SOCIAL CONSUMPTION ESTABLISHMENT REGULATIONS



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An Act Modernizing the Commonwealth's Cannabis Laws

Chapter 65 of the Acts of 2026

G.L. ch. 94G

- Restructured CCC
  - Reduced Commissioners from 5 to 3
  - All Commissioners appointed by Governor
    - Christopher Harding, Chair
    - Xiomara DeLobato
    - Anthony Wilson
  - Commission Chair has authority over personnel and administration

- Adult possession and purchased limits increased.
  - From one ounce to two ounces

- Retail ownership caps expanded
  - Single operator can hold up to 6 adult-use retail licenses from prior cap of 3.
  - CCC must update regulations to reflect this.

- **Vertical-integration requirements for Medical Marijuana eased.**
- **Requires CCC to expedite the transition and rulemaking process.**
  - **Includes online portal for complaints that can be made anonymously**
- **Regulatory changes include social consumption regulations.**

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REGULATIONS FOR SOCIAL CONSUMPTION ESTABLISHMENTS

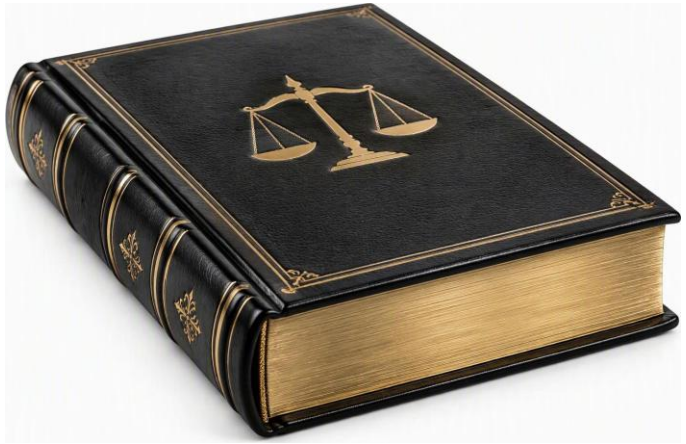
(935 CMR 500.141 ET SEQ)

12.11.25

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Dual Statutory Framework



- Municipalities must first opt in to allow Social Consumption Establishments (SCE) *Ch. 94G, § 3.*
  - *City Council Ordinance*
  - *Town Bylaw*
  - *Local ballot question at next regularly occurring municipal or state election*

- Applicants must obtain and SCE license from the Cannabis Control Commission (CCC) and comply with new regulations.

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Eligible Applicants

- Those disproportionately harmed by the war on drugs, and small businesses.
    - Social Equity Program Participants
    - Certified Economic Empowerment Priority Applicants
    - Microbusinesses
    - Craft Marijuana Cooperatives

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- Open to others after the first 36 months measured from the date the first social consumption licensee in each license class receives a notice to begin operations.
- "There are currently no licensed SCE in Massachusetts." *(FAQ) As of last Saturday 10.24.26*

Final regulations

- Three types of licenses:
  - Supplemental – Existing Marijuana Establishment (ME) can incorporate on-site consumption into their business location.
  - Hospitality – new ME or non-cannabis business can host consumption activities in partnership with ME.
  - Event Organizer – Applicant can organize and host temporary consumption events.

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Supplemental License

- **Existing licensed marijuana establishment (ME) adds a designated area where customers can consume cannabis purchased on-site.**
  - **Attached to or within an existing ME.**
  - **Cannabis used on-site.**
  - **Consumption in designated consumption area only.**
  - **Alcohol and tobacco not allowed on premises.**
- **"Opening a café in an existing Marijuana Retailer"** ***(FAQ)***
- **"Opening a tasting area at a Cultivation Facility?"** ***(FAQ)***


EXAMPLE

Hospitality On-Site Consumption Establishment License

- ME offers consumption at new or existing non-cannabis standalone establishment, like restaurants, lounges, , yoga studios.

- Examples:
  - Cannabis-enhanced yoga sessions
  - Cannabis coffee house-style venue
  - Entertainment venue
  - Movie theaters

- Product consumed in a separate designated consumption area.

- Must have a written partnership agreement.


EXAMPLE

Marijuana Event Organizer License

- Authorized to coordinate and host Temporary Consumption Events.
  - Must submit an Event Plan.
  - Must obtain any required local permits.
- Must demonstrate to CCC municipal approval for event.
- Public safety requirements:
  - Traffic and parking management;
  - Crowd management;
  - Emergency egress routes;
  - Access for emergency responders; and
  - Consumer intoxication procedures.
- No more than 30 days of sales and consumption annually.

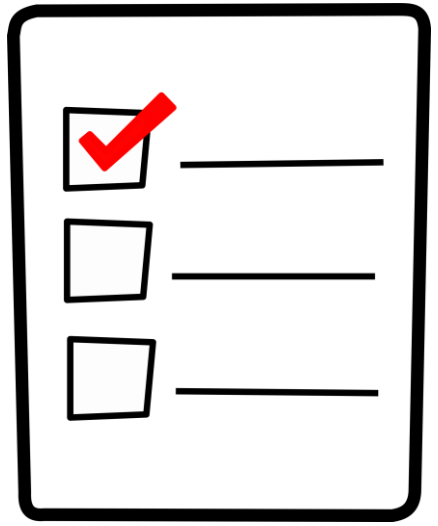
Examples of Temporary Consumption Events

- Cannabis Festival
  - One-day cannabis festival at fairground
    - Cannabis retailers set up booths and sell products.
    - 21+ can consume cannabis on-site in designated areas.
- Music Festival or Concerts
  - Designated cannabis consumption lounge at festival or concert
  - Licensed retailers can sell products.
  - 21+ can buy and consume cannabis in consumption lounge


EXAMPLE

Operational Requirements

- Limitations on sales
  - May not sell a person more than one-half of limits of a single serving (5.5 milligrams of THC).
- Must sell pre-packaged, self-stable non-infused food, water and drink items.
- Sale of shelf-stable food shall not cause establishment to become a food establishment.*
- SCE may repackage or portion servings of cannabis-infused products, including edibles, beverages and tinctures, into single or multiple-serving sizes for sale or service to customers.
- Must obtain all local licenses and permits necessary to sell shelf-stable products.
- Shall not sell alcohol or tobacco.



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Operational Requirements

- May allow for sales and delivery of outside non-infused food
- May sell Marijuana Accessories
- May sell products that help in mitigating effects of intoxication from cannabis
- Consumers must have access to Certificates of Analysis
  - Consumer information card with lab testing report



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Operational Requirements

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- No consumption or sale of alcohol or tobacco, but
  - if the entity you are sharing space with serves alcohol, there must be a "physical barrier" to the consumption area, or the sale of alcohol or tobacco are not offered at the same time as the consumption of cannabis.
- No definition of "physical barrier"
- Sale to visibly intoxicated person prohibited.
- A Suppplemental On-Site consumption licensee that also has a Marijuana Retailer license can sell cannabis for retail sale and for consumption on site.
  - But can only consume the product purchased for consumption on site.
  - Must not consume the product purchased for retail sale.
- Customers shall be given an "opaque, child-resistant sealed exit bag" to take unconsumed cannabis out of the establishment.



Operational Requirements

- Ensure that all products purchased for consumption on premises are distinguished from those purchased for retail sale and not consumed on-site.
- Ensure that products meet dose limitations.
- SCE's policies and procedures much be in writing.
- Menu information with onset times.
- Sales stop 30 minutes before closing.



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Cannabis-infused edibles are not food.

Regulated as Marijuana Products.

Regulated by CCC, not the federal or state food code.

Must be manufactured by licensed marijuana product manufacturers and not be prepared in social consumption establishments.

In general, SCEs will be selling or serving pre-manufactured edibles, beverages and tinctures, but they can repackage then into serving sizes.



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Indoor and Outdoor Smoking/Vaping Areas

- Must be “isolated” from non-smoking areas.
- Indoor smoking consumption area shall be an “enclosed space” with a “secure door.”
- Enclosed space definition: “an area possessing walls, ceilings, or other barriers on all sides sufficient to prevent the free undirected flow of air, smoke, vapor, or particulate matter, except when entering or exiting the space.”
- Barriers may be removed when not operating as a smoking consumption area.
- Outdoor smoking area shall be separated from the indoors by walls or barriers and a “secure door.”
- Temporary Event organizers must submit plans for smoking areas.

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Incidents that must be reported to CCC immediately or within 24 hours:

- Consumption of alcohol or tobacco;
- Consumption of cannabis that was not purchased from the social consumption establishment;
- Consumption of smoking cannabis outside of smoking area;
- Serving a patron that has been arrested for OUI of cannabis;
- Entry by anyone under 21; and
- Instance where ventilation system in indoor smoking area fails.

Additional Indoor Smoking Area Requirements

- Cannot permit tobacco smoking.
- Need permission from CCC to permit smoking and vaping.
- Employees shall be provided with PPE and shall not be forced to work in smoking area.
- Separate ventilation system that maintains negative air pressure.
  - Many specific requirements – if ventilation system fails, area must be closed and CCC notified within 24 hrs.
- Odor control equipment required.
- Smoking area shall be out of plain sight and not visible from a public place.

Outdoor Smoking Area Requirements

- Open to the air at all times
  - With a ceiling- at least ½ of total surface area of the walls and other vertical boundaries of the space to permit unobstructed flow of outside are into the space.
  - Without a ceiling – no more than 2 walls or other barriers or other vertical boundaries of the space that obstruct the flow of air into the area exceeding 8 feet in height.
    - This presented challenges with smokefree workplace law.
- Employees shall be provided with PPE and not be required to enter smoking area.
- "Reasonable efforts" made to mitigate smoke migration to indoor area.
- Smoking/vaping shall be out of plain sight and not visible from a public place.

Responsible Vendor Training (RVT) for all Social Consumption Employees

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- General training, plus annual training on:
  - Recognizing drug and alcohol impairment;
  - Preventing overconsumption;
  - Managing impaired patrons;
  - Responding to medical emergencies;
  - Responsible service practices;
  - Preventing outside cannabis on premises; and
  - Safe exit procedures and transportation planning for impaired patrons.

Local control

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- Cities and towns must "opt-in" to permit Social Consumption Establishments
- Must sign an additional Host Community Agreement
- Locals can enact local regulations that:
  - Ban smoking/vaping of cannabis products
  - Require food service permit for shelf-stable food.
  - Require local permit for operation.
  - Designate hours of operation.
  - Cannot be "unreasonably impracticable" or conflict with state law.
    - Effectively impossible to operate a business



CONUNDRUM

Social Consumption Working Group (MAHB, DPH, LBOH, etc.)



- How do you teach someone how to recognize impairment?
- How to you teach someone to respond to medical emergencies online?
- How do you prevent outside cannabis from entering the SCE?
- As of last Saturday (10.24.26) the only training vendors on CCC website were Basic Vendor and Delivery Vendor trainings.
- Applications for Social Consumption vendors were opened on 08.24.26.
- No applicants as of last Saturday (10.24.26).

When will the first SCE open?



- Social Consumption Regulatory Implement Project began in January 2026 following final regulations.
- Team is working on:
  - Application process for SCE licenses
  - Updating IT infrastructure
  - Updating guidance documents
  - Developing Responsible Vendor Training application completed (08.24.26)
  - Engaging with municipalities
  - Developing public education and awareness strategy
- "Simultaneously, cities and towns are working to opt-in to allow SCEs within their borders."
- Initial CCC estimate was early to mid-2027.



What Still Needs to Happen?

- CCC must begin accepting social consumption applications once they are released.
- Vendor for SCE training must be chosen.
- Cities and towns must opt-in
  - No opt-in's have been confirmed on CCC's "Municipal Zoning Tracker."
- Applicants must obtain necessary local approvals and a CCC license.
- CCC must complete inspections and authorize establishment to commence operation.
- Crystal Ball would say ?????

QUESTIONS AND ANSWERS

Contact information



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