

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1365

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H.P. 888

House of Representatives, April 1, 2025

### **An Act to Allow Consumption of Adult Use Cannabis in Locally Approved Hospitality Lounges**

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Received by the Clerk of the House on March 28, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BOYER of Poland.  
Cosponsored by Senator BICKFORD of Androscoggin and  
Representatives: BABIN of Fort Fairfield, EDER of Waterboro, HYMES of Waldo, MINGO  
of Calais, MORRIS of Turner, SCHMERSAL-BURGESS of Mexico, WOOD of Greene,  
WOODSOME of Waterboro.

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

2       **Sec. 1. 22 MRSA §1542, sub-§2, ¶O** is enacted to read:

3       O. Smoking of adult use cannabis or adult use cannabis products is not prohibited in a  
4       cannabis hospitality lounge locally licensed or approved pursuant to Title 28-B, section  
5       401, subsection 4.

6       **Sec. 2. 28-B MRSA §102-A, sub-§10**, as enacted by PL 2023, c. 679, Pt. B, §3, is  
7       amended to read:

8       **10. Cannabis establishment.** "Cannabis establishment" means a cultivation facility,  
9       a products manufacturing facility, a testing facility, a cannabis store or a sample collector  
10      licensed under this chapter. "Cannabis establishment" does not include a cannabis  
11      hospitality lounge.

12      **Sec. 3. 28-B MRSA §102-A, sub-§12-A** is enacted to read:

13      **12-A. Cannabis hospitality lounge.** "Cannabis hospitality lounge" means a location  
14      that is open to members of the public who are 21 years of age or older and is locally licensed  
15      or approved pursuant to section 401, subsection 4 where persons 21 years of age or older  
16      may consume adult use cannabis, adult use cannabis products and edible products that do  
17      not contain cannabis.

18      **Sec. 4. 28-B MRSA §103, sub-§1**, as amended by PL 2023, c. 6, §§13 to 15, is  
19      further amended to read:

20      **1. Unauthorized conduct.** Except as otherwise provided in this chapter, in the rules  
21      adopted pursuant to this chapter, in chapter 3 or in the Maine Medical Use of Cannabis Act  
22      or, as specifically authorized pursuant to a license issued under this chapter; or, in the case  
23      of a cannabis hospitality lounge, as specifically authorized pursuant to a local license or  
24      approval issued for that lounge pursuant to section 401, subsection 4, a person may not:

25          A. Cultivate, manufacture or test cannabis or cannabis products;

26          B. Sell or offer for sale cannabis or cannabis products;

27          C. Use, possess, transport, transfer, furnish or purchase cannabis or cannabis products;  
28          or

29          D. Sell, offer for sale or furnish any products containing tobacco, nicotine or synthetic  
30          nicotine to any person without first obtaining a retail tobacco license in accordance  
31          with Title 22, chapter 262-A.

32      **Sec. 5. 28-B MRSA §104-A**, as enacted by PL 2023, c. 679, Pt. B, §5, is amended  
33      by enacting at the end a new paragraph to read:

34      Notwithstanding any provision of this Title to the contrary, the office may not impose  
35      any licensing or other requirements on the operation of a cannabis hospitality lounge locally  
36      licensed or approved pursuant to section 401, subsection 4 or initiate any investigative or  
37      enforcement action against the operator of such lounge based on a violation of a provision  
38      of this Title or the rules adopted pursuant to this Title.

39      **Sec. 6. 28-B MRSA §401, sub-§4** is enacted to read:

**4. Local approval of cannabis hospitality lounges.** Notwithstanding any provision of this Title or other provision of law to the contrary, a municipality may adopt an ordinance providing licensing or other approval requirements applicable to cannabis hospitality lounges within the municipality, which may include, but are not limited to, provisions establishing a municipal licensing fee schedule pursuant to Title 30-A, section 3702.

A. In the case of a town, plantation or township within the unorganized and deorganized areas, the legislative body of the town or plantation or, in the case of a township, the county commissioners of the county in which the township is located may provide for the licensing or other approval of cannabis hospitality lounges within the town, plantation or township.

B. A cannabis hospitality lounge that receives a local license or approval in accordance with this subsection may operate as a cannabis hospitality lounge without the need for additional state licensing or approvals.

**Sec. 7. 28-B MRSA §1501, sub-§2, ¶A**, as enacted by PL 2017, c. 409, Pt. A, §6 and amended by PL 2021, c. 669, §5, is further amended to read:

A. A person 21 years of age or older may consume cannabis or cannabis products only if that person is:

(1) In a private residence, including curtilage; or

(2) On private property, not generally accessible by the public, and the person is explicitly permitted to consume cannabis or cannabis products on the property by the owner of the property; or

(3) On the premises of a cannabis hospitality lounge locally licensed or approved pursuant to section 401, subsection 4.

## SUMMARY

This bill amends the Cannabis Legalization Act to authorize a municipality or other local government entity within the unorganized and deorganized areas of the State to adopt an ordinance providing licensing or other approval requirements applicable to cannabis hospitality lounges within the municipality or unorganized and deorganized area. The bill defines "cannabis hospitality lounge" as a location that is open to members of the public who are 21 years of age or older and is licensed or approved by a municipality or other local government entity within the unorganized and deorganized areas of the State where persons 21 years of age or older may consume adult use cannabis, adult use cannabis products and edible products that do not contain cannabis. A cannabis hospitality lounge is not a cannabis establishment, may operate as a cannabis hospitality lounge without the need for additional state licensing or approvals and is not subject to the oversight of the Department of Administrative and Financial Services, Office of Cannabis Policy. The bill also amends the law prohibiting smoking in public places to allow the smoking of adult use cannabis or adult use cannabis products at a locally licensed or approved cannabis hospitality lounge.