

Law			License Auth’y	Regulat’y Auth’y	Points of Sale, Consumption, and Production	Marijuana Restrictions	Misc. Restrictions (Non-Marijuana)	Air Quality	Other	Zoning
Oregon – SB 307 ³⁹	State ⁴⁰	Nevada – SB 236 ²⁸	Local ²⁹	Colorado – SB 17-063 ¹	Local ²	Jurisdiction	Level of Government	Primary	Primary	Retail Stores /w Ancil. Consumpt. Area?
State ⁴²	Local ⁴³	None ³⁰	Local ³¹	Local ⁴	State ⁵	Retail in Consumpt. Est.?	B.Y.O.M.*?	Delivery Onsite?	Remove Unconsumed?	Onsite Production?
Yes ⁴⁶	No ⁴⁵	Yes; permitted ³⁴	No; N.C.T.E.L.	No; Prohibited ⁸	No; Retail Required ⁹	Amount/Potency?	Product Type?	Paraphernalia?	B.Y.O. Outside Food?	Serve outside food?
No; prohibited ⁴⁷	Yes; N.C.T.E.L. ⁴⁸	No; N.C.T.E.L.	Yes; N.C.T.E.L.	No; Retail Required ⁹	Prohibited ¹⁰	Produce food onsite?	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?
Yes; to special events ⁴⁹	N.C.T.E.L.	Yes; permitted ³⁴	No; N.C.T.E.L.	Prohibited ¹⁰	Prohibited ¹¹	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Ventilation Reqs.?
Yes; not prohibited ⁵⁰	N.C.T.E.L.	No; N.C.T.E.L.	Yes; N.C.T.E.L.	Prohibited ¹⁰	Prohibited ¹¹	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Odor Nuisance?
No; prohibited ⁵¹	N.C.T.E.L.	No; N.C.T.E.L.	Yes; N.C.T.E.L.	No ¹² ; but storage ¹³	No ¹² ; but storage ¹³	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Gram Shop Liability?
Yes; permitted ⁵²	Yes ³⁵	No restrictions	All permitted ³⁶	Yes, if licensed ¹⁴	Yes, if licensed ¹⁴	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Neighbor Control?
None ⁵³	No restrictions	No restrictions	No restrictions	No; prohibited ¹⁵	No; prohibited ¹⁵	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Inspection?
None ⁵⁴	No restrictions	No restrictions	No restrictions	Yes; General Retail ¹⁶	Yes; General Retail ¹⁶	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Employee training?
None ⁵⁵	All permitted ³⁶	All permitted ³⁶	All permitted ³⁶	Yes; No Restrictions ¹⁷	No Restrictions ¹⁷	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Security reqs.?
Yes; not prohibited ⁵⁶	No restrictions	No restrictions	No restrictions	No butane torch ¹⁸	No butane torch ¹⁸	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	From School?
Yes; not prohibited ⁵⁷	No restrictions	No restrictions	No restrictions	Yes; Allowed ¹⁹	Yes; Allowed ¹⁹	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	From other facility?
Yes; not prohibited ⁵⁸	No restrictions	No restrictions	No restrictions	Yes; Allowed ²⁰	Yes; Allowed ²⁰	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	Other restrictions?
No; prohibited ⁵⁹	No restrictions	No restrictions	No restrictions	Light snacks only ²¹	Light snacks only ²¹	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
Yes; misc. limitations ⁶⁰	No restrictions	No restrictions	No restrictions	Prohibited ²²	Prohibited ²²	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; prohibited ⁶¹	No restrictions	No restrictions	No restrictions	No Restrictions	No Restrictions	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; N.C.T.E.L.	No; N.C.T.E.L.	No; N.C.T.E.L.	No; N.C.T.E.L.	N.C.T.E.L. [†]	N.C.T.E.L. [†]	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
Yes; gen. reqs. ⁶²	Yes; gen. reqs. ⁶²	No reqs.	No reqs.	Yes; but MJ smoke exempt in consumpt. est ²³	Yes; but MJ smoke exempt in consumpt. est ²³	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
Yes; gen. reqs. ⁶³	Yes; gen. reqs. ⁶³	No reqs.	No reqs.	Yes; general req. ²⁴	Yes; general req. ²⁴	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; N.C.T.E.L.	No; N.C.T.E.L.	No reqs.	No reqs.	No Reqs.	No Reqs.	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
None	None	N.C.T.E.L.	N.C.T.E.L.	Liability limited ²⁵	Liability limited ²⁵	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; but gen. reqs. ⁶⁴	No; but gen. reqs. ⁶⁴	No reqs.	No reqs.	None	None	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; but gen. reqs. ⁶⁵	No; but gen. reqs. ⁶⁵	No reqs.	No reqs.	Yes; local police ²⁶	Yes; local police ²⁶	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No; but gen. reqs. ⁶⁶	No; but gen. reqs. ⁶⁶	No reqs.	No reqs.	Yes; required ²⁷	Yes; required ²⁷	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
1,000 ft. ⁶⁷	1,000 ft. ⁶⁷	None	None	None	None	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
None; but admin. rules ⁶⁸	None; but admin. rules ⁶⁸	1,000 ft. ³⁷	1,000 ft. ³⁷	N.C.T.E.L.	N.C.T.E.L.	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
No residential zones ⁶⁹	No residential zones ⁶⁹	300 ft. ³⁸	300 ft. ³⁸	N.C.T.E.L.	N.C.T.E.L.	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	
		None	None	None	None	Alcohol?	Entertainment?	Tobacco?	Marijuana smoke subject to indoor air act?	

* “B.Y.O.M.” = Bring your own marijuana (onto the premises from outside).

† “N.C.T.E.L.” = No change to existing law.

Law		License Auth'y	Regulat'y Auth'y	Points of Sale, Consumption, and Production	Marijuana Restrictions	Misc. Restrictions (Non-Marijuana)	Air Quality	Other	Zoning
Type/Level of Gov.	Jurisdiction	Maine M.L.A. ⁷⁰	State ⁷¹	No; not permitted ⁷⁶	None; gen. retail limits ⁸⁴	Amount/Potency?	MJ smoke subject to general indoor air reqs?	From School?	Other restrictions?
	Primary								
Jurisdiction	Primary	Local ⁷²	Local ¹⁰¹	Yes; permitted ⁷⁷	None; no restrictions ¹⁵	Serve outside food?	Odor Nuisance?	Gram Shop Liability?	From other facility?
	Secondary								
Jurisdiction	Primary	State ⁷³	Local ¹⁰²	Yes; required ⁷⁸	Unclear ¹⁴	Produce food onsite?	Gram Shop Liability?	Neighbor Control?	From other facility?
	Secondary								
Jurisdiction	Local Control?	Local ⁷⁴	State ¹⁰³	No; prohibited ⁷⁹	Yes; individ. servings ¹¹³	No; prohibited ⁸⁰	Ventilation Reqs.?	Inspection?	From other facility?
	Local Control?								
Retail Stores /w Ancil. Consumpt. Area?	Primary	Yes ⁷⁵	Local ¹⁰⁴	No; not permitted ⁸⁰	None; no restrictions ¹⁵	Delivery to/onsite?	Odor Nuisance?	Employee training?	Other restrictions?
	Secondary								
Retail in Consumpt.	Primary	Local ¹⁰⁵	Local ¹⁰⁴	No; prohibited ⁸¹	Unclear ¹⁴	Remove Unconsumed?	Odor Nuisance?	Employee training?	Other restrictions?
	Secondary								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No; not permitted ⁸²	Yes; no restrictions ¹⁵	Onsite Production?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No; not permitted ⁸³	Yes; no restrictions ¹⁵	Special Events?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	None; gen. retail limits ⁸⁴	Yes; no restrictions ¹⁵	Amount/Potency?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	None; no restrictions	Yes; no restrictions ¹⁵	Product Type?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; not prohibited ⁸⁶	Yes; no restrictions ¹⁵	Paraphernalia?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; permitted ⁸⁷	Yes; no restrictions ¹⁵	B.Y.O. Outside Food?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; not prohibited ⁸⁸	Yes; no restrictions ¹⁵	Serve outside food?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No; prohibited ⁸⁹	Yes; no restrictions ¹⁵	Produce food onsite?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; not prohibited ⁹⁰	Yes; no restrictions ¹⁵	Alcohol?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No; prohibited ⁹¹	Yes; no restrictions ¹⁵	Entertainment?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; same requirements ⁹²	Yes; no restrictions ¹⁵	Tobacco?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No specif. reqs. ⁹³	Yes; no restrictions ¹⁵	MJ smoke subject to general indoor air reqs?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No specif. reqs. ⁹⁴	Yes; no restrictions ¹⁵	Ventilation Reqs.?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	N.C.T.E.L.	Yes; no restrictions ¹⁵	Odor Nuisance?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; public hearing ⁹⁵	Yes; no restrictions ¹⁵	Gram Shop Liability?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; general req. ⁹⁶	Yes; no restrictions ¹⁵	Neighbor Control?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	No specif. reqs. ⁹⁷	Yes; no restrictions ¹⁵	Inspection?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	Yes; gen. rulemaking ⁹⁸	Yes; no restrictions ¹⁵	Employee training?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	None; local control ⁹⁹	Yes; no restrictions ¹⁵	Security requirements?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	None; local control	Yes; no restrictions ¹⁵	From School?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								
Retail in Consumpt.	Local Control?	Yes ⁷⁵	Local ¹⁰⁵	None; local control	Yes; no restrictions ¹⁵	From other facility?	Odor Nuisance?	Employee training?	Other restrictions?
	Local Control?								

Law		License Auth'y	Regulat'y Auth'y	Points of Sale, Consumption, and Production	Marijuana Restrictions	Misc. Restrictions (Non-Marijuana)	Air Quality	Other	Zoning
San Francisco Ord. No. 230-17 ²⁰⁸	Type/Level of Gov.	Jurisdiction	Denver Ord. No. 300-16 ¹⁵⁴						
	Local ²⁰⁹	Primary	Local ¹⁵⁵	Retails Stores /w Ancil. Consumpt. Area?	Amount/Potency?	B. Y.O. Outside Food?	MJ smoke subject to general indoor air reqs?	From School?	From other facility?
State ²¹⁰	Secondary	Secondary	None	Indep. Consumpt. Est.?	Product Type?	Serve outside food?	Ventilation Req.s.?	Neighbor Control?	From other facility?
Local ²¹¹	Primary	Primary	Local ¹⁵⁶	Retail in Consumpt.	Paraphernalia?	Produce food onsite?	Odor Nuisance?	Inspection?	Other restrictions?
State ²¹²	Secondary	Secondary	N/A	B.Y.O.M.?		Alcohol?		Employee training?	
Yes; conditions on permit ²¹³	Local Control?	Local Control?	N/A	Remove Unconsumed?		Entertainment?		Security requirements?	
Yes; permitted ²¹⁴			No; N.C.T.E.L. ¹⁵⁷	Onsite Production?		Tobacco?		Gram Shop Liability?	
No; prohibited ²¹⁵			Yes; permitted ¹⁵⁸	Special Events?				Neighbor Control?	
Yes; required ²¹⁶			No; unless state law ¹⁵⁹					Inspection?	
Unclear ²¹⁷			Yes; not prohibited ¹⁶⁰					Employee training?	
Unclear ²¹⁸			Yes; not prohibited ¹⁶¹					Security requirements?	
Yes; not prohibited ²¹⁹			Yes; not prohibited ¹⁶²					From School?	
No; ²²⁰ but limited preparation ²²¹			Yes; not prohibited ¹⁶³					From other facility?	
No; not permitted ²²²			No; N.C.T.E.L.					Other restrictions?	
No restrictions ²²³			Yes; permitted ¹⁶³						
No restrictions ²²⁴			1 oz; unless state law ¹⁶⁴						
No restrictions ²²⁵			None						
Yes; not prohibited ²²⁶			Yes; no restrictions ¹⁶⁵						
Yes; not prohibited ²²⁷			Yes; no restrictions ¹⁶⁶						
Yes; not prohibited ²²⁸			Yes; no restrictions ¹⁶⁷						
No; prohibited ²²⁹			Yes; no restrictions ¹⁶⁸						
Yes; not prohibited ²³⁰			Yes; no restrictions ¹⁶⁹						
No; prohibited ²³¹			None; op. time limits ¹⁷⁰						
N.C.T.E.L.			No; N.C.T.E.L.						
Yes; gen. reqs; ²³² & spec. ²³³			Yes; required ¹⁷¹						
Yes; gen. nuisance reqs. ²³⁴			No specific reqs						
N.C.T.E.L.			Yes; gen req ¹⁷²						
No; but conditions on permit ²³⁵			No; N.C.T.E.L.						
Yes; inspection by misc. ²³⁶			Yes; support reqd ¹⁷³						
Gen. misc. ²³⁷			Yes; general reqs. ¹⁷⁴						
Gen. misc. ²³⁸			Yes; train. plan reqd ¹⁷⁵						
N.C.T.E.L. ²³⁹			No specific reqs						
N.C.T.E.L.			1,000 ft. ¹⁷⁶						
N.C.T.E.L.			None ¹⁷⁷						
N.C.T.E.L.			None ¹⁷⁸						
			Misc. restrictions zones ²⁰⁷						

Law	License Auth'y	Regulat'y Auth'y	Points of Sale, Consumption, and Production	Marijuana Restrictions	Misc. Restrictions (Non-Marijuana)	Air Quality	Other	Zoning
Local Ordinance (cont.)								
West Hollywood Ord. No. 17-1016 ²⁴⁰								
Local ²⁴¹	Primary		Retails Stores /w Ancil. Consumpt. Area?	Amount/Potency?	B.Y.O. Outside Food?	MJ smoke subject to general indoor air reqs?	Gram Shop Liability?	From School?
State ²⁴²	Secondary		Indep. Consumpt. Est.?	Product Type?	Serve outside food?	Ventilation Reqs.?	Neighbor Control?	From other facility?
Local ²⁴³	Primary		Retail in Consumpt.	Paraphernalia?	Produce food onsite?	Odor Nuisance?	Inspection?	Other restrictions?
State (general) ²⁴⁴	Secondary		B.Y.O.M.?		Alcohol?		Employee training?	
N/A	Local Control?		Delivery to/onsite?		Entertainment?		Security requirements?	
Yes; area size limits ²⁴⁵			Remove Unconsumed?		Tobacco?			
Yes; permitted ²⁴⁶			Onsite Production?					
Yes; required ²⁴⁷			Special Events?					
No; implied ²⁴⁸								
No; prohibited ²⁴⁹								
No; prohibited ²⁵⁰								
No; not permitted ²⁵¹								
No; N.C.T.E.L. ²⁵²								
Yes; general retail ²⁵³								
None; but separate licenses ²⁵⁴								
None; no prohibitions ²⁵⁵								
Yes; not prohibited ²⁵⁶								
Yes; permitted ²⁵⁷								
Yes; permitted ²⁵⁸								
No; prohibited ²⁵⁹								
Yes; but noise reqs ²⁶⁰								
No; prohibited ²⁶¹								
Yes; required ²⁶²								
Yes; required ²⁶³								
Yes; also gen. nuisances ²⁶⁴								
N.C.T.E.L.								
No; but good neighbor rule ²⁶⁵								
No; but police oversight ²⁶⁶								
Yes; training required ²⁶⁷								
Yes; gen. reqs & licensed guards ²⁶⁸								
600 ft. (all MJ est.) ²⁶⁹								
600 ft. (all MJ est.) ²⁷⁰								
Yes; other misc zoning reqs. ²⁷¹								

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- ¹ **S.B. 17-063, 71st Gen. Assem., Reg. Sess. (Colo. 2017)** [<https://perma.cc/Y6VM-4S8M>].
- ² *Id.* § 1 (12-43.4-313(2)).
- ³ *Id.* § 2 (12-43.4-401); see also *id.* § 1 (12-43.4-313(3)).
- ⁴ *Id.* § 1 (313(1)).
- ⁵ *Id.* (313(3)).
- ⁶ *Id.* (313(1)).
- ⁷ *Id.* (12-43.4-408(1)(a)–(d)).
- ⁸ *Id.* (408(1)(a)).
- ⁹ *Id.*
- ¹⁰ *Id.* (408(1)(c)).
- ¹¹ *Id.* (408(1)(c)).
- ¹² *Id.*
- ¹³ *Id.*
- ¹⁴ *Id.* (408(1)(d)).
- ¹⁵ See *id.* § 2; *id.* § 3 (12-43.4-408(1)(c)).
- ¹⁶ *Id.* § 3 (12-43.4-408(1)(b)).
- ¹⁷ See *id.* (408(2)).
- ¹⁸ *Id.* (408(5)).
- ¹⁹ *Id.* (408(2)(b)).
- ²⁰ *Id.*
- ²¹ *Id.*
- ²² *Id.* (408(2)(a)).
- ²³ *Id.* § 11.
- ²⁴ *Id.*
- ²⁵ *Id.* (408(7)).
- ²⁶ *Id.* (408(1)(e)).
- ²⁷ *Id.* § 3 (408(6)).
- ²⁸ **S.B. 236, 2017 Leg., 79th Sess. (Nev. 2017)** [<https://perma.cc/CJ97-844A>].
- ²⁹ *Id.* § 1(1); *id.* § 2(1).
- ³⁰ See *id.* § 1(1); *id.* § 2(1).
- ³¹ *Id.* § 1(1)–(2), (3)(d); *id.* § 2(1)–(2), (3)(d).
- ³² See *id.* § 1(1)–(2); *id.* § 2(1)–(2).
- ³³ See *id.* § 1(1); *id.* § 2(1) (local governments “*may*, by ordinance, require . . .” (emphasis added)).
- ³⁴ See generally *id.* §1, 2.
- ³⁵ *Id.* § 1(1); *id.* § 2(1); see, e.g., *id.* § 1(5)(e) (defining “special event at which the use of marijuana is allowed”).
- ³⁶ See, e.g., *id.* § 1(5)(d) (defining “paraphernalia” broadly).
- ³⁷ *Id.* § 1(3)(a); *id.* § 2(3)(a).
- ³⁸ *Id.* § 1(3)(a); *id.* § 2(3)(a).
- ³⁹ **S.B. 307, 2017 Leg., 79th Sess. (Or. 2017)** [<https://perma.cc/5TPG-9DM8>].

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- ⁴⁰ *Id.* § 3(2).
- ⁴¹ *See id.*
- ⁴² *Id.* § 3(1), (3).
- ⁴³ *Id.* § 3(5); *see also id.* § 6.
- ⁴⁴ *Id.* § 6.
- ⁴⁵ *See generally id.* § 3.
- ⁴⁶ *See id.* § 3.
- ⁴⁷ *See id.* § 3(3)(d).
- ⁴⁸ *See generally* § 3(3)(a)–(h).
- ⁴⁹ *Id.* § 7 (amending ORS 475B.160(1)(b)).
- ⁵⁰ *See generally* § 3(3)(a)–(h).
- ⁵¹ *See id.* § § 3(3)(d).
- ⁵² *Id.* §§ 1–2.
- ⁵³ *See* § 3(3)(a)–(h).
- ⁵⁴ *See id.*
- ⁵⁵ *See id.*
- ⁵⁶ *See id.*
- ⁵⁷ *See id.*
- ⁵⁸ *See id.*
- ⁵⁹ *See id.* § 3(3)(e) (delegating administrative rulemaking authority to prohibit consumption of alcohol on premises).
- ⁶⁰ *See id.* § 3(3)(f) (delegating administrative rulemaking authority to prohibit use of video lottery games and “social games” on premises).
- ⁶¹ *See id.* § 3(3)(e).
- ⁶² *See id.* § 3(3)(g).
- ⁶³ *See id.* § 3(3)(g).
- ⁶⁴ *See id.* § 3(3)(h).
- ⁶⁵ *See id.*
- ⁶⁶ *See id.*
- ⁶⁷ *See id.* § 3(2)(b)(B).
- ⁶⁸ *See id.* § 3(2)(c).
- ⁶⁹ *Id.* § 3(2)(b)(A) (consumption lounges cannot “be located in an area that is zoned exclusively for residential use”).
- ⁷⁰ ***Marijuana Legalization Act, St. of MAINE: CITIZENS INITIATIVES & PEOPLE’S VETO***, [<https://perma.cc/KPR5-LHQS>].
- ⁷¹ *Id.* § 2444(1).
- ⁷² *Id.* § 2449(2), (4).
- ⁷³ *Id.* § 2444(2).
- ⁷⁴ *Id.* § 2449(1).
- ⁷⁵ *See id.* § 2449(2).
- ⁷⁶ *See id.* § 2448(7)(A).
- ⁷⁷ *See id.* § 2448(7).
- ⁷⁸ *See id.*

⁷⁹ *See id.*; *see also id.* § 2448(7)(D).

⁸⁰ *See id.* § 2448(7)(A), (D).

⁸¹ *See id.* § 2448(7)(A).

⁸² *Id.* § 2451(2).

⁸³ *See id.* § 2451(2).

⁸⁴ *See id.* § 2448(7); *see also* § 2444(2)(E) (rulemaking authority to establish potency limits).

⁸⁵ *See id.* § 2448(7). *But see id.* § 2452(5) (applying to marijuana smoke the same smoking restrictions that apply to tobacco; does not create exemption for smoking in social club).

⁸⁶ *See id.* § 2448(7)(A).

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *See id.*

⁹¹ *Id.*

⁹² *Id.* § 2452(5)(A). *See generally supra* note 85.

⁹³ *See generally supra* notes 85, 92.

⁹⁴ *See generally supra* notes 85, 92.

⁹⁵ *See Act* § 2449(5).

⁹⁶ *See id.* § 2448(7)(C)(4); *see also id.* § 2446(3) (requiring new marijuana-specific enforcement training for local law enforcement); *id.* § 2448(8) (inspection of books and records).

⁹⁷ *See generally id.* § 2448(7).

⁹⁸ *See id.* § 2444(2)(G) (granting rulemaking authority to agency to set security requirements).

⁹⁹ *See generally Act, supra* note 70.

¹⁰⁰ **Cannabis Control Comm’n, 935 CMR 500.000: Adult Use of Marijuana, STATE OF MASS. (Dec. 21, 2017) [https://perma.cc/X43C-4T8V].**

¹⁰¹ *Id.* § 500.103.

¹⁰² *See id.* § 500.170.

¹⁰³ *See generally id.*

¹⁰⁴ *Id.* § 500.170.

¹⁰⁵ *See id.*

¹⁰⁶ *See id.* § 500.050(E)(4)(a) (limiting social consumption establishment to retail sale of marijuana in single servings for onsite consumption).

¹⁰⁷ *See id.* § 500.050(E)(4)(b)–(c) (providing for two types of marijuana social consumption establishments: (1) a “primary use” establishment, where “51% of more of average monthly revenue is derived from the sale of marijuana products to be consumed on premises”; and (2) a “mixed use” establishment, where “50% or less of average monthly gross revenue of a mixed use business [is] . . . from the sale of marijuana products to be consumed on the premises”).

¹⁰⁸ *See id.* § 500.050(E)(4)(a).

¹⁰⁹ *See id.* § 500.050(E)(4).

¹¹⁰ *See id.* § 500.145(B).

¹¹¹ *Id.* § 500.145(C).

¹¹² *See generally id.* § 500.050(A)(3).

¹¹³ *Id.* § 500.145(A)(2).

¹¹⁴ *Compare id.* § 500.050(E)(4)(a) (social consumption establishments may “sell single servings of marijuana to consumers for consumption on the premises” (emphasis added)), with *id.*, e.g., § 500.050(E)(4)(b) (defining primary use in terms of “sale of *marijuana products* to be consumed on the premises.” (emphasis added)).

¹¹⁵ *See generally id.* § 500.145.

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- ¹¹⁶ See *id.* § 500.145; see also *id.* § 500.050(E)(4)(c).
- ¹¹⁷ See *id.* § 500.145; see also *id.* § 500.050(E)(4)(c).
- ¹¹⁸ *Id.* § 500.145(D).
- ¹¹⁹ See *id.* § 500.145.
- ¹²⁰ See *id.*
- ¹²¹ See *id.*
- ¹²² See *id.* § 500.105(J).
- ¹²³ See *id.* § 500.105(Q).
- ¹²⁴ *Id.* § 500.300.
- ¹²⁵ See *id.* § 500.105(A)(2), (B); see also *id.* § 500.140(I) (consumer education requirements). See generally *id.* § 500.105.
- ¹²⁶ See *id.* § 500.105(A)(1); see also *id.* § 500.110; *id.* § 500.145(E)(3) (requiring plan to provide patrons with rideshare and taxi services).
- ¹²⁷ See generally Regulations, *supra* note 100.
- ¹²⁸ **Marijuana Control Bd., Proposed Regulations—Marijuana Retail Store Onsite Consumption Endorsement, ST. OF ALASKA (Aug. 21, 2017)**, [<https://perma.cc/J6JD-DZR3>].
- ¹²⁹ See *id.* § 306.370(c).
- ¹³⁰ *Id.* § 306.370(h).
- ¹³¹ See generally *id.* § 306.370.
- ¹³² See *id.* § 306.370(g).
- ¹³³ *Id.*
- ¹³⁴ See *id.* § 306.370(a).
- ¹³⁵ See *id.*
- ¹³⁶ See *id.*
- ¹³⁷ *Id.* § 306.370(b)(6); see also *id.* § 306.370(c)(1)(E).
- ¹³⁸ *Id.* § 306.370(b)(7).
- ¹³⁹ *Id.* § 306.370(a)(3); see also *id.* § 306.370(c)(1)(D).
- ¹⁴⁰ See *id.* §§ 306.370(a)(1)–(3).
- ¹⁴¹ See *id.* § 306.370(a).
- ¹⁴² *Id.* § 370.306(a)(2)(A).
- ¹⁴³ *Id.* § 370.306(a)(2)(A)–(B) (one gram for marijuana; 10 mg of THC for marijuana products).
- ¹⁴⁴ See *id.* § 370.306(a)(2)(C); § 370.306(b)(1)–(12).
- ¹⁴⁵ *Id.* § 370.306(a)(2)(C).
- ¹⁴⁶ *Id.* § 370.306(a)(2)(C).
- ¹⁴⁷ *Id.* § 370.306(a)(2)(C).
- ¹⁴⁸ *Id.* § 370.306(b)(1)–(12); *id.* § 370.306(b)(11).
- ¹⁴⁹ *Id.* § 306.370(b)(3).
- ¹⁵⁰ *Id.* § 306.370(a)(1) (separately ventilated area), (c)(1)(B) (ventilation plan required w/ application), (c)(1)(C) (isolated from rest of retail store; smoke-free area for employees).
- ¹⁵¹ *Id.* § 306.370(c)(f)(2).
- ¹⁵² See *id.* § 306.370(c)(1).
- ¹⁵³ *Id.* § 306.370(c)(1)(A).
- ¹⁵⁴ **Denver, Colo., Neighborhood Approved Cannabis Consumption Pilot Program Initiative (July 5, 2016)** [<https://perma.cc/Z2L7-VAQF>] (**DENVER CODE §§6-300 to -319 (2017)**).

- ¹⁵⁵ *See id.* § 6-308.
- ¹⁵⁶ *Id.* § 6-316(a) (rulemaking authority); *id.* § 6-317 (duties of city council, including establishing cannabis consumption task force).
- ¹⁵⁷ *See id.* § 6-309(a)–(b) (no sale in consumption area “unless otherwise permitted by state law”). *But see id.* §6-307 (allowing overlapping licenses to extent lawful).
- ¹⁵⁸ *See id.* § 6-309(a).
- ¹⁵⁹ *Id.* § 6-309(a)–(b).
- ¹⁶⁰ *See id.* § 6-309(a) (no sale by establishment’s employee “within *or around*” consumption area, unless state law provides otherwise).
- ¹⁶¹ *Compare id.* § 6-309(a) (no sale by establishment’s employee “within *or around*” consumption area, unless state law allows (emphasis added)), *with id.* § 6-309(b) (no sale by any person “within” consumption area, unless state law provides otherwise).
- ¹⁶² *See id.*
- ¹⁶³ *See id.* § 6-302 (providing for temporary cannabis consumption permits).
- ¹⁶⁴ *Id.* § 6-309(e).
- ¹⁶⁵ *See id.* §§ 6-309 to -310; *see also id.* § 6-308(a)(8) (requiring a sanitation plan for paraphernalia rentals).
- ¹⁶⁶ *See id.* § 6-309.
- ¹⁶⁷ *See id.* § 6-307 (allowing overlapping licenses); *id.* § 6-309.
- ¹⁶⁸ *See id.* § 6-307 (allowing overlapping licenses); *id.* § 6-309.
- ¹⁶⁹ *See id.* § 6-307 (allowing overlapping licenses); *id.* § 6-309.
- ¹⁷⁰ *Id.* § 6-305 (time limits for cannabis consumption).
- ¹⁷¹ *Id.* § 6-310(c).
- ¹⁷² *Id.* § 6-310(d).
- ¹⁷³ *Id.* § 6-303 (requiring license applicant to provide evidence of community support); 6-304 (allowing eligible neighborhood organizations (ENO) to submit evidence of community support without consent of applicant); *Id.* § 6-305 (allowing ENO to impose further time limit restrictions for cannabis consumption). *see also* 6-301(7) (defining “evidence of community support”).
- ¹⁷⁴ *Id.* § 6-314.
- ¹⁷⁵ *Id.* § 6-308(c).
- ¹⁷⁶ *Id.* § 6-311(a).
- ¹⁷⁷ *Id.* § 6-311(b).
- ¹⁷⁸ *Id.*
- ¹⁷⁹ **Las Vegas City Council, *Draft Marijuana Consumption Lounge Regulation*, CITY OF L.V. (Dec. 2017) [https://perma.cc/X6QF-45LM].**
- ¹⁸⁰ *See generally id.*
- ¹⁸¹ *Id.* § 1 (6.96.020).
- ¹⁸² *See id.* § 1 (6.96.100) (requiring general compliance with state law and regulations).
- ¹⁸³ *Id.* (6.96.070(C)).
- ¹⁸⁴ *See generally id.* § 1.
- ¹⁸⁵ *Id.* (6.96.070(C)).
- ¹⁸⁶ *See generally id.* § 1.
- ¹⁸⁷ *Id.* (6.96.070(F)).
- ¹⁸⁸ *See generally id.* § 1.
- ¹⁸⁹ *See generally id.*
- ¹⁹⁰ *See generally id.*
- ¹⁹¹ *See id.* (6.96.010 (defining marijuana consumption lounge to include consumption of marijuana and marijuana products)).
- ¹⁹² *Id.* (6.96.070(E)); *see also id.* (6.96.020(B)) (authorizing consumption lounge to sell or provide paraphernalia); *see also id.* (6.96.010) (defining “paraphernalia” broadly).

¹⁹³ See *id.* (6.96.070(A)–(I)).

¹⁹⁴ See *id.*

¹⁹⁵ See *id.* (6.96.070(A)–(I)).

¹⁹⁶ *Id.* (6.96.070(H)).

¹⁹⁷ *Id.* (6.96.070(G)).

¹⁹⁸ See *id.* (6.96.070(A)–(I)).

¹⁹⁹ *Id.* (6.96.080(A)).

²⁰⁰ *Id.*

²⁰¹ *Id.* (6.96.080(C)).

²⁰² See *id.* (6.96.090); see also *id.* (6.96.080(E)) (requiring 24/7 surveillance of interior and live feed to law enforcement).

²⁰³ See *id.* § 1; *id.* (6.96.080(F)).

²⁰⁴ *Id.* (6.96.080(B) (requires compliance with security plan), (E) (24/7 surveillance); see also *id.* (6.96.040(A)) (approval of security plan is requirement for license).

²⁰⁵ *Id.* § 5.

²⁰⁶ *Id.*

²⁰⁷ *Id.* § 4 (license restricted to C-1, C-2, C-M, and M zoning districts).

²⁰⁸ **S.F., Cal., Dep’t Pub. Health, Regulation of Cannabis Businesses Ordinance 230-17 (Dec. 5, 2017) [https://perma.cc/A2FC-YLLL] (S.F. HEALTH CODE art. 8A, §§ 8A.1–8A.8 (2018); S.F. POLICE CODE art. 16, §§ 1600–1639 (2018)).**

²⁰⁹ S.F. Health Code § 8A.2(a)–(b).

²¹⁰ *Id.* § 8A.2(c).

²¹¹ *Id.* § 8A.8.

²¹² *Id.* §§ 8A.4(f)(6); *id.* § 8A.8.

²¹³ See S.F. POLICE CODE §§ 1612, 1617.

²¹⁴ See, e.g., S.F. HEALTH CODE § 8A.4(g).

²¹⁵ S.F. HEALTH CODE § 8A.2(b).

²¹⁶ See *id.*

²¹⁷ See S.F. POLICE CODE § 1620.

²¹⁸ See *id.*

²¹⁹ See S.F. POLICE CODE § 1620.

²²⁰ S.F. POLICE CODE § 1620(a).

²²¹ S.F. Health Code § 8A.3.

²²² See S.F. POLICE CODE § 1607; S.F. HEALTH CODE § 8A.2.

²²³ See S.F. HEALTH CODE § 8A.6; S.F. POLICE CODE. § 1620.

²²⁴ See S.F. HEALTH CODE § 8A.6; S.F. POLICE CODE. § 1620.

²²⁵ See S.F. HEALTH CODE § 8A.6; S.F. POLICE CODE. § 1620.

²²⁶ See S.F. HEALTH CODE § 8A.6.

²²⁷ See S.F. HEALTH CODE § 8A.6.

²²⁸ See S.F. HEALTH CODE § 8A.6.

²²⁹ S.F. HEALTH CODE § 8A.6(g); SEE ALSO S.F. POLICE CODE § 1620(b)(4).

²³⁰ See S.F. HEALTH CODE § 8A.6.

²³¹ S.F. HEALTH CODE § 8A.6(g); see also S.F. POLICE CODE § 1620(b)(4).

- ²³² See S.F. HEALTH CODE § 8A.4(f)(4).
- ²³³ S.F. HEALTH CODE § 8A.6(i).
- ²³⁴ See *id.*; S.F. POLICE CODE § 1635; see also S.F. HEALTH CODE § 8A.4(g)(4).
- ²³⁵ See S.F. POLICE CODE §§ 1612, 1617.
- ²³⁶ S.F. POLICE CODE § 1630.
- ²³⁷ See S.F. HEALTH CODE §§ 8A.1–8 (not imposing specific requirements for consumption permits). See generally S.F. POLICE CODE §§ 1600–39 (general requirements for cannabis businesses).
- ²³⁸ See S.F. HEALTH CODE §§ 8A.1–8 (not imposing specific requirements for consumption permits). See generally S.F. POLICE CODE §§ 1600–39 (general requirements for cannabis businesses).
- ²³⁹ See generally S.F. HEALTH CODE § 8A.4; *id.* § 8A.6; S.F. POLICE CODE § 1620.
- ²⁴⁰ **West Hollywood, Cal., Ordinance 17-1016 (Nov. 20, 2017) [https://perma.cc/6M9N-NNWJ] (W. HOLLYWOOD, CAL., MUN. CODE tit. 5, art. 2, §§ 5.16–.120 (2018)).**
- ²⁴¹ W. HOLLYWOOD CODE § 5.70.030.
- ²⁴² *Id.* § 5.70.090 (requiring general compliance with state licensing requirements).
- ²⁴³ *Id.* § 5.70.080.
- ²⁴⁴ See *id.* § 5.70.070 (requiring general compliance with state law).
- ²⁴⁵ *Id.* § 5.70.041(13)(d).
- ²⁴⁶ See *id.*
- ²⁴⁷ See, e.g., *id.* § 5.70.030(5).
- ²⁴⁸ See generally *id.* § 5.70.041.
- ²⁴⁹ See *id.* § 5.70.041(8).
- ²⁵⁰ See *id.* § 5.70.030(5) (“sales of products to be consumed on-site”).
- ²⁵¹ See *id.* § 5.70.041(8).
- ²⁵² See *id.* § 5.70.030(5).
- ²⁵³ *Id.* § 5.70.041(5).
- ²⁵⁴ *Id.* § 5.70.041(12); see also *id.* § 5.70.030(5) (different licenses for “edible ingestion only” areas and “smoking, vaping, [and] ingestion” area).
- ²⁵⁵ See *id.* § 5.70.041.
- ²⁵⁶ See *id.*
- ²⁵⁷ *Id.* § 5.70.04(2).
- ²⁵⁸ *Id.*
- ²⁵⁹ *Id.* § 5.70.041(2).
- ²⁶⁰ *Id.* § 5.70.041(17).
- ²⁶¹ *Id.* § 5.70.041(2).
- ²⁶² *Id.* § 5.70.041(14).
- ²⁶³ *Id.* § 5.70.041(11), (14).
- ²⁶⁴ See *id.*; see also, e.g., *id.* § 5.70.041(15) (patron behavior), (17) (noise), (18) (general).
- ²⁶⁵ See *id.* § 5.70.041(15).
- ²⁶⁶ See *id.* § 5.70.041(6), (7).
- ²⁶⁷ *Id.* § 5.70.041(16) (consumption-area employee training); see also *id.* § 5.70.041(7) (regular meetings with fire and police departments).
- ²⁶⁸ *Id.* § 5.70.041(1)(a)–(c).
- ²⁶⁹ *Id.* § 5.70.030(4).
- ²⁷⁰ *Id.*
- ²⁷¹ *Id.*