherwise provided in this ~~article~~ ARTICLE 43.4, it is unlawful for a person  
26 to consume retail marijuana or retail marijuana products in a licensed  
27 retail marijuana establishment, OTHER THAN A RETAIL MARIJUANA

1 ACCESSORY CONSUMPTION ESTABLISHMENT AUTHORIZED PURSUANT TO  
2 SECTION 12-43.4-402.5, and it is unlawful for a retail marijuana licensee  
3 to allow retail marijuana or retail marijuana products to be consumed  
4 upon its licensed premises, OTHER THAN A RETAIL MARIJUANA ACCESSORY  
5 CONSUMPTION ESTABLISHMENT.

6 **SECTION 11.** In Colorado Revised Statutes, 18-18-406, **add**  
7 (5)(b)(IV) as follows:

8 **18-18-406. Offenses relating to marijuana and marijuana**  
9 **concentrate - definitions.** (5) (b) (IV) EXCEPT AS DESCRIBED IN  
10 SECTIONS 12-43.3-402.5 (12) AND 12-43.4-402.5 (12), PUBLIC DISPLAY,  
11 CONSUMPTION, OR USE OF UP TO ONE OUNCE OF MARIJUANA IN A MEDICAL  
12 OR RETAIL MARIJUANA ACCESSORY CONSUMPTION ESTABLISHMENT  
13 LICENSED PURSUANT TO SECTION 12-43.3-402.5 OR 12-43.4-402.5 IS NOT  
14 A VIOLATION OF THIS SUBSECTION (5)(b).

15 **SECTION 12.** In Colorado Revised Statutes, 25-1.5-106, **amend**  
16 (12)(c) as follows:

17 **25-1.5-106. Medical marijuana program - powers and duties**  
18 **of state health agency - rules - medical review board - medical**  
19 **marijuana program cash fund - subaccount - created - repeal.**  
20 (12) **Use of medical marijuana.** (c) EXCEPT AS PERMITTED BY SECTION  
21 12-43.3-402.5, a person shall not establish a business to permit patients  
22 to congregate and smoke or otherwise consume medical marijuana.

23 **SECTION 13. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August  
26 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2018 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.