

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-0954.01 Jerry Barry x4341

**HOUSE BILL 19-1230**

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**A BILL FOR AN ACT**

101 **CONCERNING MARIJUANA HOSPITALITY ESTABLISHMENTS, AND, IN**  
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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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>.)*

If approval is received by both the state and local licensing authorities, the bill authorizes legal cannabis hospitality spaces in which legal cannabis may be consumed on site and retail cannabis hospitality and sales establishments in which retail marijuana, retail marijuana concentrate, and retail marijuana products may be sold and consumed on site in the establishment's hospitality space.

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.*

HOUSE  
Amended 2nd Reading  
April 17, 2019

The bill establishes requirements and prohibitions for the new hospitality spaces and requires the state licensing authority to promulgate rules governing the new hospitality licenses and spaces.

The bill makes the hospitality spaces an exception to the "Colorado Clean Air Act" and makes conforming amendments.

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

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

4 **44-12-103. Definitions.** As used in this article 12, unless the  
5 context otherwise requires:

6 (13.5) "MARIJUANA HOSPITALITY ESTABLISHMENT" MEANS A  
7 FACILITY, WHICH MAY BE MOBILE, LICENSED TO PERMIT THE CONSUMPTION  
8 OF MARIJUANA PURSUANT TO THIS ARTICLE 12; RULES PROMULGATED  
9 PURSUANT TO THIS ARTICLE 12; AND THE PROVISIONS OF AN ENACTED,  
10 INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL  
11 JURISDICTION IN WHICH THE LICENSEE OPERATES.

12 (21.4) "RETAIL MARIJUANA HOSPITALITY AND SALES  
13 ESTABLISHMENT" MEANS A FACILITY, WHICH CANNOT BE MOBILE,  
14 LICENSED TO PERMIT THE CONSUMPTION OF ONLY THE RETAIL MARIJUANA  
15 OR RETAIL MARIJUANA PRODUCTS IT HAS SOLD PURSUANT TO THE  
16 PROVISIONS OF AN ENACTED, INITIATED, OR REFERRED ORDINANCE OR  
17 RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE  
18 OPERATES.

19 (24) "Retail marijuana establishment" means a retail marijuana  
20 store, a retail marijuana cultivation facility, a retail marijuana products  
21 manufacturer, A MARIJUANA HOSPITALITY ESTABLISHMENT, A RETAIL  
22 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT, or a retail  
23 marijuana testing facility.

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

4           **44-12-202. Powers and duties of state licensing authority -**  
5 **rules.** (1) To ensure that no marijuana grown or processed by a retail  
6 marijuana establishment is sold or otherwise transferred except by a retail  
7 marijuana store, A RETAIL MARIJUANA HOSPITALITY AND SALES  
8 ESTABLISHMENT, or as authorized by law, the state licensing authority  
9 shall develop and maintain a seed-to-sale tracking system that tracks retail  
10 marijuana from either seed or immature plant stage until the marijuana or  
11 retail marijuana product is sold to a customer at a retail marijuana store  
12 OR TO A PATRON AT A RETAIL MARIJUANA HOSPITALITY AND SALES  
13 ESTABLISHMENT; except that retail marijuana or retail marijuana product  
14 ~~is~~ PRODUCTS ARE no longer subject to the tracking system once the retail  
15 marijuana has been:

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

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

27           (3) (a) Rules promulgated pursuant to subsection (2)(b) of this

1 section must include, but need not be limited to, the following subjects:

2 (XXV) THE IMPLEMENTATION OF MARIJUANA HOSPITALITY AND  
3 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSES,  
4 INCLUDING BUT NOT LIMITED TO:

5 (A) GENERAL INSURANCE LIABILITY REQUIREMENTS;

6 (B) 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 ESTABLISHMENT; EXCEPT  
9 THAT THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY  
10 MUST NOT BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA  
11 FLOWER, ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA  
12 CONCENTRATE, OR A RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE  
13 THAN TEN MILLIGRAMS OF ACTIVE THC;

14 (C) 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 ESTABLISHMENT;

18 (D) 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 (E) REQUIREMENTS FOR MARIJUANA HOSPITALITY  
22 ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES  
23 ESTABLISHMENTS OPERATING PURSUANT TO SECTION 44-12-408 OR  
24 44-12-409 IN A RETAIL FOOD ESTABLISHMENT;

25 (F) REQUIREMENTS FOR MARIJUANA HOSPITALITY  
26 ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES  
27 ESTABLISHMENT LICENSEES TO DESTROY ANY UNCONSUMED MARIJUANA

- 1 OR MARIJUANA PRODUCTS LEFT BEHIND BY A PATRON; AND
- 2 (G) RULES TO ENSURE COMPLIANCE WITH SECTION 42-4-1305.5;
- 3 (XXVI) FOR MARIJUANA HOSPITALITY ESTABLISHMENTS THAT ARE
- 4 MOBILE, REGULATIONS INCLUDING BUT NOT LIMITED TO:
- 5 (A) REGISTRATION OF VEHICLES AND PROPER DESIGNATION OF
- 6 VEHICLES USED AS MOBILE LICENSED PREMISES;
- 7 (B) SURVEILLANCE CAMERAS INSIDE THE VEHICLES;
- 8 (C) GLOBAL POSITIONING SYSTEM TRACKING AND ROUTE LOGGING
- 9 IN AN ESTABLISHED ROUTE MANIFEST SYSTEM;
- 10 (D) COMPLIANCE WITH SECTION 42-4-1305.5;
- 11 (E) ENSURING ACTIVITY IS NOT VISIBLE OUTSIDE OF THE VEHICLE;
- 12 AND
- 13 (F) PROPER VENTILATION WITHIN THE VEHICLE.

14 **SECTION 3.** In Colorado Revised Statutes, 44-12-401, **amend**  
15 (1)(f); and **add** (1)(h), (1)(i), and (5) as follows:

16 **44-12-401. Classes of licenses.** (1) For the purpose of regulating  
17 the cultivation, manufacture, distribution, sale, and testing of retail  
18 marijuana and retail marijuana products, the state licensing authority in  
19 its discretion, upon receipt of an application in the prescribed form, may  
20 issue and grant to the applicant a license from any of the following  
21 classes, subject to the provisions and restrictions provided by this article  
22 12:

- 23 (f) Retail marijuana transporter license; ~~and~~
- 24 (h) MARIJUANA HOSPITALITY ESTABLISHMENT LICENSE; AND
- 25 (i) RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
- 26 LICENSE.
- 27 (5) 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 4.** In Colorado Revised Statutes, 44-12-402, **add**  
4 (2)(c) as follows:

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

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

11 **44-12-403. 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 manufacturing licensees, RETAIL MARIJUANA HOSPITALITY AND SALES  
16 ESTABLISHMENT LICENSEES, or other retail marijuana cultivation facilities.

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

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

24 **SECTION 7.** In Colorado Revised Statutes, **add** 44-12-408 and  
25 44-12-409 as follows:

26 **44-12-408. Marijuana hospitality establishment license - rules**  
27 **- definition.** (1) (a) ON AND AFTER JANUARY 1, 2020, THE STATE

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

26 (2)(a) A LOCAL JURISDICTION MAY AUTHORIZE THE OPERATION OF  
27 MARIJUANA HOSPITALITY ESTABLISHMENTS WITHIN ITS JURISDICTION

1 THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH A REFERRED  
2 OR INITIATED MEASURE. IF A COUNTY OR CITY AND COUNTY ACTS  
3 THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL SUBMIT A  
4 PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE REGISTERED  
5 ELECTORS IN THE COUNTY OR CITY AND COUNTY.

6 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY  
7 AUTHORIZES THE OPERATION OF MARIJUANA HOSPITALITY  
8 ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL REQUIREMENT THAT  
9 COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE 12. THE  
10 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY REQUIRE  
11 ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE PROVIDED  
12 IN THIS SECTION.

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

20 (3) (a) (I) APPLICATIONS FOR A LICENSE PURSUANT TO THIS  
21 SECTION MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS  
22 PREPARED AND FURNISHED BY THE STATE LICENSING AUTHORITY AND  
23 MUST SET FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY  
24 MAY REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO  
25 DETERMINE WHETHER A STATE LICENSE SHOULD BE GRANTED. THE  
26 INFORMATION MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT  
27 AND ANY OTHER INFORMATION REQUESTED BY THE STATE LICENSING

1 AUTHORITY. EACH APPLICATION MUST BE VERIFIED BY THE OATH OR  
2 AFFIRMATION OF SUCH PERSON OR PERSONS AS THE STATE LICENSING  
3 AUTHORITY MAY PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON  
4 LOCAL LICENSING AUTHORITY APPROVAL.

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

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

25 (b) THE STATE LICENSING AUTHORITY SHALL DENY A STATE  
26 LICENSE FOR THE REASONS SET FORTH IN SUBSECTION (3)(a) OF THIS  
27 SECTION IF THE LICENSED PREMISES IN WHICH THE APPLICANT PROPOSES

1 TO CONDUCT ITS BUSINESS DOES NOT MEET THE REQUIREMENTS OF THIS  
2 ARTICLE 12. THE STATE LICENSING AUTHORITY MAY DENY A LICENSE  
3 RENEWAL OR REINSTATEMENT OR AN INITIAL ENDORSEMENT FOR GOOD  
4 CAUSE. FOR PURPOSES OF THIS SUBSECTION (3)(b), "GOOD CAUSE" MEANS:

5 (I) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,  
6 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR  
7 PROVISIONS OF THIS ARTICLE 12; ANY RULES PROMULGATED PURSUANT TO  
8 THIS ARTICLE 12; OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR  
9 REGULATIONS;

10 (II) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH  
11 ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE  
12 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;  
13 OR

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

17 (c) A MARIJUANA HOSPITALITY ESTABLISHMENT LICENSE IS VALID  
18 FOR A PERIOD TO BE ESTABLISHED BY RULE OF THE STATE LICENSING  
19 AUTHORITY, BUT FOR NO LONGER THAN ONE YEAR, AND THE LICENSE MAY  
20 BE RENEWED. THE STATE LICENSING AUTHORITY SHALL ESTABLISH BY  
21 RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL FEE FOR THE  
22 LICENSE.

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

26 (4) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL NOT:

27 (a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR

1 REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA  
2 PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED  
3 PREMISES;

4 (b) ALLOW ON-DUTY EMPLOYEES OF THE ESTABLISHMENT TO  
5 CONSUME ANY MARIJUANA IN THE LICENSED PREMISES OF THE  
6 ESTABLISHMENT;

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

9 (d) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED  
10 PREMISES;

11 (e) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN  
12 THE LICENSED PREMISES OF THE ESTABLISHMENT;

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

16 (g) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL  
17 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE  
18 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO SALES,  
19 MANUFACTURING, OR CULTIVATION;

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

22 (i) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A PATRON  
23 WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

24 (j) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES  
25 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS  
26 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

27 (k) ADMIT INTO THE LICENSED PREMISES OF THE ESTABLISHMENT

1 ANY PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

2 (5) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL:

3 (a) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND  
4 RESPECTABLE MANNER;

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

8 (c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY  
9 MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF  
10 THE ESTABLISHMENT;

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

20 (e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS  
21 REQUIRED BY SUBSECTION (5)(d) OF THIS SECTION IN THE LICENSED  
22 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
23 AND LAW ENFORCEMENT; AND

24 (f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
25 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER  
26 PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY  
27 ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE

1 ESTABLISHMENT CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL  
2 SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES  
3 AND HAVE LEFT THE LICENSED PREMISES.

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

8 **44-12-409. Retail marijuana hospitality and sales**  
9 **establishment license - rules - definition.** (1) (a) ON AND AFTER  
10 JANUARY 1, 2020, THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL  
11 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSE  
12 AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES IN WHICH  
13 MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS ARTICLE 12,  
14 RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, AND THE  
15 PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL  
16 JURISDICTION IN WHICH THE LICENSEE OPERATES.

17 (b) SUBJECT TO PROVISIONS OF THIS ARTICLE 12 AND THE  
18 ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE  
19 LICENSEE OPERATES, A RETAIL FOOD ESTABLISHMENT AS DEFINED IN  
20 SECTION 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT  
21 ISSUED PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR  
22 A LICENSE TO OPERATE A RETAIL MARIJUANA HOSPITALITY AND SALES  
23 ESTABLISHMENT IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL  
24 FOOD ESTABLISHMENT. A RETAIL FOOD ESTABLISHMENT OPERATING A  
25 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT PURSUANT  
26 TO THIS SUBSECTION (1)(b) IS SUBJECT TO THE TERMS AND CONDITIONS OF  
27 ARTICLE 4 OF TITLE 25 AND THE RULES PROMULGATED PURSUANT TO THAT

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

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

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

23 (3) (a) APPLICATIONS FOR A LICENSE PURSUANT TO THIS SECTION  
24 MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS PREPARED  
25 AND FURNISHED BY THE STATE LICENSING AUTHORITY AND MUST SET  
26 FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY MAY  
27 REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO DETERMINE

1 WHETHER A STATE LICENSE SHOULD BE GRANTED. THE INFORMATION  
2 MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT AND ANY  
3 OTHER INFORMATION REQUESTED BY THE STATE LICENSING AUTHORITY.  
4 EACH APPLICATION MUST BE VERIFIED BY THE OATH OR AFFIRMATION OF  
5 SUCH PERSON OR PERSONS AS THE STATE LICENSING AUTHORITY MAY  
6 PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON LOCAL LICENSING  
7 AUTHORITY APPROVAL. AN APPLICANT IS PROHIBITED FROM OPERATING A  
8 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT WITHOUT  
9 STATE AND LOCAL LICENSING AUTHORITY APPROVAL. IF THE APPLICANT  
10 DOES NOT RECEIVE LOCAL LICENSING AUTHORITY APPROVAL WITHIN ONE  
11 YEAR AFTER THE DATE OF STATE LICENSING AUTHORITY APPROVAL, THE  
12 STATE LICENSE EXPIRES AND MAY NOT BE RENEWED. IF AN APPLICATION  
13 IS DENIED BY THE LOCAL LICENSING AUTHORITY OR THE APPROVAL OF THE  
14 LOCAL LICENSING AUTHORITY IS REVOKED, THE STATE LICENSING  
15 AUTHORITY SHALL REVOKE THE STATE-ISSUED LICENSE.

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

23 (I) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,  
24 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR  
25 PROVISIONS OF THIS ARTICLE 12; ANY RULES PROMULGATED PURSUANT TO  
26 THIS ARTICLE 12; OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR  
27 REGULATIONS;

1 (II) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH  
2 ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE  
3 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;  
4 OR

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

8 (c) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
9 LICENSE IS VALID FOR A PERIOD TO BE ESTABLISHED BY RULE OF THE STATE  
10 LICENSING AUTHORITY, BUT NO LONGER THAN ONE YEAR, AND THE  
11 LICENSE MAY BE RENEWED. THE STATE LICENSING AUTHORITY SHALL  
12 ESTABLISH BY RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL  
13 FEE FOR THE LICENSE.

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

17 (4) A RETAIL MARIJUANA HOSPITALITY AND SALES  
18 ESTABLISHMENT LICENSEE SHALL NOT:

19 (a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME  
20 PATRON DURING THE SAME BUSINESS DAY WHEN THE ESTABLISHMENT'S  
21 EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE  
22 SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE  
23 THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING  
24 AUTHORITY;

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

27 (c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF

- 1 MARIJUANA IN THE LICENSED PREMISES OF THE ESTABLISHMENT;
- 2 (d) SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
- 3 THAT CONTAIN NICOTINE OR, IF THE SALE OF ALCOHOL WOULD REQUIRE A
- 4 LICENSE OR PERMIT PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44,
- 5 ALCOHOL;
- 6 (e) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED
- 7 PREMISES;
- 8 (f) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
- 9 THE LICENSED PREMISES OF THE ESTABLISHMENT;
- 10 (g) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
- 11 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
- 12 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;
- 13 (h) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
- 14 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE
- 15 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR
- 16 CULTIVATION ACTIVITY;
- 17 (i) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
- 18 CONDUCT AS DESCRIBED IN SECTION 18-9-106;
- 19 (j) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL
- 20 MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO
- 21 SHOWS SIGNS OF VISIBLE INTOXICATION;
- 22 (k) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
- 23 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
- 24 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR
- 25 (l) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA
- 26 HOSPITALITY AND SALES ESTABLISHMENT ANY PERSON WHO IS UNDER
- 27 TWENTY-ONE YEARS OF AGE.

1 (5) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
2 LICENSEE SHALL:

3 (a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA  
4 PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL  
5 MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR  
6 RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS  
7 PATRONS;

8 (b) LIMIT A PATRON TO ONE TRANSACTION OF NO MORE THAN THE  
9 SALES LIMIT SET BY THE STATE LICENSING AUTHORITY BY RULE PURSUANT  
10 TO SECTION 44-12-202 (3)(a)(XXV);

11 (c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED  
12 PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS,  
13 PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA  
14 PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE  
15 ESTABLISHMENT THAT COMPLY WITH THE REQUIREMENTS OF SECTION  
16 44-12-202 (3)(a)(VIII) AND (3)(d)(II);

17 (d) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND  
18 RESPECTABLE MANNER;

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

22 (f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL  
23 MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM  
24 OUTSIDE OF THE ESTABLISHMENT;

25 (g) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING  
26 INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF  
27 MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS

1 ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE,  
2 ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE  
3 RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS  
4 APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS  
5 SUBSECTION (5)(g) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING  
6 ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

7 (h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS  
8 REQUIRED BY SUBSECTION (5)(g) OF THIS SECTION IN THE LICENSED  
9 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES  
10 AND LAW ENFORCEMENT; AND

11 (i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,  
12 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER  
13 PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY  
14 AND SALES ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS  
15 OF THE ESTABLISHMENT CEASE ALL SALES, CONSUMPTION AND OTHER  
16 ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR  
17 INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

18 (6) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
19 AND ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE  
20 ESTABLISHMENT FOR ANY REASON, INCLUDING A PATRON WHO DISPLAYS  
21 ANY VISIBLE SIGNS OF INTOXICATION.

22 (7) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
23 MAY PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS  
24 FROM ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION  
25 FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

26 **SECTION 8.** In Colorado Revised Statutes, 44-12-901, **amend**  
27 (1), (3)(c), (3)(d), and (4)(g); and **add** (3)(e) as follows:

1           **44-12-901. Unlawful acts - exceptions.** (1) Except IN THE  
2 LICENSED PREMISES OF A MARIJUANA HOSPITALITY ESTABLISHMENT  
3 LICENSED PURSUANT TO SECTION 44-12-408 OR A RETAIL MARIJUANA  
4 HOSPITALITY AND SALES ESTABLISHMENT LICENSED PURSUANT TO  
5 SECTION 44-12-409 OR as otherwise provided in this article 12, it is  
6 unlawful for a person to consume retail marijuana or retail marijuana  
7 products in a licensed retail marijuana establishment, and it is unlawful  
8 for a retail marijuana licensee to allow retail marijuana or retail marijuana  
9 products to be consumed upon its licensed premises.

10           (3) It is unlawful for a person licensed pursuant to this article 12:

11           (c) To fail to report a transfer required by section 44-12-309 (10);

12           or

13           (d) To fail to report the name of or a change in managers as  
14 required by section 44-12-309 (11); OR

15           (e) TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON  
16 THE LICENSED PREMISES.

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

19           (g) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA  
20 HOSPITALITY ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408  
21 OR A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT  
22 LICENSED PURSUANT TO SECTION 44-12-409, to have on the licensed  
23 premises any retail marijuana, retail marijuana products, or marijuana  
24 paraphernalia that shows evidence of the retail marijuana having been  
25 consumed or partially consumed;

26           **SECTION 9.** In Colorado Revised Statutes, 18-18-406, add  
27 (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,  
3 OR USE OF MARIJUANA OR MARIJUANA CONCENTRATE PURSUANT TO THE  
4 PROVISIONS OF SECTION 44-12-408, WHEN SUCH DISPLAY, CONSUMPTION,  
5 OR USE IS WITHIN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY  
6 ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408, IS NOT A  
7 VIOLATION OF THIS SUBSECTION (5).

8           (V) PUBLIC DISPLAY, CONSUMPTION, OR USE OF RETAIL MARIJUANA  
9 OR RETAIL MARIJUANA CONCENTRATE PURSUANT TO THE PROVISIONS OF  
10 SECTION 44-12-409, WHEN SUCH DISPLAY, CONSUMPTION, OR USE IS  
11 WITHIN THE LICENSED PREMISES OF A RETAIL MARIJUANA HOSPITALITY  
12 AND SALES ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-409  
13 AND WHEN AN INDIVIDUAL'S DISPLAY, CONSUMPTION, OR USE DOES NOT  
14 EXCEED THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING  
15 AUTHORITY BY RULE PURSUANT TO SECTION 44-12-202 (3)(a)(XXV)(B),  
16 IS NOT A VIOLATION OF THIS SUBSECTION (5).

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

20           **25-14-205. Exceptions to smoking restrictions.** (1) This part 2  
21 ~~shall~~ DOES not apply to:

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

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

26           (C) To which access is restricted to the residents or their guests;

27           OR

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

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

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

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

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

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

22 (VI) **INFORMATION ON SERVING SIZE, THC AND CANNABINOID**  
23 **POTENCY, AND IMPAIRMENT.**

24 **SECTION 12. Appropriation.** (1) For the 2019-20 state fiscal  
25 year, \$399,479 is appropriated to the department of revenue. This  
26 appropriation is from the marijuana cash fund created in section  
27 44-11-501 (1)(a), C.R.S. To implement this act, the department may use

1 this appropriation as follows:

2 (a) \$316,090 for marijuana enforcement, which amount is based  
3 on an assumption that the department will require an additional 3.2 FTE;

4 (b) \$2,000 for tax administration IT system (GenTax) support;

5 (c) \$72,023 for the purchase of legal services;

6 (d) \$4,576 for the purchase of criminal history record checks; and

7 (e) \$4,790 for vehicle lease payments.

8 (2) For the 2019-20 state fiscal year, \$72,023 is appropriated to  
9 the department of law. This appropriation is from reappropriated funds  
10 received from the department of revenue under subsection (1)(c) of this  
11 section and is based on an assumption that the department of law will  
12 require an additional 0.3 FTE. To implement this act, the department of  
13 law may use this appropriation to provide legal services for the  
14 department of revenue.

15 (3) For the 2019-20 state fiscal year, \$4,576 is appropriated to the  
16 department of public safety for use by the biometric identification and  
17 records unit. This appropriation is from reappropriated funds received  
18 from the department of revenue under subsection (1)(d) of this section.  
19 To implement this act, the unit may use this appropriation to provide  
20 criminal history record checks for the department of revenue.

21 (4) For the 2019-20 state fiscal year, \$4,790 is appropriated to the  
22 department of personnel. This appropriation is from reappropriated funds  
23 received from the department of revenue under subsection (1)(e) of this  
24 section. To implement this act, the department of personnel may use this  
25 appropriation to provide vehicles for the department of revenue.

26 **SECTION 13. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August  
2 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2020 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.