

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-1015.01 Jery Payne x2157

HOUSE BILL 25-1331

HOUSE SPONSORSHIP

Ricks and Lindstedt,

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES THAT EXPAND THE VENUES WHEREIN**

102 **MARIJUANA MAY BE SOLD BY A LICENSE HOLDER.**

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 a social equity license holder to deliver regulated marijuana to a hotel located within the city and county of Denver if the license holder has:

- A medical marijuana delivery permit;
- A medical marijuana transporter license;
- A retail marijuana delivery permit; or

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

- A retail marijuana transporter license.

In order for marijuana to be delivered, the following requirements must be satisfied:

- The hotel must be registered with the city and county of Denver to receive deliveries;
- The local jurisdiction must have authorized the delivery of marijuana in accordance with current law;
- The hotel must have authorized the delivery of marijuana to its premises;
- The social equity license holder must not deliver to premises licensed to serve alcohol; and
- The social equity license holder must comply with marijuana law.

The state licensing authority, in coordination with the city and county of Denver, must create a registry of hotels that have authorized the delivery of marijuana to their premises. The state licensing authority may adopt rules necessary for the secure storage and management of deliveries.

The bill authorizes special event permits for the holder of a social equity license and a marijuana hospitality business license. Other retail license holders may partner with a qualified license holder to hold a special event.

The state licensing authority or a local licensing authority may set special event permit fees in an amount that offsets the direct and indirect cost to the state or local licensing authority of implementing the bill.

The marijuana enforcement division (division) or a local licensing authority may deny the issuance of a special event permit upon the grounds that the issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. Public notice of the proposed permit and the procedures for protesting issuance of the permit must be posted at the proposed location for at least 10 days.

The state licensing authority or a local licensing authority is required to adopt appropriate rules, ordinances, or resolutions for applying for a special event permit and for protesting an application for a special event permit. If an applicant is denied, a hearing must be set. The application must be approved or denied within 90 days after the application is filed. The permit must specify the location and the time when it is valid. A license holder may be issued a permit for no more than 15 days a year.

If a violation occurs during a special event and the responsible license holder cannot be identified, the division may send written notice to every license holder identified on the relevant permit applications and may fine each the same dollar amount, not to exceed \$25 per license

holder or \$200 in the aggregate. A joint fine does not apply to the revocation of a license.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 44-10-402 and
3 44-10-403 as follows:

4 **44-10-402. Deliveries to hotels - social equity licenses -**
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) (I) "HOTEL" MEANS A BUSINESS THAT OFFERS AND PROVIDES TO
8 THE GENERAL PUBLIC OVERNIGHT ROOM ACCOMMODATIONS, PRIMARILY
9 TO TRAVELERS OR TRANSIENT INDIVIDUALS.

10 (II) "HOTEL" INCLUDES A TIME SHARE OR OTHER RESIDENTIAL UNIT
11 THAT IS RENTED OUT TO TRAVELERS OR TRANSIENT INDIVIDUALS
12 PRIMARILY FOR THIRTY OR FEWER DAYS PER TRANSACTION.

13 (b) "HOTEL ROOM" MEANS THE PORTION OF A HOTEL THAT IS USED
14 TO PROVIDE OVERNIGHT ACCOMMODATION TO TRAVELERS OR TRANSIENT
15 INDIVIDUALS.

16 (2) NOTWITHSTANDING SECTIONS 44-10-501 (11)(f)(VII),
17 44-10-505 (5)(d)(V), 44-10-601 (13)(f)(V), AND 44-10-605 (5)(d)(V), A
18 LICENSEE MAY DELIVER REGULATED MARIJUANA TO A HOTEL OR HOTEL
19 ROOM THAT IS LOCATED WITHIN THE CITY AND COUNTY OF DENVER AND
20 THAT IS NOT USED FOR A PRIVATE RESIDENCE IF THE LICENSEE IS
21 QUALIFIED UNDER SUBSECTION (3) OF THIS SECTION AND SO LONG AS THE
22 LICENSE HOLDER IS IN COMPLIANCE WITH SUBSECTION (4) OF THIS SECTION.

23 (3) TO QUALIFY TO DELIVER REGULATED MARIJUANA UNDER
24 SUBSECTION (2) OF THIS SECTION, A PERSON MUST:

25 (a) HOLD A SOCIAL EQUITY LICENSE; AND

(b) HOLD THE FOLLOWING:

(I) A MEDICAL MARIJUANA DELIVERY PERMIT;

(II) A MEDICAL MARIJUANA TRANSPORTER LICENSE;

(III) A RETAIL MARIJUANA DELIVERY PERMIT; OR

(IV) A RETAIL MARIJUANA TRANSPORTER LICENSE.

6 (4) AUTHORIZATION TO DELIVER REGULATED MARIJUANA UNDER
7 SUBSECTION (2) OF THIS SECTION IS SUBJECT TO THE FOLLOWING
8 REQUIREMENTS:

11 (b) THE LOCAL JURISDICTION MUST HAVE AUTHORIZED THE
12 DELIVERY OF MEDICAL MARIJUANA OR RETAIL MARIJUANA IN
13 ACCORDANCE WITH SECTION 44-10-104(3), 44-10-501(11)(k), 44-10-505
14 (5)(i), 44-10-601 (13)(k), OR 44-10-605 (5)(i);

15 (c) THE HOTEL MUST HAVE AUTHORIZED THE DELIVERY OF
16 REGULATED MARIJUANA TO THE HOTEL PREMISES BY USING THE REGISTRY
17 CREATED IN SUBSECTION (5) OF THIS SECTION;

18 (d) THE DELIVERY MUST NOT OCCUR ON PREMISES LICENSED TO
19 SERVE ALCOHOL UNDER ARTICLE 3 OR 4 OF THIS TITLE 44; AND

20 (e) THE LICENSEE MUST COMPLY WITH THIS ARTICLE 10 AND THE
21 RULES ADOPTED UNDER THIS ARTICLE 10.

22 (5) THE STATE LICENSING AUTHORITY SHALL COORDINATE WITH
23 THE LOCAL LICENSING AUTHORITY OF THE CITY AND COUNTY OF DENVER
24 TO:

25 (a) CREATE A REGISTRY OF HOTELS THAT HAVE AUTHORIZED THE
26 DELIVERY OF REGULATED MARIJUANA TO THEIR PREMISES;

27 (b) ESTABLISH PROCEDURES FOR HOTELS TO RECORD OR REMOVE

1 THEIR AUTHORIZATION TO HAVE REGULATED MARIJUANA DELIVERED TO
2 THEIR PREMISES; AND

3 (c) MAKE THE REGISTRY AVAILABLE BY ELECTRONIC MEANS TO
4 EACH LICENSEE DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

5 (6) THE STATE LICENSING AUTHORITY MAY ADOPT RULES
6 NECESSARY FOR THE SECURE STORAGE AND MANAGEMENT OF DELIVERIES
7 AUTHORIZED IN THIS SECTION.

8 **44-10-403. Special events - social equity licenses - rules.**

9 (1) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING AUTHORITY
10 MAY ISSUE A SPECIAL EVENT PERMIT FOR THE SALE OF REGULATED
11 MARIJUANA TO A LICENSEE THAT QUALIFIES UNDER THIS SECTION.

12 (2) (a) TO QUALIFY FOR A SPECIAL EVENT PERMIT, A LICENSEE
13 MUST:

14 (I) HOLD A SOCIAL EQUITY LICENSE; AND
15 (II) HOLD A MARIJUANA HOSPITALITY BUSINESS LICENSE.

16 (b) A LICENSEE THAT IS AUTHORIZED TO SELL RETAIL MARIJUANA
17 TO CUSTOMERS MAY PARTNER WITH A PERSON QUALIFIED UNDER
18 SUBSECTION (2)(a) OF THIS SECTION TO HOLD A SPECIAL EVENT.

19 (3) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING
20 AUTHORITY MAY SET A SPECIAL EVENT PERMIT FEE IN AN AMOUNT THAT
21 OFFSETS THE DIRECT AND INDIRECT COST TO THE STATE LICENSING
22 AUTHORITY OR LOCAL LICENSING AUTHORITY OF IMPLEMENTING THIS
23 SECTION.

24 (4) (a) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING
25 AUTHORITY MAY DENY THE ISSUANCE OF A SPECIAL EVENT PERMIT UPON
26 THE GROUNDS THAT THE ISSUANCE WOULD BE INJURIOUS TO THE PUBLIC
27 WELFARE BECAUSE OF THE NATURE OF THE SPECIAL EVENT, ITS LOCATION

1 WITHIN THE COMMUNITY, OR THE FAILURE OF THE APPLICANT IN A PAST
2 SPECIAL EVENT TO CONDUCT THE EVENT IN COMPLIANCE WITH APPLICABLE
3 LAWS.

4 (b) PUBLIC NOTICE OF THE PROPOSED PERMIT AND OF THE
5 PROCEDURES FOR PROTESTING ISSUANCE OF THE PERMIT MUST BE
6 CONSPICUOUSLY POSTED AT THE PROPOSED LOCATION FOR AT LEAST TEN
7 DAYS BEFORE APPROVAL OF THE PERMIT.

8 (c) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING
9 AUTHORITY SHALL ADOPT RULES, ORDINANCES, OR RESOLUTIONS SETTING
10 THE PROCEDURES FOR APPLYING FOR A SPECIAL EVENT PERMIT AND FOR
11 PROTESTING THE APPLICATION FOR A SPECIAL EVENT PERMIT.

12 (d) PROTEST MUST BE FILED BY AFFECTED PERSONS WITHIN TEN
13 DAYS AFTER THE DATE OF THE NOTICE. THE HEARING MUST BE HELD AT
14 LEAST TEN DAYS AFTER THE INITIAL POSTING OF THE NOTICE, AND NOTICE
15 OF THE HEARING MUST BE PROVIDED TO THE APPLICANT AND ANY PERSON
16 WHO HAS FILED A PROTEST.

17 (e) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING
18 AUTHORITY SHALL APPROVE OR DENY AN APPLICATION WITHIN NINETY
19 DAYS AFTER THE APPLICATION IS FILED.

20 (5)(a) WHEN ISSUING A PERMIT, THE STATE LICENSING AUTHORITY
21 OR LOCAL LICENSING AUTHORITY SHALL SPECIFY THE LOCATION WHERE
22 THE SPECIAL EVENT IS AUTHORIZED AND DESCRIBE THE LOCATION ON THE
23 PERMIT. A SPECIAL EVENT PERMIT IS VALID ONLY FOR THE LOCATION
24 DESCRIBED ON THE PERMIT.

25 (b) WHEN ISSUING A PERMIT, THE STATE OR LOCAL LICENSING
26 AUTHORITY SHALL SPECIFY THE DATES WHEN THE SPECIAL EVENT MAY
27 OCCUR AND LIST THE DATES ON THE PERMIT. A SPECIAL EVENT PERMIT

1 AUTHORIZES THE SALE OF REGULATED MARIJUANA PRODUCTS ONLY
2 DURING THE HOURS OF 7 A.M. OF THE DAY SPECIFIED ON THE PERMIT AND
3 UNTIL 2 A.M. OF THE DAY IMMEDIATELY FOLLOWING.

4 (c) THE STATE LICENSING AUTHORITY OR LOCAL LICENSING
5 AUTHORITY SHALL NOT ISSUE A SPECIAL EVENT PERMIT TO A LICENSEE FOR
6 MORE THAN FIFTEEN DAYS IN ONE CALENDAR YEAR.

7 (6) (a) THE HOLDER OF A SPECIAL EVENT PERMIT ISSUED UNDER
8 THIS SECTION IS RESPONSIBLE FOR A VIOLATION OF THIS ARTICLE 10 THAT
9 OCCURS AT THE SPECIAL EVENT.

10 (b) NOTWITHSTANDING SUBSECTION (6)(a) OF THIS SECTION, IF A
11 VIOLATION OF THIS ARTICLE 10 OCCURS DURING A SPECIAL EVENT AND THE
12 RESPONSIBLE LICENSEE CANNOT BE IDENTIFIED, THE STATE LICENSING
13 AUTHORITY MAY SEND WRITTEN NOTICE TO EVERY LICENSEE IDENTIFIED
14 ON THE PERMIT APPLICATIONS AND MAY FINE EACH LICENSEE THE SAME
15 DOLLAR AMOUNT. THE FINE MUST NOT EXCEED TWENTY-FIVE DOLLARS
16 PER LICENSEE OR TWO HUNDRED DOLLARS IN THE AGGREGATE. A JOINT
17 FINE LEVIED PURSUANT TO THIS SUBSECTION (6)(b) DOES NOT APPLY TO
18 THE REVOCATION OF A LICENSE.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take
25 effect unless approved by the people at the general election to be held in
26 November 2026 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.