



131st MAINE LEGISLATURE

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Legislative Document

No. 839

H.P. 528

House of Representatives, February 21, 2023

**An Act to Allow On-premises Consumption of Adult Use Cannabis
and Adult Use Cannabis Products on the Premises of Cannabis
Store Licensees**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative WILLIAMS of Bar Harbor.
Cosponsored by Senator HICKMAN of Kennebec and
Representatives: ANDREWS of Paris, BOYER of Poland, COLLINGS of Portland, CRAFTS
of Newcastle, WARREN of Scarborough, Senator: GROHOSKI of Hancock.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-B MRSA §508, sub-§3, as enacted by PL 2017, c. 409, Pt. A, §6 and amended by PL 2021, c. 669, §5, is further amended to read:

3. Other use of adult use cannabis or adult use cannabis products. Except as otherwise provided in this chapter:

A. A Except as provided in paragraph C, a person may not consume adult use cannabis or adult use cannabis products within the licensed premises of a cannabis establishment; and

B. A Except as provided in paragraph C, a licensee may not allow any person to consume adult use cannabis or adult use cannabis products within its licensed premises; and

C. A person may consume adult use cannabis or adult use cannabis products purchased from a cannabis store in a designated separate area in the same building as the cannabis store and that is part of the licensed premises of the cannabis store if:

(1) The municipality in which the cannabis store is located approves on-premises consumption of adult use cannabis or adult use cannabis products in cannabis stores within that municipality;

(2) The department approves the on-premises consumption at the cannabis store after determining that all criteria of this chapter are followed;

(3) All adult use cannabis and adult use cannabis products sold or offered for sale for on-premises consumption meet all applicable packaging, labeling and health and safety requirements of subchapter 7 and the rules adopted under subchapter 7:

(4) An employee of the cannabis store engaged in the offering of adult use cannabis and adult use cannabis products for on-premises consumption or in the operations of the on-premises consumption area meets all the requirements for employees for cannabis stores under this chapter;

(5) The age restrictions and state of intoxication of customers in the on-premises consumption area meet the same requirements for customers of cannabis stores under this chapter; and

(6) The on-premises consumption area meets the same security requirements of cannabis stores under this chapter.

SUMMARY

This bill allows consumption of adult use cannabis and adult use cannabis products in a designated separate area of a cannabis store if the municipality in which the cannabis store is located approves on-premises consumption of adult use cannabis and adult use cannabis products, the cannabis store obtains approval from the Department of Administrative and Financial Services and the products sold or offered for sale for on-premises consumption meet all the requirements for packing, labeling and health and safety requirements for the adult use cannabis and adult use cannabis products and the restrictions and requirements on employees, customers and security for the on-premises area meet those of the cannabis stores.