

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB19-224 be amended as follows:

1 Amend printed bill, page 93, after line 3 insert:

2 "SECTION 38. In Colorado Revised Statutes, **add** 44-11-902 as
3 follows:

4 **44-11-902. Unlawful open and public consumption.** (1) THE
5 OPEN AND PUBLIC, AS DEFINED IN SECTION 18-18-102 (20.3),
6 CONSUMPTION OF MARIJUANA IS PROHIBITED.

7 (2) THE GOVERNING BODY OF A COUNTY, CITY, CITY AND COUNTY,
8 OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION
9 AUTHORIZING MARIJUANA CONSUMPTION LOCATIONS OR CIRCUMSTANCES
10 THAT ARE EXCEPTIONS TO THE PROHIBITION DESCRIBED IN SUBSECTION (1)
11 OF THIS SECTION IF THE LOCATIONS ARE NOT ACCESSIBLE TO THE PUBLIC
12 OR A SUBSTANTIAL NUMBER OF THE PUBLIC WITHOUT RESTRICTION,
13 INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON THE AGE OF THE
14 MEMBERS OF THE PUBLIC WHO ARE ALLOWED ACCESS TO SUCH LOCATION.

15 (3) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION DOES
16 NOT APPLY TO ANY BUSINESS LICENSED PURSUANT TO THIS ARTICLE 11
17 THAT PERMITS CONSUMPTION ON ITS PREMISES IF THE BUSINESS IS
18 OPERATING WITHIN THE CONDITIONS OF LICENSURE."

19 Renumber succeeding sections accordingly.

20 Page 95, after line 18 insert:

21 "SECTION 40. In Colorado Revised Statutes, **add** 44-12-902 as
22 follows:

23 **44-12-902. Unlawful open and public consumption.** (1) THE
24 OPEN AND PUBLIC, AS DEFINED IN SECTION 18-18-102 (20.3),
25 CONSUMPTION OF MARIJUANA IS PROHIBITED.

26 (2) THE GOVERNING BODY OF A COUNTY, CITY, CITY AND COUNTY,
27 OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION
28 AUTHORIZING MARIJUANA CONSUMPTION LOCATIONS OR CIRCUMSTANCES
29 THAT ARE EXCEPTIONS TO THE PROHIBITION DESCRIBED IN SUBSECTION (1)
30 OF THIS SECTION IF THE LOCATIONS ARE NOT ACCESSIBLE TO THE PUBLIC
31 OR A SUBSTANTIAL NUMBER OF THE PUBLIC WITHOUT RESTRICTION,
32 INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON THE AGE OF THE
33 MEMBERS OF THE PUBLIC WHO ARE ALLOWED ACCESS TO SUCH LOCATION.

34 (3) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION DOES
35 NOT APPLY TO ANY BUSINESS LICENSED PURSUANT TO THIS ARTICLE 12
36 THAT PERMITS CONSUMPTION ON ITS PREMISES IF THE BUSINESS IS
37 OPERATING WITHIN THE CONDITIONS OF LICENSURE."

1 Renumber succeeding sections accordingly.

2 Page 98, after line 18 insert:

3 "SECTION 47. In Colorado Revised Statutes, 18-18-102, add
4 (20.3) as follows:

5 **18-18-102. Definitions.** As used in this article 18:

6 (20.3) (a) "OPEN" OR "OPENLY" MEANS OBSERVABLE BY THE
7 PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC.

8 (b) "PUBLIC" OR "PUBLICLY" MEANS A PLACE TO WHICH THE
9 PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC HAS ACCESS WITHOUT
10 RESTRICTION, INCLUDING BUT NOT LIMITED TO STREETS AND HIGHWAYS,
11 TRANSPORTATION FACILITIES, PLACES OF AMUSEMENT, PARKS,
12 PLAYGROUNDS, AND THE COMMON AREAS OF BUILDINGS AND OTHER
13 FACILITIES.

14 (c) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" DOES NOT
15 INCLUDE ANY ACTIVITY OCCURRING ON PRIVATE RESIDENTIAL PROPERTY
16 BY THE OCCUPANT OR HIS OR HER GUESTS.

17 Renumber succeeding sections accordingly.

18 Page 227, after line 7 insert:

19 **"44-10-702. Unlawful open and public consumption.** (1) THE
20 OPEN AND PUBLIC, AS DEFINED IN SECTION 18-18-102 (20.3),
21 CONSUMPTION OF MARIJUANA IS PROHIBITED.

22 (2) THE GOVERNING BODY OF A COUNTY, CITY, CITY AND COUNTY,
23 OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION
24 AUTHORIZING MARIJUANA CONSUMPTION LOCATIONS OR CIRCUMSTANCES
25 THAT ARE EXCEPTIONS TO THE PROHIBITION DESCRIBED IN SUBSECTION (1)
26 OF THIS SECTION IF THE LOCATIONS ARE NOT ACCESSIBLE TO THE PUBLIC
27 OR A SUBSTANTIAL NUMBER OF THE PUBLIC WITHOUT RESTRICTION,
28 INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON THE AGE OF THE
29 MEMBERS OF THE PUBLIC WHO ARE ALLOWED ACCESS TO SUCH LOCATION.

30 (3) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION DOES
31 NOT APPLY TO ANY BUSINESS LICENSED PURSUANT TO THIS ARTICLE 10
32 THAT PERMITS CONSUMPTION ON ITS PREMISES IF THE BUSINESS IS
33 OPERATING WITHIN THE CONDITIONS OF LICENSURE."

34 Page 259, line 11, strike "45 through 76" and substitute "48 through 79".

35 Page 259, lines 21 and 22, strike "45 through 76" and substitute "48
36 through 79".

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