
SOCIAL CONSUMPTION ESTABLISHMENT REGULATIONS



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- MMLA



Disclaimer

- This information is provided for legal educational purposes only and is not to be construed as legal advice.
- Legal advice can only be provided by a municipal attorney.
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An Act Modernizing the Commonwealth's Cannabis Laws

*Chapter 65 of the Acts of
2026*

- Signed into law on April 19, 2026
- Main pieces:
 - 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.

Main pieces (*continued*)



- 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**.
 - Will new Commissioners implement them as currently written?
 - Open question right now.



**“ADDITIONAL OPERATIONAL
REQUIREMENTS FOR SOCIAL
CONSUMPTION ESTABLISHMENTS”
(935 CMR 500.141, 170)**

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
- For the first 36 months measured from the date the first social consumption licensee **in each license class** receives a notice to begin operations.



Final regulations unanimously approved December 11, 2025



- 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.



Supplemental License

- Existing licensed marijuana establishment (ME) adds a designated area where customers can consume cannabis purchased on-site.
 - Must be attached to or within an existing licensed cannabis business.
 - Cannabis must be used on-site.
 - Consumption occurs in designated consumption area only.
 - Alcohol and tobacco are not allowed on premises.
- Retail sales area and tasting room in separate room or enclosed area.
- Consumption area attached to a grow facility.



Hospitality On-Site Consumption Establishment License

- New or existing ME, partners with non-cannabis business and non-cannabis business hosts cannabis consumption.
- 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.



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.

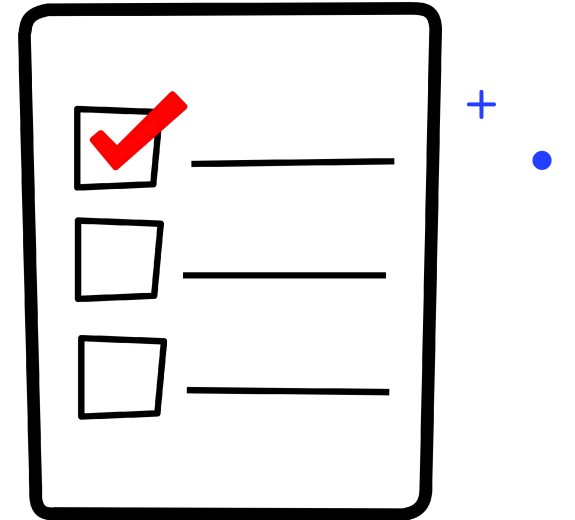


Examples of Temporary Consumption Events

- 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
 - Temporary consumption area is designated
 - Designated cannabis consumption lounge at festival or concert
 - Licensed retailers can sell products.
 - 21+ can buy and consume cannabis in consumption lounge.

General Requirements

- Limitations on sales
 - At point of sale, may not sell 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.*
- Must obtain all licenses and permits necessary to sell shelf-stable products.
- Shall not sell **alcohol or tobacco**.



General Requirements

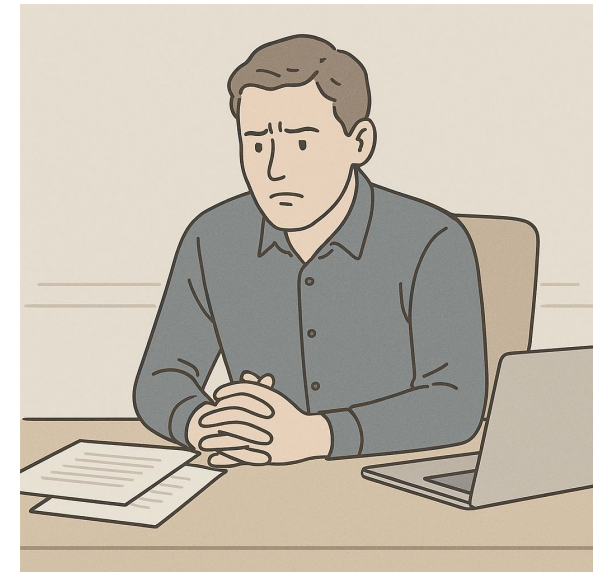
- May allow for sales and delivery of outside non-infused food
- May sell Marijuana Accessories
- May sell products that help in **mitigating effects of intoxication** from cannabis
- Consumers must have access to Certificates of Analysis
 - Consumer information card with lab testing report



General Requirements



- 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 Supplemental On-Site consumption licensee that also has a Marijuana Retailer license can sell cannabis 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.



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, Social Consumption Establishments will be selling or serving pre-manufactured edibles.



Indoor and Outdoor Smoking/Vaping Areas

- Must separate the sales and service areas. +
- Must be “isolated” from other 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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Incident
Reporting to
CCC
immediately
or within 24
hours if:

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- 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 in order to permit smoking and vaping.
- Employees shall be provided with PPE and shall not be forced to work in smoking area.
- Must have separate ventilation system that maintains negative air pressure.
 - Many specific requirements – if ventilation system fails, area must be closed.
- Odor control equipment sufficient to mitigate cannabis odor required.
- Smoking area shall be out of plain sight and not visible from a public place without the use of binoculars, optical aids, or aircraft (event organizers).



Outdoor Smoking Area Requirements

- Open to the air at all times.
 - With a ceiling- at least $\frac{1}{2}$ of total surface area of the walls and other vertical boundaries of the space permit unobstructed flow of outside air 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 and vaping shall be out of plain sight and not visible from a public place **without the use of binoculars, optical aids, or aircraft (event organizers).**

Responsible Vendor Training (RVT) for all Social Consumption Employees



- 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.



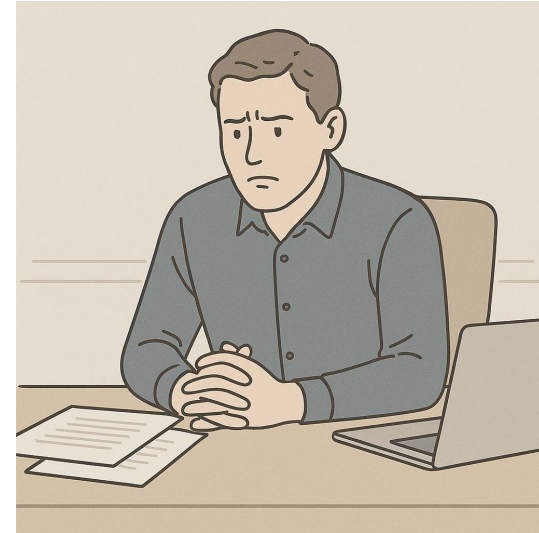
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RVT *(continued)*

- Ensure that all products purchased for consumption on premises are distinguished from those purchased for retail sale and not consumed on-site.
- Description of dose verification to ensure products meet dose limitations.
- Policies and procedures must be in writing.
- Menu information with onset times.
- Sales stop 30 minutes before closing.
- Last call rules.



Local control



- Cities and towns must “opt-in” to permit Social Consumption Establishments
 - By an ordinance in cities
 - By a bylaw in a town
 - By local referendum at next local election
- Must sign an additional Host Community Agreement
- Locals can enact local regulations
 - Prohibiting the combustion of cannabis products (smoking and vaping).
 - Requiring food service permit for shelf-stable food.
 - Require permits for operation.
 - Designate hours of operation.
 - Cannot be “unreasonably impracticable” or conflict with state law.
 - Effectively impossible to operate a business

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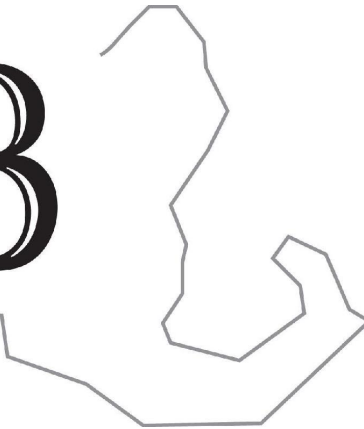


Contact information



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