

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0954.01 Jerry Barry x4341

HOUSE BILL 19-1230

HOUSE SPONSORSHIP

Singer and Melton, Coleman, Gray, Landgraf, Michaelson Jenet

SENATE SPONSORSHIP

Marble and Gonzales, Pettersen, Rodriguez, Fenberg

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MARIJUANA HOSPITALITY ESTABLISHMENTS.**

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.

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

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.

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.

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.

24 **SECTION 2.** In Colorado Revised Statutes, 44-12-202, **amend**

1 (1) introductory portion and (2)(a); and **add** (3)(a)(XXV) and
2 (3)(a)(XXVI) as follows:

3 **44-12-202. Powers and duties of state licensing authority -**
4 **rules.** (1) To ensure that no marijuana grown or processed by a retail
5 marijuana establishment is sold or otherwise transferred except by a retail
6 marijuana store, A RETAIL MARIJUANA HOSPITALITY AND SALES
7 ESTABLISHMENT, or as authorized by law, the state licensing authority
8 shall develop and maintain a seed-to-sale tracking system that tracks retail
9 marijuana from either seed or immature plant stage until the marijuana or
10 retail marijuana product is sold to a customer at a retail marijuana store
11 OR TO A PATRON AT A RETAIL MARIJUANA HOSPITALITY AND SALES
12 ESTABLISHMENT; except that retail marijuana or retail marijuana product
13 ~~is~~ PRODUCTS ARE no longer subject to the tracking system once the retail
14 marijuana has been:

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

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

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

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

4 (A) GENERAL INSURANCE LIABILITY REQUIREMENTS;

5 (B) A SALES LIMIT PER TRANSACTION FOR RETAIL MARIJUANA AND
6 RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD TO A PATRON OF A
7 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT; EXCEPT
8 THAT THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY
9 MUST NOT BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA
10 FLOWER, ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA
11 CONCENTRATE, OR A RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE
12 THAN TEN MILLIGRAMS OF ACTIVE THC;

13 (C) RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA OR
14 RETAIL MARIJUANA PRODUCT AUTHORIZED TO BE SOLD INCLUDING THAT
15 THE MARIJUANA OR PRODUCT BE MEANT FOR CONSUMPTION IN THE
16 LICENSED PREMISES OF THE ESTABLISHMENT;

17 (D) PROHIBITIONS ON ACTIVITY THAT WOULD REQUIRE
18 ADDITIONAL LICENSURE ON THE LICENSED PREMISES, INCLUDING BUT NOT
19 LIMITED TO SALES, MANUFACTURING, OR CULTIVATION ACTIVITY;

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

24 (F) REQUIREMENTS FOR MARIJUANA HOSPITALITY
25 ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES
26 ESTABLISHMENT LICENSEES TO DESTROY ANY UNCONSUMED MARIJUANA
27 OR MARIJUANA PRODUCTS LEFT BEHIND BY A PATRON; AND

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

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

15 **44-12-401. Classes of licenses.** (1) For the purpose of regulating
16 the cultivation, manufacture, distribution, sale, and testing of retail
17 marijuana and retail marijuana products, the state licensing authority in
18 its discretion, upon receipt of an application in the prescribed form, may
19 issue and grant to the applicant a license from any of the following
20 classes, subject to the provisions and restrictions provided by this article
21 12:

- 22 (f) Retail marijuana transporter license; ~~and~~
- 23 (h) MARIJUANA HOSPITALITY ESTABLISHMENT LICENSE; AND
- 24 (i) RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
- 25 LICENSE.

26 **SECTION 4.** In Colorado Revised Statutes, 44-12-402, **add**
27 (2)(c) as follows:

1 **44-12-402. Retail marijuana store license - definition.** (2) (c) A
2 RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND RETAIL
3 MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES
4 ESTABLISHMENT LICENSEE.

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

7 **44-12-403. Retail marijuana cultivation facility license - rules**
8 **- definitions.** (1) A retail marijuana cultivation facility license may be
9 issued only to a person who cultivates retail marijuana for sale and
10 distribution to licensed retail marijuana stores, retail marijuana products
11 manufacturing licensees, RETAIL MARIJUANA HOSPITALITY AND SALES
12 ESTABLISHMENT LICENSEES, or other retail marijuana cultivation facilities.

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

15 **44-12-404. Retail marijuana products manufacturing license**
16 **- rules - definitions.** (1) (e) A RETAIL MARIJUANA PRODUCTS
17 MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA
18 PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES
19 ESTABLISHMENT.

20 **SECTION 7.** In Colorado Revised Statutes, **add** 44-12-408 and
21 44-12-409 as follows:

22 **44-12-408. Marijuana hospitality establishment license - rules**
23 **- definition.** (1) (a) ON AND AFTER JANUARY 1, 2020, THE STATE
24 LICENSING AUTHORITY MAY ISSUE A MARIJUANA HOSPITALITY
25 ESTABLISHMENT LICENSE AUTHORIZING THE LICENSEE TO OPERATE A
26 LICENSED PREMISES IN WHICH MARIJUANA MAY BE CONSUMED PURSUANT
27 TO THIS ARTICLE 12, RULES PROMULGATED PURSUANT TO THIS ARTICLE 12,

1 AND THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL
2 JURISDICTION IN WHICH THE LICENSEE OPERATES.

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

20 (2) (a) A LOCAL JURISDICTION MAY AUTHORIZE THE OPERATION OF
21 MARIJUANA HOSPITALITY ESTABLISHMENTS WITHIN ITS JURISDICTION
22 THROUGH THE ENACTMENT OF AN ORDINANCE OR THROUGH A REFERRED
23 OR INITIATED MEASURE. IF A COUNTY OR CITY AND COUNTY ACTS
24 THROUGH AN INITIATED MEASURE, THE PROPONENTS SHALL SUBMIT A
25 PETITION SIGNED BY NOT LESS THAN FIFTEEN PERCENT OF THE REGISTERED
26 ELECTORS IN THE COUNTY OR CITY AND COUNTY.

27 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY

1 AUTHORIZES THE OPERATION OF MARIJUANA HOSPITALITY
2 ESTABLISHMENTS, IT MAY ADOPT AN APPROVAL REQUIREMENT THAT
3 COMPLIES WITH THE REQUIREMENTS OF THIS ARTICLE 12. THE
4 MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY MAY REQUIRE
5 ADDITIONAL OR MORE STRINGENT REQUIREMENTS THAN THOSE PROVIDED
6 IN THIS SECTION.

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

14 (3) (a) (I) APPLICATIONS FOR A LICENSE 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 LICENSE SHOULD BE GRANTED. THE
20 INFORMATION MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT
21 AND ANY OTHER INFORMATION REQUESTED BY THE STATE LICENSING
22 AUTHORITY. EACH APPLICATION MUST BE VERIFIED BY THE OATH OR
23 AFFIRMATION OF SUCH PERSON OR PERSONS AS THE STATE LICENSING
24 AUTHORITY MAY PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON
25 LOCAL LICENSING AUTHORITY APPROVAL.

26 (II) AN APPLICANT IS PROHIBITED FROM OPERATING A MARIJUANA
27 HOSPITALITY ESTABLISHMENT WITHOUT STATE AND LOCAL LICENSING

1 AUTHORITY APPROVAL; EXCEPT THAT A BUSINESS OPERATING A LOCATION
2 BEFORE DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA
3 IS PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY
4 CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED
5 IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR
6 BEFORE DECEMBER 31, 2019. BEGINNING JANUARY 1, 2020, ANY SUCH
7 BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE
8 OPERATION.

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

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

26 (I) THE LICENSEE OR APPLICANT HAS VIOLATED, DOES NOT MEET,
27 OR HAS FAILED TO COMPLY WITH ANY OF THE TERMS, CONDITIONS, OR

1 PROVISIONS OF THIS ARTICLE 12; ANY RULES PROMULGATED PURSUANT TO
2 THIS ARTICLE 12; OR ANY SUPPLEMENTAL LOCAL LAW, RULES, OR
3 REGULATIONS;

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

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

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

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

20 (4) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL NOT:

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

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

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

3 (d) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
4 THE LICENSED PREMISES OF THE ESTABLISHMENT;

5 (e) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
6 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
7 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

8 (f) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
9 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE
10 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO SALES,
11 MANUFACTURING, OR CULTIVATION;

12 (g) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
13 CONDUCT AS DESCRIBED IN SECTION 18-9-106;

14 (h) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A
15 PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

16 (i) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
17 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
18 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

19 (j) ADMIT INTO THE LICENSED PREMISES OF THE ESTABLISHMENT
20 ANY PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

21 (5) A MARIJUANA HOSPITALITY ESTABLISHMENT SHALL:

22 (a) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND
23 RESPECTABLE MANNER;

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

27 (c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY

1 MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF
2 THE ESTABLISHMENT;

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

12 (e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS
13 REQUIRED BY SUBSECTION (5)(d) OF THIS SECTION IN THE LICENSED
14 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES
15 AND LAW ENFORCEMENT; AND

16 (f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,
17 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER
18 PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY
19 ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE
20 ESTABLISHMENT CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL
21 SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES
22 AND HAVE LEFT THE LICENSED PREMISES.

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

27 **44-12-409. Retail marijuana hospitality and sales**

1 **establishment license - rules - definition. (1) (a)** ON AND AFTER
2 JANUARY 1, 2020, THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL
3 MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT LICENSE
4 AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES IN WHICH
5 MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS ARTICLE 12,
6 RULES PROMULGATED PURSUANT TO THIS ARTICLE 12, AND THE
7 PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL
8 JURISDICTION IN WHICH THE LICENSEE OPERATES.

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

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

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

6 (b) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY
7 AUTHORIZES THE OPERATION OF RETAIL MARIJUANA HOSPITALITY AND
8 SALES 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 (3) (a) APPLICATIONS FOR A LICENSE PURSUANT TO THIS SECTION
14 MUST BE MADE TO THE STATE LICENSING AUTHORITY ON FORMS PREPARED
15 AND FURNISHED BY THE STATE LICENSING AUTHORITY AND MUST SET
16 FORTH SUCH INFORMATION AS THE STATE LICENSING AUTHORITY MAY
17 REQUIRE TO ENABLE THE STATE LICENSING AUTHORITY TO DETERMINE
18 WHETHER A STATE LICENSE SHOULD BE GRANTED. THE INFORMATION
19 MUST INCLUDE THE NAME AND ADDRESS OF THE APPLICANT AND ANY
20 OTHER INFORMATION REQUESTED BY THE STATE LICENSING AUTHORITY.
21 EACH APPLICATION MUST BE VERIFIED BY THE OATH OR AFFIRMATION OF
22 SUCH PERSON OR PERSONS AS THE STATE LICENSING AUTHORITY MAY
23 PRESCRIBE. THE STATE LICENSE IS CONDITIONED UPON LOCAL LICENSING
24 AUTHORITY APPROVAL. AN APPLICANT IS PROHIBITED FROM OPERATING A
25 RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT WITHOUT
26 STATE AND LOCAL LICENSING AUTHORITY APPROVAL. IF THE APPLICANT
27 DOES NOT RECEIVE LOCAL LICENSING AUTHORITY APPROVAL WITHIN ONE

1 YEAR AFTER THE DATE OF STATE LICENSING AUTHORITY APPROVAL, THE
2 STATE LICENSE EXPIRES AND MAY NOT BE RENEWED. IF AN APPLICATION
3 IS DENIED BY THE LOCAL LICENSING AUTHORITY OR THE APPROVAL OF THE
4 LOCAL LICENSING AUTHORITY IS REVOKED, THE STATE LICENSING
5 AUTHORITY SHALL REVOKE THE STATE-ISSUED LICENSE.

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

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

18 (II) THE LICENSEE OR APPLICANT HAS FAILED TO COMPLY WITH
19 ANY SPECIAL TERMS OR CONDITIONS THAT WERE PLACED ON ITS LICENSE
20 PURSUANT TO AN ORDER OF THE STATE OR LOCAL LICENSING AUTHORITY;
21 OR

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

25 (c) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
26 LICENSE IS VALID FOR A PERIOD TO BE ESTABLISHED BY RULE OF THE STATE
27 LICENSING AUTHORITY, BUT NO LONGER THAN ONE YEAR, AND THE

1 LICENSE MAY BE RENEWED. THE STATE LICENSING AUTHORITY SHALL
2 ESTABLISH BY RULE THE AMOUNT OF THE APPLICATION FEE AND RENEWAL
3 FEE FOR THE LICENSE.

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

7 (4) A RETAIL MARIJUANA HOSPITALITY AND SALES
8 ESTABLISHMENT LICENSEE SHALL NOT:

9 (a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME
10 PATRON DURING THE SAME BUSINESS DAY WHEN THE ESTABLISHMENT'S
11 EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE
12 SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE
13 THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING
14 AUTHORITY;

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

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

19 (d) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN
20 THE LICENSED PREMISES OF THE ESTABLISHMENT;

21 (e) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM
22 GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED
23 PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

24 (f) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL
25 LICENSE UNDER THIS ARTICLE 12 IN THE LICENSED PREMISES OF THE
26 ESTABLISHMENT, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR
27 CULTIVATION ACTIVITY;

1 (g) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY
2 CONDUCT AS DESCRIBED IN SECTION 18-9-106;

3 (h) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL
4 MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO
5 SHOWS SIGNS OF VISIBLE INTOXICATION;

6 (i) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES
7 OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS
8 OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

9 (j) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA
10 HOSPITALITY AND SALES ESTABLISHMENT ANY PERSON WHO IS UNDER
11 TWENTY-ONE YEARS OF AGE.

12 (5) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
13 LICENSEE SHALL:

14 (a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA
15 PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL
16 MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR
17 RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS
18 PATRONS;

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

22 (c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED
23 PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS,
24 PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA
25 PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE
26 ESTABLISHMENT THAT COMPLY WITH THE REQUIREMENTS OF SECTION
27 44-12-202 (3)(a)(VIII) AND (3)(d)(II);

1 (d) OPERATE THE ESTABLISHMENT IN A DECENT, ORDERLY, AND
2 RESPECTABLE MANNER;

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

6 (f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL
7 MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM
8 OUTSIDE OF THE ESTABLISHMENT;

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

18 (h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS
19 REQUIRED BY SUBSECTION (5)(g) OF THIS SECTION IN THE LICENSED
20 PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES
21 AND LAW ENFORCEMENT; AND

22 (i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT,
23 FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER
24 PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY
25 AND SALES ESTABLISHMENT, ENSURE THAT ALL EMPLOYEES AND PATRONS
26 OF THE ESTABLISHMENT CEASE ALL SALES, CONSUMPTION AND OTHER
27 ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR

1 INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

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

6 (7) A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
7 MAY PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS
8 FROM ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION
9 FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

10 **SECTION 8.** In Colorado Revised Statutes, 44-12-901, **amend**
11 (1) and (4)(g) as follows:

12 **44-12-901. Unlawful acts - exceptions.** (1) Except IN THE
13 LICENSED PREMISES OF A MARIJUANA HOSPITALITY ESTABLISHMENT
14 LICENSED PURSUANT TO SECTION 44-12-408 OR A RETAIL MARIJUANA
15 HOSPITALITY AND SALES ESTABLISHMENT LICENSED PURSUANT TO
16 SECTION 44-12-409 OR as otherwise provided in this article 12, it is
17 unlawful for a person to consume retail marijuana or retail marijuana
18 products in a licensed retail marijuana establishment, and it is unlawful
19 for a retail marijuana licensee to allow retail marijuana or retail marijuana
20 products to be consumed upon its licensed premises.

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

23 (g) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA
24 HOSPITALITY ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408
25 OR A RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENT
26 LICENSED PURSUANT TO SECTION 44-12-409, to have on the licensed
27 premises any retail marijuana, retail marijuana products, or marijuana

1 paraphernalia that shows evidence of the retail marijuana having been
2 consumed or partially consumed;

3 **SECTION 9.** In Colorado Revised Statutes, 18-18-406, **add**
4 (5)(b)(IV) and (5)(b)(V) as follows:

5 **18-18-406. Offenses related to marijuana and marijuana**
6 **concentrate - definitions.** (5) (b) (IV) PUBLIC DISPLAY, CONSUMPTION,
7 OR USE OF MARIJUANA OR MARIJUANA CONCENTRATE PURSUANT TO THE
8 PROVISIONS OF SECTION 44-12-408, WHEN SUCH DISPLAY, CONSUMPTION,
9 OR USE IS WITHIN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY
10 ESTABLISHMENT LICENSED PURSUANT TO SECTION 44-12-408, IS NOT A
11 VIOLATION OF THIS SUBSECTION (5).

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

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

24 **25-14-205. Exceptions to smoking restrictions.** (1) This part 2
25 ~~shall~~ DOES not apply to:

26 (i) A private, nonresidential building on a farm or ranch, as
27 defined in section 39-1-102, ~~C.R.S.~~, that has annual gross income of less

1 than five hundred thousand dollars; ~~or~~

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

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

4 OR

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

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

15 **44-11-1101. Responsible vendor program - standards -**
16 **designation.** (2) An approved training program ~~shall~~ **MUST** contain, at a
17 minimum, the following standards and ~~shall~~ **MUST** be taught in a
18 classroom setting in a minimum of a two-hour period:

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

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

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

26 (VI) **INFORMATION ON SERVING SIZE, THC AND CANNABINOID**
27 **POTENCY, AND IMPAIRMENT.**

1 **SECTION 12. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2020 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.