

**HOUSE . . . . . No. 4133**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patricia A. Duffy*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to social consumption sites.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>9/16/2021</i>

**HOUSE . . . . . No. 4133**

By Ms. Duffy of Holyoke, a petition (subject to Joint Rule 12) of Patricia A. Duffy relative to the use of marijuana or marijuana products on the premises of where said products are sold. Cannabis Policy.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to social consumption sites.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 3 of MGL Chapter 94G is hereby amended by striking subsection  
2 (b) and replacing with the following:-

3 (b) The city council of a city and the board of selectmen or town council of a town shall,  
4 upon the filing with the city or town clerk of a petition meeting the requirements of this  
5 subsection and signed by not fewer than 10 per cent of the number of voters of such city or town  
6 voting at the preceding biennial state election, request that the question of whether to allow, in  
7 such city or town, the sale of marijuana and marijuana products for consumption on the premises  
8 where sold be submitted to the voters of such city or town, shall cause the following question to  
9 be placed on the ballot:

10 Shall this [city or town] allow the sale of marijuana and marijuana products, as those  
11 terms are defined in G.L. c.94G, §1, for consumption on the premises where sold, a summary of  
12 which appears below?

13 A fair and concise summary of the question shall be prepared by the city solicitor or town  
14 counsel.

15 If a majority of the votes cast in the city or town are not in favor of allowing the  
16 consumption of marijuana or marijuana products on the premises where sold, such city or town  
17 shall not have authorized the consumption of marijuana and marijuana products on the premises  
18 where sold.

19 The petition shall be on a form prepared by the secretary of the commonwealth, and shall  
20 be submitted forthwith after filing to the board of registrars or election commissioners who shall  
21 have seven days after receipt to certify the signatures of registered voters. Upon certification of  
22 the signatures, the question shall be placed upon the ballot at the next occurring regular  
23 municipal or state election, provided that the question may only appear on a municipal ballot for  
24 an election to be held at least 35 days after certification. To have the question appear on the  
25 biennial state election, the city or town clerk must provide notice, including the ballot question  
26 and summary as prepared by the city solicitor or town counsel, to the secretary of the  
27 commonwealth no later than the first Wednesday in August before that election.

28 As an alternative to a local voter initiative petition, a city or town may, through an  
29 ordinance or by-law, allow the consumption of marijuana or marijuana products on the premises  
30 where sold. No local voter initiative shall be required if the sale of marijuana and marijuana  
31 products for consumption on the premises is authorized by local law.

32 SECTION 2. MGL Chapter 270, Section 22, shall be amended by

33 (1) adding the following definition to subsection (a):-

34           “Licensed marijuana social consumption establishment”, a facility or venue approved by  
35 the Cannabis Control Commission for sale of marijuana for consumption on the premises

36           (2) adding to subsection (c), a new subsection 5 ½:

37           “A licensed marijuana social consumption establishment.”