



State-By-State On-Site Consumption Laws

Every state allows bars and restaurants to serve alcohol to adults, though there are some “dry” counties or cities. Similarly, a majority of states that legalized cannabis for adults allow on-site consumption of cannabis at some regulated locations.

Cannabis cafes give tourists a place to consume cannabis. Allowing on-site consumption is also an important feature of equitable legalization: individuals living in subsidized housing and renters are often not allowed to use cannabis at home.¹

Here is a review of the 11 legalization states that allow on-site cannabis lounges, and some of the policies in place. In many of the states, on-site consumption is allowed only in localities that opt-in.

State	Business Types	Smoking Policy	Food Policy	Alcohol Policy
Alaska	Onsite endorsements for retail dispensaries. Localities may opt in and license. Can only allow smoking if the retailer is freestanding.	Localities may allow smoking, including indoors. If indoor: Must have a smoke-free area where employees can monitor and a ventilation system. If outdoors: must have a sight-obscuring wall. Regulatory review includes for compatible neighborhood uses and air intake vents.	Allowed to sell food and beverages.	Alcohol cannot be sold or consumed on-site.
Calif.	Retail licensees can be allowed by localities to allow on-site use. Localities may opt in and license. California also issues temporary events licenses for onsite consumption.	Localities may allow smoking, including indoors. Localities are generally responsible for additional regulations.	Retailers cannot have a food preparation license.	Alcohol cannot be sold or consumed on-site.

¹ See: <https://www.hud.gov/sites/documents/MED-MARIJUANA.PDF> (A U.S. Housing and Urban Development memo explaining state-legal medical cannabis users may not be admitted to public housing or housing choice voucher programs.)

State	Business Types	Smoking Policy	Food Policy	Alcohol Policy
Colo.	Two types of marijuana hospitality: bring-your-own (which can be mobile) and ones that can sell cannabis (which cannot). Localities may opt in. Also has a special events license.	Localities may allow smoking, including indoors. For mobile units, the driver’s area must have separate ventilation.	May prepare food if licensed to do so. Consumption area must be isolated. Those not licensed to prepare food may serve hot beverages, pastries, and pre-packaged foods.	Alcohol cannot be sold or consumed on-site.
Illinois	Localities may opt in. They may allow smoking at cannabis dispensaries, and/or at retail tobacco stores. The latter are bring-your-own for cannabis.	Localities may allow smoking, including indoors. For dispensaries with local approval: Allowed in a specifically designated area, with a locked door from other areas.	Prepackaged food may be served, but it is not produced on-site where smoking is allowed.	Alcohol cannot be served.
Md.* *part of an omnibus bill that’s on Gov. Moore’s desk, he said he will sign it.	Localities may opt in and license. No more than 50 allowed statewide. Licenses will not be issued before the second licensing round, which begins no earlier than May 2024.	Localities can only allow smoking outdoors, such as on patios. Vaporization can be allowed indoors.	Unclear, except that bakeries are expressly allowed to apply for licenses.	Alcohol cannot be sold or consumed on-site.
Mich.	Localities may opt in to authorize on-site use. They are bring-your-own or adjacent to an affiliated retailer or microbusiness. Also issues temporary marijuana event licenses.	Smoking is allowed, including indoors at locally approved on-site businesses. Must have a smoke-free area for employees to monitor the area and a ventilation/filtration system that removes visible smoke.	Food preparation and sales are allowed with requisite state and local licensing.	A license must be partitioned from any other business — including any serving alcohol.

State	Business Types	Smoking Policy	Food Policy	Alcohol Policy
Missouri	Localities may opt in and authorize on-site consumption.	Smoking allowed, including indoors at locally approved on-site businesses.	Yes, and localities may license on-site facilities where cannabis-infused are prepared for same-day consumption.	Unclear. (Law enacted in Nov. '22, rules are not final.)
Nev.	Two types: Retail consumption lounge and independent cannabis consumption lounge.	Smoking is allowed onsite, but must be in a completely separate room. Must have an approved ventilation plan. Employees must be able to monitor smoking rooms but their need to enter must be minimized and PPE must be provided.	Food is allowed but handling must comply with local health regulations.	Alcohol cannot be sold or consumed on-site.
N.J.	Onsite endorsement of retail location.	Smoking is allowed indoors or in an outdoor exterior structure.	Only delivery food or food brought in by patients or consumers is allowed.	Alcohol cannot be served.
N.M.	Onsite endorsement of retail location.	Smoking is allowed indoors.	Law does not address food specifically but allows licensees to conduct any lawful activity or any combination of lawful activities at a licensed premises, except for the sale of alcohol.	Alcohol cannot be served.
N.Y.	Cannabis on-site consumption license.	Smoking is allowed indoors.	Awaiting regulations	Awaiting regulations

