

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-1045.01 Yelana Love x2295

HOUSE BILL 24-1373

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A BILL FOR AN ACT

101 **CONCERNING PERSONS LICENSED TO SELL ALCOHOL BEVERAGES, AND,**
102 **IN CONNECTION THEREWITH, CONVERTING CERTAIN**
103 **LIQUOR-LICENSED DRUGSTORE LICENSES TO FERMENTED MALT**
104 **BEVERAGE AND WINE RETAILER LICENSES, UPDATING THE**
105 **REQUIREMENTS FOR WHOLESALERS, REMOVING THE CAP ON THE**
106 **AMOUNT OF ALCOHOL BEVERAGES A RETAILER CAN PURCHASE**
107 **FROM RETAIL LIQUOR STORES, PROHIBITING A FERMENTED**
108 **MALT BEVERAGE AND WINE RETAILER FROM DISPLAYING**
109 **ALCOHOL BEVERAGES IN CERTAIN LOCATIONS ON THE**
110 **RETAILER'S SALES FLOOR, EXPANDING CERTAIN LICENSEES'**
111 **ABILITY TO DELIVER ALCOHOL TO CERTAIN OTHER LICENSEES,**
112 **PROHIBITING A FERMENTED MALT BEVERAGE AND WINE**
113 **RETAILER FROM SELLING ALCOHOL BEVERAGES WITH GREATER**

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

HOUSE
3rd Reading Unamended
May 4, 2024

HOUSE
Amended 2nd Reading
May 3, 2024

101
102

**THAN SEVENTEEN PERCENT ALCOHOL BY VOLUME AND MAKING
AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Sections 1 and 2 of the bill eliminate the liquor-licensed drugstore license, effective January 1, 2025. All active liquor-licensed drugstore licenses will convert to a fermented malt beverage and wine retailer license on that date; except that a licensee with a single location may choose to convert the liquor-licensed drugstore license to a retail liquor store license. **Sections 18 through 29** make conforming amendments to account for the removal of the liquor-licensed drugstore license.

Sections 3 and 4 require fermented malt beverage and wine retailers to display alcohol beverages for sale in a single location on the licensed premises and prohibit fermented malt beverage and wine retailers from selling alcohol beverages with greater than 14% alcohol by volume.

Sections 5 and 6 expand on a wholesaler's duty not to discriminate when selling products to retailers and allows the state licensing authority to recover the cost of enforcing the anti-discrimination laws from a person found in violation of the anti-discrimination laws.

Current law limits the amount of alcohol beverages certain retailers can purchase from retail liquor stores, liquor-licensed drugstores, and fermented malt beverage and wine retailers. **Sections 7 through 17** remove the cap as it applies to retail liquor stores.

For the delivery of alcohol beverages:

- **Section 4** prohibits fermented malt beverage and wine retailers from delivering alcohol beverages to another person licensed to sell alcohol beverages; and
- **Section 24** removes the prohibition on a retail liquor store delivering alcohol beverages to another retail liquor store.

Section 18 allows automated teller machine (ATM) cards associated with public assistance programs to be used at ATMs in grocery stores.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 44-3-103, **add** (21.5)
3 and (22.5) as follows:

4 **44-3-103. Definitions.** As used in this article 3 and article 4 of
5 this title 44, unless the context otherwise requires:

6 (21.5) "INFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN
7 THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR
8 STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR
9 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY URBAN
10 CONSUMERS.

11 (22.5) "KEG" MEANS A PRESSURIZED, FACTORY-SEALED CASK OR
12 BARREL CONTAINING TWO GALLONS OR MORE OF MALT LIQUOR.

13 **SECTION 2.** In Colorado Revised Statutes, 44-3-103, **amend**
14 (26); and **add** (21.5) as follows:

15 **44-3-103. Definitions.** As used in this article 3 and article 4 of
16 this title 44, unless the context otherwise requires:

17 (21.5) "INDEPENDENT PHARMACY" HAS THE SAME MEANING AS IN
18 SECTION 25-4-2404 (1)(a).

19 (26) "Liquor-licensed drugstore" means any ~~drugstore~~
20 INDEPENDENT PHARMACY licensed by the state board of pharmacy that has
21 also applied for and has been granted a license by the state licensing
22 authority to sell malt, vinous, and spirituous liquors in original sealed
23 containers for consumption off the premises.

24 **SECTION 3.** In Colorado Revised Statutes, 44-3-410, **amend**
25 (1)(a)(I), (2)(a)(I), and (2)(b); **repeal** (1)(b), (4)(b)(IV), (4)(b)(V), (4)(c),
26 and (7); and **add** (8) as follows:

27 **44-3-410. Liquor-licensed drugstore license - multiple licenses**

1 **permitted - requirements - rules.** (1) (a) (I) A liquor-licensed drugstore
2 license shall be issued to persons selling malt, vinous, and spirituous
3 liquors in sealed containers not to be consumed at the place where sold.
4 On and after July 1, 2016, except as permitted under subsection (1)(b) of
5 this section, JANUARY 1, 2025, the state and local licensing authorities
6 shall not issue a ANY new liquor-licensed drugstore license if the licensed
7 premises for which a liquor-licensed drugstore license is sought is
8 located: LICENSES.

9 (A) Within one thousand five hundred feet of a retail liquor store
10 licensed under section 44-3-409;

11 (B) For a drugstore premises located in a municipality with a
12 population of ten thousand or fewer, within three thousand feet of a retail
13 liquor store licensed under section 44-3-409; or

14 (C) For a drugstore premises located in a municipality with a
15 population of ten thousand or fewer that is contiguous to the city and
16 county of Denver, within one thousand five hundred feet of a retail liquor
17 store licensed under section 44-3-409.

18 (b) (f) On or after January 1, 2017, to qualify for an additional
19 liquor-licensed drugstore license under this section, a liquor-licensed
20 drugstore licensee, or a retail liquor store licensee that was licensed as a
21 liquor-licensed drugstore on February 21, 2016, must apply to the state
22 and local licensing authorities, as part of a single application, for a
23 transfer of ownership of at least two licensed retail liquor stores that were
24 licensed or had applied for a license on or before May 1, 2016, a change
25 of location of one of the retail liquor stores, and a merger and conversion
26 of the retail liquor store licenses into a single liquor-licensed drugstore
27 license. The applicant may apply for a transfer, change of location, and

1 ~~merger and conversion only if all of the following requirements are met:~~

2 ~~(A) The retail liquor stores that are the subject of the transfer of~~
3 ~~ownership are located within the same local licensing authority~~
4 ~~jurisdiction as the drugstore premises for which the applicant is seeking~~
5 ~~a liquor-licensed drugstore license, and, if any retail liquor stores are~~
6 ~~located within one thousand five hundred feet of the drugstore premises~~
7 ~~or, for a drugstore premises located in a municipality with a population~~
8 ~~of ten thousand or fewer, within three thousand feet of the drugstore~~
9 ~~premises, the applicant applies to transfer ownership of all retail liquor~~
10 ~~stores located within that distance. If there are no licensed retail liquor~~
11 ~~stores or only one licensed retail liquor store within the same local~~
12 ~~licensing authority jurisdiction as the drugstore premises for which a~~
13 ~~liquor-licensed drugstore license is sought, the applicant shall apply to~~
14 ~~transfer ownership of one or two retail liquor stores, as necessary, that are~~
15 ~~located in the local licensing authority jurisdiction that is nearest to the~~
16 ~~jurisdiction in which the drugstore premises is located.~~

17 ~~(B) Upon transfer and conversion of the retail liquor store licenses~~
18 ~~to a single liquor-licensed drugstore license, the drugstore premises for~~
19 ~~which the liquor-licensed drugstore license is sought will be located at~~
20 ~~least one thousand five hundred feet from all licensed retail liquor stores~~
21 ~~that are within the same local licensing authority jurisdiction as the~~
22 ~~drugstore premises or, for a drugstore premises located in a municipality~~
23 ~~with a population of ten thousand or fewer, at least three thousand feet~~
24 ~~from all licensed retail liquor stores that are within the same local~~
25 ~~licensing authority jurisdiction as the drugstore premises.~~

26 ~~(H) For purposes of determining whether the distance~~
27 ~~requirements specified in subsection (1)(b)(I) of this section are satisfied,~~

1 the distance shall be determined by a radius measurement that begins at
2 the principal doorway of the drugstore premises for which the application
3 is made and ends at the principal doorway of the licensed retail liquor
4 store.

5 (III) In making its determination on the transfer of ownership,
6 change of location, and license merger and conversion application, the
7 local licensing authority shall consider the reasonable requirements of the
8 neighborhood and the desires of the adult inhabitants in accordance with
9 section 44-3-312.

10 (IV) In addition to any other requirements for licensure under this
11 section or this article 3, a person applying for a new liquor-licensed
12 drugstore license in accordance with this subsection (1)(b) on or after
13 January 1, 2017, or to renew a liquor-licensed drugstore license issued on
14 or after January 1, 2017, under this subsection (1)(b) must:

15 (A) Provide evidence to the state and local licensing authorities
16 that at least twenty percent of the licensee's gross annual income derived
17 from total sales during the prior twelve months at the drugstore premises
18 for which a new or renewal licenses is sought is from the sale of food
19 items, as defined by the state licensing authority by rule; and

20 (B) Make and keep its premises open to the public.

21 (2) (a) A person licensed under this section to sell malt, vinous,
22 and spirituous liquors as provided in this section shall:

23 (I) Purchase malt, vinous, and spirituous liquors only from a
24 wholesaler licensed under this article 3 OR FROM A RETAILER LICENSED
25 PURSUANT TO SECTION 44-3-409;

26 (b) A person licensed under this section on or after January 1,
27 2017, shall not purchase malt, vinous, or spirituous liquors from a

1 wholesaler OR RETAILER on credit and shall effect payment upon delivery
2 of the alcohol beverages.

3 (4) (b) An owner, part owner, shareholder, or person interested
4 directly or indirectly in a liquor-licensed drugstore may have an interest
5 in:

6 (IV) ~~For a liquor-licensed drugstore licensed on or before January~~
7 ~~1, 2016, or a liquor-licensed drugstore licensee that was licensed as a~~
8 ~~liquor-licensed drugstore on February 21, 2016, that converted its license~~
9 ~~to a retail liquor store license after February 21, 2016, and that applied on~~
10 ~~or before May 1, 2017, to convert its retail liquor store license back to a~~
11 ~~liquor-licensed drugstore license, additional liquor-licensed drugstore~~
12 ~~licenses as follows, but only if obtained in accordance with subsection~~
13 ~~(1)(b) of this section:~~

14 (A) ~~On or after January 1, 2017, and before January 1, 2022, four~~
15 ~~additional liquor-licensed drugstore licenses, for a maximum of five total~~
16 ~~liquor-licensed drugstore licenses;~~

17 (B) ~~On or after January 1, 2022, and before January 1, 2027, up~~
18 ~~to seven additional liquor-licensed drugstore licenses, for a maximum of~~
19 ~~eight total liquor-licensed drugstore licenses;~~

20 (C) ~~On or after January 1, 2027, and before January 1, 2032, up~~
21 ~~to twelve additional liquor-licensed drugstore licenses, for a maximum of~~
22 ~~thirteen total liquor-licensed drugstore licenses;~~

23 (D) ~~On or after January 1, 2032, and before January 1, 2037, up~~
24 ~~to nineteen additional liquor-licensed drugstore licenses, for a maximum~~
25 ~~of twenty total liquor-licensed drugstore licenses; and~~

26 (E) ~~On or after January 1, 2037, an unlimited number of additional~~
27 ~~liquor-licensed drugstore licenses.~~

1 (V) For a liquor-licensed drugstore that submitted an application
2 for a new liquor-licensed drugstore license before October 1, 2016,
3 additional liquor-licensed drugstore licenses as follows, but only if
4 obtained in accordance with subsection (1)(b) of this section:

5 (A) On or after January 1, 2019, and before January 1, 2022, four
6 additional liquor-licensed drugstore licenses, for a maximum of five total
7 liquor-licensed drugstore licenses;

8 (B) On or after January 1, 2022, and before January 1, 2027, up
9 to seven additional liquor-licensed drugstore licenses, for a maximum of
10 eight total liquor-licensed drugstore licenses;

11 (C) On or after January 1, 2027, and before January 1, 2032, up
12 to twelve additional liquor-licensed drugstore licenses, for a maximum of
13 thirteen total liquor-licensed drugstore licenses;

14 (D) On or after January 1, 2032, and before January 1, 2037, up
15 to nineteen additional liquor-licensed drugstore licenses, for a maximum
16 of twenty total liquor-licensed drugstore licenses; and

17 (E) On or after January 1, 2037, an unlimited number of additional
18 liquor-licensed drugstore licenses.

19 (c) Subsection (4)(b)(V) of this section does not apply to a
20 liquor-licensed drugstore licensee that was licensed as a liquor-licensed
21 drugstore on February 21, 2016, that converted its license to a retail liquor
22 store license after February 21, 2016, and that applied on or before May
23 1, 2017, to convert its retail liquor store license back to a liquor-licensed
24 drugstore license.

25 (7) A person licensed under this section that obtains additional
26 liquor-licensed drugstore licenses in accordance with subsection
27 (4)(b)(IV) or (4)(b)(V) of this section may operate under a single or

1 ~~consolidated corporate entity but shall not commingle purchases of or~~
2 ~~credit extensions for purchases of malt, vinous, or spirituous liquors from~~
3 ~~a wholesaler licensed under this article 3 for more than one licensed~~
4 ~~premises. A wholesaler licensed under this article 3 shall not base the~~
5 ~~price for the malt, vinous, or spirituous liquors it sells to a liquor-licensed~~
6 ~~drugstore licensed under this section on the total volume of malt, vinous,~~
7 ~~or spirituous liquors that the licensee purchases for multiple licensed~~
8 ~~premises.~~

9 (8) (a) ON AND AFTER JANUARY 1, 2025, THE STATE OR A LOCAL
10 LICENSING AUTHORITY SHALL NOT ISSUE ANY NEW LIQUOR-LICENSED
11 DRUGSTORE LICENSES. ON AND AFTER JANUARY 1, 2025, THE STATE OR
12 LOCAL LICENSING AUTHORITY MAY RENEW A LIQUOR-LICENSED
13 DRUGSTORE LICENSE ONLY IF THE LICENSEE IS LICENSED ON THE EFFECTIVE
14 DATE OF THIS SECTION, AS AMENDED.

15 (b) THE STATE AND LOCAL LICENSING AUTHORITIES SHALL TREAT
16 ANY PENDING APPLICATION FOR A LIQUOR-LICENSED DRUGSTORE LICENSE
17 AS AN APPLICATION FOR A FERMENTED MALT BEVERAGE AND WINE
18 RETAILER LICENSE FOR CONSUMPTION OFF THE LICENSED PREMISES
19 ISSUED PURSUANT TO SECTION 44-4-104 (1)(c).

20
21 **SECTION 4.** In Colorado Revised Statutes, 44-4-104, add (5),
22 (6), and (7) as follows:

23 **44-4-104. Licenses - state license fees - requirements -**
24 **limitations - definition.** (5) A PERSON LICENSED TO SELL FERMENTED
25 MALT BEVERAGES AND WINE UNDER SUBSECTION (1)(c) OF THIS SECTION
26 SHALL NOT:

27 (a) PLACE ANY TEMPORARY DISPLAYS OF ALCOHOL BEVERAGES:

1 (I) IMMEDIATELY ADJACENT TO NONALCOHOLIC SOFT DRINKS,
2 FRUIT JUICES, BOTTLED WATER, CANDY, OR TOYS;

3 (II) NEAR AN ENTRY OR EXIT OF THE LICENSED PREMISES; OR

4 (III) OUTSIDE OF THE AREA APPROVED BY THE LOCAL LICENSING
5 AUTHORITY FOR THE DISPLAY OF ALCOHOL BEVERAGES; OR

6 (b) ALLOW CUSTOMERS ACCESS TO SINGLE BOTTLES OF ALCOHOL
7 BEVERAGES THAT ARE TWO HUNDRED FIFTY MILLILITERS OR LESS. THE
8 LICENSEE SHALL STORE SUCH ALCOHOL BEVERAGES BEHIND A COUNTER OR
9 IN A LOCKED CASE AND PROHIBIT CUSTOMER ACCESS WITHOUT EMPLOYEE
10 ASSISTANCE.

11 (6) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS
12 SECTION SHALL NOT SELL:

13 (a) A FERMENTED MALT BEVERAGE THAT IS GREATER THAN
14 SEVENTEEN PERCENT ALCOHOL BY VOLUME; OR

15 (b) WINE THAT IS GREATER THAN TWENTY-ONE PERCENT ALCOHOL
16 BY VOLUME.

17 (7) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS
18 SECTION SHALL ENSURE THAT ALL WORK PERFORMED ON THE LICENSED
19 PREMISES IN CONNECTION WITH STOCKING AND REPLENISHING FERMENTED
20 MALT BEVERAGES AND WINE IS PERFORMED BY AN EMPLOYEE OF THE
21 LICENSEE.

22 **SECTION 5.** In Colorado Revised Statutes, 44-4-107, **amend**
23 (6)(a)(I); and **add** (8), (9), and (10) as follows:

24 **44-4-107. Local licensing authority - application - fees -**
25 **definitions - rules.** (6) (a) A person licensed under subsection (1)(a) of
26 this section who complies with this subsection (6) and rules promulgated
27 under this subsection (6) may deliver fermented malt beverages and wine

1 in sealed containers to a person of legal age if:

2 (I) The person receiving the delivery of fermented malt beverages
3 or wine is located at a place that is not licensed pursuant to ~~this section~~
4 ARTICLE 3 OF THIS TITLE 44 OR THIS ARTICLE 4;

5 (8) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(a) OF THIS
6 SECTION SHALL NOT:

- 7 (a) PLACE ANY TEMPORARY DISPLAYS OF ALCOHOL BEVERAGES:
 - 8 (I) IMMEDIATELY ADJACENT TO NONALCOHOLIC SOFT DRINKS,
9 FRUIT JUICES, BOTTLED WATER, CANDY, OR TOYS;
 - 10 (II) NEAR AN ENTRY OR EXIT OF THE LICENSED PREMISES; OR
 - 11 (III) OUTSIDE OF THE AREA APPROVED BY THE LOCAL LICENSING
12 AUTHORITY FOR THE DISPLAY OF ALCOHOL BEVERAGES; OR

13 (b) ALLOW CUSTOMERS ACCESS TO SINGLE BOTTLES OF ALCOHOL
14 BEVERAGES THAT ARE TWO HUNDRED FIFTY MILLILITERS OR LESS. THE
15 LICENSEE SHALL STORE SUCH ALCOHOL BEVERAGES BEHIND A COUNTER OR
16 IN A LOCKED CASE AND PROHIBIT CUSTOMER ACCESS WITHOUT EMPLOYEE
17 ASSISTANCE.

18 (9) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(a) OF THIS
19 SECTION SHALL NOT SELL:

- 20 (a) A FERMENTED MALT BEVERAGE THAT IS GREATER THAN
21 SEVENTEEN PERCENT ALCOHOL BY VOLUME; OR
- 22 (b) WINE THAT IS GREATER THAN TWENTY-ONE PERCENT ALCOHOL
23 BY VOLUME.

24 (10) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS
25 SECTION SHALL ENSURE THAT ALL WORK PERFORMED ON THE LICENSED
26 PREMISES IN CONNECTION WITH STOCKING AND REPLENISHING FERMENTED
27 MALT BEVERAGES AND WINE IS PERFORMED BY AN EMPLOYEE OF THE

1 LICENSEE.

2 SECTION 6. In Colorado Revised Statutes, 44-3-407, **amend** (4);
3 and **add** (5) as follows:

4 44-3-407. **Wholesaler's license - prohibitions - discrimination**
5 **in wholesale sales - legislative intent - labor - enforcement.** (4) (a) A
6 wholesaler shall make available to all retailers licensed pursuant to this
7 article 3 and article 4 of this title 44 in this state without discrimination
8 all malt, vinous, and spirituous liquors offered by the wholesaler for sale
9 at wholesale. A wholesaler shall use its best efforts to make available to
10 licensed retailers each brand of alcohol beverage that the wholesaler has
11 been authorized to distribute. A WHOLESALER MAY OFFER VARIABLE
12 PRICING BASED ON QUANTITIES ORDERED BY A LICENSED RETAILER ON A
13 PER-LICENSED-LOCATION BASIS, INCLUDING MULTIPLE CASE DISCOUNTS.
14 A WHOLESALER SHALL NOT OTHERWISE OFFER MORE FAVORABLE PRICING
15 TO ANY LICENSED RETAILER THAT IS NOT ALSO OFFERED TO EVERY RETAIL
16 LIQUOR STORE LICENSEE. A WHOLESALER SHALL NOT OFFER MORE
17 FAVORABLE PRODUCT AVAILABILITY; RELEVANT INFORMATION
18 REGARDING PRODUCTS THE WHOLESALER OFFERS FOR SALE, INCLUDING
19 VINTAGES AND QUANTITIES ON HAND; DEAL QUANTITIES, FEE STRUCTURES,
20 DISCOUNTS, REBATES, CREDITS, OR ACCESS TO SUPPLIER COUPONS; OR
21 OTHER TERMS OR CONDITIONS OF SALE TO A LICENSED RETAILER THAT ARE
22 NOT ALSO OFFERED TO EVERY RETAIL LIQUOR STORE LICENSEE.

23 (b) (I) Nothing in this section prohibits a wholesaler from
24 establishing reasonable allocation procedures when the anticipated
25 demand for a product is greater than the supply of the product PURSUANT
26 TO THIS SUBSECTION (4)(b).

27 (II) A WHOLESALER SHALL USE REASONABLE, GOOD FAITH,

1 NONDISCRIMINATORY JUDGMENT IN ALLOCATING A LIMITED SUPPLY OF A
2 PRODUCT AMONG THE LICENSED RETAILERS DESIRING TO PURCHASE THE
3 PRODUCT. IN DETERMINING HOW TO ALLOCATE THE PRODUCT, A
4 WHOLESALER MAY TAKE INTO ACCOUNT THE ANNUAL PURCHASE VOLUME
5 OF LICENSED RETAILERS ON A PER-LICENSED-LOCATION BASIS BUT SHALL
6 NOT AGGREGATE THE PURCHASES OF MULTIPLE LOCATIONS LICENSED TO
7 SELL AT RETAIL FOR CONSUMPTION OFF THE LICENSED PREMISES, WHICH
8 LICENSES ARE HELD BY THE SAME OR A RELATED GROUP OF PERSONS.

9 (III) A WHOLESALER SHALL USE REASONABLE, GOOD FAITH
10 EFFORTS TO ACQUIRE FROM ITS SUPPLIERS AS MUCH OF THE PRODUCT IN
11 QUESTION AS NECESSARY TO SUPPLY FERMENTED MALT BEVERAGE AND
12 WINE RETAILERS AND RETAIL LIQUOR STORE LICENSEES DESIRING TO
13 PURCHASE SUCH PRODUCT IN THE AMOUNTS REQUESTED.

14 (IV) A WHOLESALER SHALL NOT INTENTIONALLY LIMIT ITS SUPPLY
15 OR THE AVAILABILITY OF ANY PRODUCT FOR THE PURPOSE OF OR WITH THE
16 RESULT OF A DISCRIMINATORY AMOUNT OF THAT PRODUCT BEING
17 ALLOCATED TO A PARTICULAR RETAILER OR RETAILERS.

18 (c) THE INTENT OF THIS SUBSECTION (4) IS TO:

19 (I) ENSURE THAT RETAILERS LICENSED TO SELL FOR CONSUMPTION
20 OFF THE LICENSED PREMISES WITH MULTIPLE LICENSEES AND MULTIPLE
21 LOCATIONS DO NOT RECEIVE ANY PREFERENTIAL TREATMENT OVER
22 INDEPENDENT, SINGLE LOCATION RETAILERS; AND

23 (II) PROHIBIT A RETAILER LICENSED TO SELL FOR CONSUMPTION
24 OFF THE LICENSED PREMISES FROM MAINTAINING CERTAIN PRODUCTS AS
25 "PRIVATE LABELS" AVAILABLE ONLY AT THE RETAILER'S LOCATION.

26 (d) THE STATE LICENSING AUTHORITY MAY RECOVER THE COST OF
27 ENFORCING THIS SUBSECTION (4) FROM A PERSON FOUND IN VIOLATION OF

1 THIS SUBSECTION (4). MONEY COLLECTED PURSUANT TO THIS SUBSECTION
2 (4)(d) SHALL BE DEPOSITED IN THE LIQUOR ENFORCEMENT DIVISION AND
3 STATE LICENSING AUTHORITY CASH FUND CREATED IN SECTION 44-6-101.

4 (5) A WHOLESALER SHALL NOT PROVIDE ANY LABOR TO OR FOR
5 THE BENEFIT OF A PERSON LICENSED TO SELL FERMENTED MALT
6 BEVERAGES AND WINE PURSUANT TO SECTION 44-4-104 (1)(c) ON THE
7 PERSON'S LICENSED PREMISES BEYOND THE DELIVERY OF PRODUCT FROM
8 THE WHOLESALER'S DELIVERY VEHICLE TO THE NEAREST LOCATION INSIDE
9 THE LICENSED PREMISES THAT DOES NOT BLOCK INGRESS TO OR EGRESS
10 FROM THE LICENSED PREMISES.

11 **SECTION 7.** In Colorado Revised Statutes, **amend** 44-6-101 as
12 follows:

13 **44-6-101. Liquor enforcement division and state licensing**
14 **authority cash fund.** There is hereby created in the state treasury the
15 liquor enforcement division and state licensing authority cash fund. The
16 fund consists of money transferred in accordance with sections **44-3-407**
17 **(4)(d)**, 44-3-502 (1), 44-4-105 (2), and 44-7-104.5 (6). The general
18 assembly shall make annual appropriations from the fund for a portion of
19 the direct and indirect costs of the liquor enforcement division and the
20 state licensing authority in the administration and enforcement of articles
21 3 to 5 and 7 of this title 44. Any money remaining in the fund at the end
22 of each STATE fiscal year remains in the fund and does not revert to the
23 general fund or any other fund. The fund shall be maintained in
24 accordance with section 24-75-402.

25 **SECTION 8.** In Colorado Revised Statutes, 44-3-411, **amend** (2)
26 as follows:

27 **44-3-411. Beer and wine license.** (2) (a) Every person selling

1 malt and vinous liquors as provided in this section shall purchase THE
2 malt and vinous liquors only from a wholesaler licensed pursuant to this
3 article 3; except that, during a calendar year, ~~any~~ A person selling malt
4 and vinous liquors as provided in this section may purchase not more than
5 two thousand dollars' worth of malt and vinous liquors from retailers
6 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)
7 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND
8 DOLLARS' WORTH OF MALT AND VINOUS LIQUORS FROM A RETAILER
9 LICENSED PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER
10 THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

11 (b) A beer and wine licensee shall retain evidence of each
12 purchase of malt and vinous liquors from a retailer licensed pursuant to
13 section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase
14 receipt showing the name of the licensed retailer, the date of purchase, a
15 description of the malt or vinous liquor purchased, and the price paid for
16 the ~~purchase~~ MALT AND VINOUS LIQUORS. The ~~beer and wine~~ licensee
17 shall retain the receipt and ~~shall~~ make it available to the state and local
18 licensing authorities at all times during business hours.

19 
20 **SECTION 9.** In Colorado Revised Statutes, 44-3-413, **amend** (7)
21 as follows:

22 **44-3-413. Hotel and restaurant license - definitions - rules.**

23 (7) (a) Except as provided in subsection (7)(b) of this section, every
24 person selling alcohol beverages as provided in this section shall purchase
25 THE alcohol beverages only from a wholesaler licensed pursuant to this
26 article 3.

27 (b) (I) During a calendar year, a person selling alcohol beverages

1 as provided in this section may purchase not more than two thousand
2 dollars' worth of malt, vinous, and spirituous liquors from retailers
3 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)
4 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND
5 DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A
6 RETAILER LICENSED PURSUANT TO SECTION ~~44-3-409~~. A PERSON LICENSED
7 UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

8 (II) A hotel and restaurant licensee shall retain evidence of each
9 purchase of malt, vinous, or spirituous liquors from a retailer licensed
10 pursuant to section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of
11 a purchase receipt showing the name of the licensed retailer, the date of
12 purchase, a description of the alcohol beverages purchased, and the price
13 paid for the alcohol beverages. The licensee shall retain the receipt and
14 make it available to the state and local licensing authorities at all times
15 during business hours.

16
17 **SECTION 10.** In Colorado Revised Statutes, 44-3-414, **amend**
18 (2) as follows:

19 **44-3-414. Tavern license.** (2) (a) Every person selling alcohol
20 beverages as provided in this section shall purchase THE alcohol
21 beverages only from a wholesaler licensed pursuant to this article 3;
22 except that, during a calendar year, a person selling alcohol beverages as
23 provided in this section may purchase not more than two thousand dollars'
24 worth of malt, vinous, and spirituous liquors from retailers licensed
25 pursuant to sections ~~44-3-409~~, 44-3-410 and ~~44-4-104 (1)(c)~~ AND, DURING
26 A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH
27 OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED

1 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS
2 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

3 (b) A tavern licensee shall retain evidence of each purchase of
4 malt, vinous, or spirituous liquors from a retailer licensed pursuant to
5 section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase
6 receipt showing the name of the licensed retailer, the date of purchase, a
7 description of the alcohol beverages purchased, and the price paid for the
8 alcohol beverages. The ~~tavern~~ licensee shall retain the receipt and make
9 it available to the state and local licensing authorities at all times during
10 business hours.

11
12 **SECTION 11.** In Colorado Revised Statutes, 44-3-416, **amend**
13 **(2)** as follows:

14 **44-3-416. Retail gaming tavern license.** (2) (a) Every person
15 selling alcohol beverages as ~~described~~ PROVIDED in this section shall
16 purchase the alcohol beverages only from a wholesaler licensed pursuant
17 to this article 3; except that, during a calendar year, a person selling
18 alcohol beverages as provided in this section may purchase not more than
19 two thousand dollars' worth of malt, vinous, or spirituous liquors from
20 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104
21 **(1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE**
22 **THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS**
23 **FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON**
24 **LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A**
25 **WHOLESALER.**

26 (b) A retail gaming tavern licensee shall retain evidence of each
27 purchase of malt, vinous, or spirituous liquors from a retailer licensed

1 pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of
2 a purchase receipt showing the name of the licensed retailer, the date of
3 purchase, a description of the alcohol beverages purchased, and the price
4 paid for the alcohol beverages. The licensee shall retain the receipt and
5 make it available to the state and local licensing authorities at all times
6 during business hours.

7

8 **SECTION 12.** In Colorado Revised Statutes, 44-3-417, **amend**
9 **(3)** as follows:

10 **44-3-417. Brew pub license - definitions - repeal.** (3) (a) Every
11 person selling alcohol beverages pursuant to AS PROVIDED IN this section
12 shall purchase alcohol beverages, other than those that are manufactured
13 at the licensed brew pub, ONLY from a wholesaler licensed pursuant to
14 this article 3; except that, during a calendar year, a person selling alcohol
15 beverages as provided in this section may purchase not more than two
16 thousand dollars' worth of malt, vinous, and spirituous liquors from
17 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104
18 (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE
19 THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS
20 FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON
21 LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A
22 WHOLESALER.

23 (b) The brew pub licensee shall retain evidence of each purchase
24 of malt, vinous, and spirituous liquors from a retailer licensed pursuant
25 to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a
26 purchase receipt showing the name of the licensed retailer, the date of
27 purchase, a description of the alcohol beverages purchased, and the price

1 paid for the alcohol beverages. The licensee shall retain the receipt and
2 make it available to THE state and local licensing authorities at all times
3 during business hours.

4

5 **SECTION 13.** In Colorado Revised Statutes, 44-3-418, **amend**
6 (2) as follows:

7 **44-3-418. Club license - legislative declaration.** (2) (a) Every
8 person selling alcohol beverages as provided in this section shall purchase
9 the alcohol beverages only from a wholesaler licensed pursuant to this
10 article 3; except that, during a calendar year, a person selling alcohol
11 beverages as provided in this section may purchase not more than two
12 thousand dollars' worth of malt, vinous, and spirituous liquors from
13 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104
14 (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE
15 THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS
16 FROM A RETAILER LICENSED PURSUANT TO SECTION ~~44-3-409~~. A PERSON
17 LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A
18 WHOLESALER.

19 (b) The club licensee shall retain evidence of each purchase of
20 malt, vinous, or spirituous liquors from a retailer licensed pursuant to
21 section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase
22 receipt showing the name of the licensed retailer, the date of purchase, a
23 description of the alcohol beverages purchased, and the price paid for the
24 alcohol beverages. The licensee shall retain the receipt and make it
25 available to the state and local licensing authorities at all times during
26 business hours.

27

1 **SECTION 14.** In Colorado Revised Statutes, 44-3-419, **amend**
2 (4) as follows:

3 **44-3-419. Arts license - definition.** (4) (a) Every person selling
4 alcohol beverages as provided in this section shall purchase the alcohol
5 beverages only from a wholesaler licensed pursuant to this article 3;
6 except that, during a calendar year, a person selling alcohol beverages as
7 provided in this section may purchase not more than two thousand dollars'
8 worth of malt, vinous, and spirituous liquors from retailers licensed
9 pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING
10 A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH
11 OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED
12 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS
13 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.


14 (b) An arts licensee shall retain evidence of each purchase of malt,
15 vinous, or spirituous liquors from a retailer licensed pursuant to section
16 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase receipt
17 showing the name of the licensed retailer, the date of purchase, a
18 description of the alcohol beverages purchased, and the price paid for the
19 alcohol beverages. The licensee shall retain the receipt and make it
20 available to the state and local licensing authorities at all times during
21 business hours.

22 ■ ■
23 **SECTION 15.** In Colorado Revised Statutes, 44-3-420, **amend**
24 (2) as follows:

25 **44-3-420. Racetrack license.** (2) (a) Every person selling alcohol
26 beverages as provided in this section shall purchase the alcohol beverages
27 only from a wholesaler licensed pursuant to this article 3; except that,

1 during a calendar year, a person selling alcohol beverages as provided in
2 this section may purchase not more than two thousand dollars' worth of
3 malt, vinous, and spirituous liquors from retailers licensed pursuant to
4 sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING A
5 CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH OF
6 MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED
7 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS
8 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

9 (b) A racetrack licensee shall retain evidence of each purchase of
10 malt, vinous, or spirituous liquors from a retailer licensed pursuant to
11 section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase
12 receipt showing the name of the licensed retailer, the date of purchase, a
13 description of the alcohol beverages purchased, and the price paid for the
14 alcohol beverages. The licensee shall retain the receipt and make it
15 available to the state and local licensing authorities at all times during
16 business hours.

17 
18 **SECTION 16.** In Colorado Revised Statutes, 44-3-422, **amend**
19 **(3)** as follows:

20 **44-3-422. Vintner's restaurant license.** (3) (a) Every person
21 selling alcohol beverages ~~pursuant to~~ AS PROVIDED IN this section shall
22 purchase the alcohol beverages, other than those that are manufactured at
23 the licensed vintner's restaurant, ONLY from a wholesaler licensed
24 pursuant to this article 3; except that, during a calendar year, a person
25 may purchase not more than two thousand dollars' worth of malt, vinous,
26 and spirituous liquors from retailers licensed pursuant to sections
27 ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING A CALENDAR

1 MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH OF MALT,
2 VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED PURSUANT
3 TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS SECTION MAY
4 PURCHASE A KEG ONLY FROM A WHOLESALER.

5 (b) The vintner's restaurant licensee shall retain evidence of each
6 purchase of malt, vinous, and spirituous liquors from a retailer licensed
7 pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of
8 a purchase receipt showing the name of the licensed retailer, the date of
9 purchase, a description of the alcohol beverages purchased, and the price
10 paid for the alcohol beverages. The licensee shall retain the receipt and
11 make it available to THE state and local licensing authorities at all times
12 during business hours.

13

14 **SECTION 17.** In Colorado Revised Statutes, 44-3-426, **amend**
15 **(4)** as follows:

16 **44-3-426. Distillery pub license - legislative declaration -**
17 **definition.** (4) (a) Except as provided in subsection (4)(b) of this section,
18 every person selling alcohol beverages ~~pursuant to~~ AS PROVIDED IN this
19 section ~~must~~ SHALL purchase alcohol beverages, other than those that are
20 fermented and distilled at the licensed distillery pub, ONLY from a
21 wholesaler licensed pursuant to this article 3.

22 (b) (I) During a calendar year, a person selling alcohol beverages
23 as provided in this section may purchase not more than two thousand
24 dollars' worth of malt, vinous, and spirituous liquors from retailers
25 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)
26 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND
27 DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A

1 RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON LICENSED
2 UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

3 (II) The distillery pub licensee shall retain evidence of each
4 purchase of malt, vinous, and spirituous liquors from a retailer licensed
5 pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of
6 a purchase receipt showing the name of the licensed retailer, the date of
7 purchase, a description of the alcohol beverages purchased, and the price
8 paid for the alcohol beverages. The licensee shall retain the receipt and
9 make it available to THE state and local licensing authorities at all times
10 during business hours.

11 ■ ■
12 **SECTION 18.** In Colorado Revised Statutes, 44-3-428, **amend**
13 (2) as follows:

14 **44-3-428. Lodging and entertainment license.** (2) (a) A lodging
15 and entertainment facility licensed to sell alcohol beverages as provided
16 in this section shall purchase THE alcohol beverages only from a
17 wholesaler licensed pursuant to this article 3; except that, during a
18 calendar year, a lodging and entertainment facility licensed to sell alcohol
19 beverages as provided in this section may purchase not more than two
20 thousand dollars' worth of malt, vinous, and spirituous liquors from
21 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104
22 (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE
23 THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS
24 FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON
25 LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A
26 WHOLESALER.

27 (b) A lodging and entertainment facility licensee shall retain

1 evidence of each purchase of malt, vinous, or spirituous liquors from a
2 retailer licensed pursuant to section 44-3-409, 44-3-410, or 44-4-104
3 (1)(c) in the form of a purchase receipt showing the name of the licensed
4 retailer, the date of purchase, a description of the alcohol beverages
5 purchased, and the price paid for the alcohol beverages. The ~~lodging and~~
6 ~~entertainment facility~~ licensee shall retain the receipt and make it
7 available to the state and local licensing authorities at all times during
8 business hours.

9
10 **SECTION 19.** In Colorado Revised Statutes, 26-2-104, **amend**
11 (2)(a)(II)(C) and (2)(h)(I)(B) as follows:

12 **26-2-104. Public assistance programs - electronic benefits**
13 **transfer service - joint reports with department of revenue - signs -**
14 **rules.** (2) (a) (II) Only those businesses that offer products or services
15 related to the purpose of the public assistance benefits are allowed to
16 participate in the electronic benefits transfer service through the use of
17 point-of-sale terminals. Clients shall not be allowed to access cash
18 benefits through the electronic benefits transfer service from automated
19 teller machines in this state located in:

20 (C) Retail establishments licensed to sell malt, vinous, or
21 spirituous liquors pursuant to part 3 of article 3 of title 44; except that the
22 prohibition in this subsection (2)(a)(II)(C) does not apply to
23 establishments licensed as liquor-licensed drugstores under section
24 44-3-410 OR FERMENTED MALT BEVERAGE AND WINE RETAILERS AS
25 DEFINED IN SECTION 44-3-103 (18.5);

26 (h) (I) ~~On or before January 1, 2016,~~ The department of revenue
27 shall adopt rules pursuant to the "State Administrative Procedure Act",

1 article 4 of title 24, that relate to a client's use of automated teller
2 machines at locations where the use is prohibited. The rules must apply
3 to the following establishments:

4 (B) Retail establishments licensed to sell malt, vinous, or
5 spirituous liquors pursuant to part 3 of article 3 of title 44, excluding
6 establishments licensed as liquor-licensed drugstores under section
7 44-3-410 AND FERMENTED MALT BEVERAGE AND WINE RETAILERS AS
8 DEFINED IN SECTION 44-3-103 (18.5);

9

10 **SECTION 20.** In Colorado Revised Statutes, 44-3-303, **amend**
11 (1)(b), (1)(c)(I), and (2); and **repeal** (1)(c)(II) as follows:

12 **44-3-303. Transfer of ownership and temporary permits.**

13 (1) (b) When a license has been issued to ~~a husband and wife~~, SPOUSES
14 or to general or limited partners, the death of a spouse or partner shall not
15 require the surviving spouse or partner to obtain a new license. All rights
16 and privileges granted under the original license shall continue in full
17 force and effect as to such survivors for the balance of the license period.

18 (c) (I) ~~Except as provided in subsection (1)(c)(II) of this section,~~
19 For any other transfer of ownership, application must be made to the state
20 and local licensing authorities on forms prepared and furnished by the
21 state licensing authority. In determining whether to permit a transfer of
22 ownership, the licensing authorities shall consider only the requirements
23 of section 44-3-307 and 1 CCR 203-2, rule 47-302, entitled "Changing,
24 Altering, or Modifying Licensed Premises", or any analogous successor
25 rule. The local licensing authority may conduct a hearing on the
26 application for transfer of ownership after providing notice in accordance
27 with subsection (1)(c)(III) of this section. Any transfer of ownership

1 hearing by the state licensing authority must be held in accordance with
2 section 44-3-305 (2).

3 (II) ~~A license merger and conversion as provided for in section
4 44-3-410 (1)(b) includes a transfer of ownership of at least two retail
5 liquor stores, a change of location of one of the retail liquor stores, and
6 a merger and conversion of the retail liquor store licenses into a single
7 liquor-licensed drugstore license, all as part of a single transaction, and
8 the liquor-licensed drugstore applicant need not apply separately for a
9 transfer of ownership under this section. The liquor-licensed drugstore
10 applying for a license merger and conversion pursuant to section
11 44-3-410 (1)(b) is ineligible for a temporary permit pursuant to this
12 section. The local licensing authority shall consider the reasonable
13 requirements of the neighborhood pursuant to section 44-3-312 when
14 making a determination on the merger and conversion of the retail liquor
15 store licenses into a single liquor-licensed drugstore license. The local
16 licensing authority may hold a hearing on the application for the license
17 merger and conversion after providing notice in accordance with
18 subsection (1)(c)(III) of this section.~~

19 (2) Notwithstanding any provision of this article 3 to the contrary,
20 a local licensing authority may issue a temporary permit to a transferee of
21 any retail class of alcohol beverage license issued by the local licensing
22 authority pursuant to this article 3 or article 4 of this title 44. ~~except that~~
23 ~~a local licensing authority shall not issue a temporary permit to a~~
24 ~~liquor-licensed drugstore that has acquired ownership of licensed retail~~
25 ~~liquor stores in accordance with section 44-3-410 (1)(b). A temporary~~
26 ~~permit authorizes a transferee to continue selling alcohol beverages as~~
27 ~~permitted under the permanent license during the period in which an~~

1 application to transfer the ownership of the license is pending.

2 **SECTION 21.** In Colorado Revised Statutes, 44-3-312, **amend**
3 (2)(a) as follows:

4 **44-3-312. Results of investigation - decision of authorities.**

5 (2) (a) Before entering any decision approving or denying the AN
6 application, the local licensing authority shall consider, except where this
7 article 3 specifically provides otherwise, the facts and evidence adduced
8 as a result of its investigation, as well as any other facts, the reasonable
9 requirements of the neighborhood for the type of license for which
10 application has been made, the desires of the adult inhabitants, the
11 number, type, and availability of alcohol beverage outlets located in or
12 near the neighborhood under consideration, and any other pertinent
13 matters affecting the qualifications of the applicant for the conduct of the
14 type of business proposed; except that the reasonable requirements of the
15 neighborhood shall not be considered in the issuance of a club liquor
16 license. ~~For the merger and conversion of retail liquor store licenses to a~~
17 ~~single liquor-licensed drugstore license in accordance with section~~
18 ~~44-3-410(1)(b), the local licensing authority shall consider the reasonable~~
19 ~~requirements of the neighborhood and the desires of the adult inhabitants~~
20 ~~of the neighborhood.~~

21 **SECTION 22.** In Colorado Revised Statutes, 44-3-409, **amend**
22 (2)(a)(I); and **repeal** (3)(a)(I) and (5) as follows:

23 **44-3-409. Retail liquor store license - rules.** (2) (a) A person
24 licensed under this section to sell malt, vinous, and spirituous liquors in
25 a retail liquor store:

26 (I) Shall purchase the malt, vinous, and spirituous liquors only
27 from a wholesaler licensed pursuant to this article 3; **and EXCEPT THAT,**

1 DURING A CALENDAR MONTH, A PERSON LICENSED UNDER THIS SECTION
2 MAY PURCHASE UP TO FIVE THOUSAND DOLLARS' WORTH OF ALCOHOL
3 BEVERAGES FROM A RETAILER LICENSED PURSUANT TO THIS SECTION. A
4 PERSON LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM
5 A WHOLESALER.

6 (3) (a) A person licensed to sell at retail who complies with this
7 subsection (3) and rules promulgated pursuant to this subsection (3) may
8 deliver malt, vinous, and spirituous liquors to a person of legal age if:

9 (I) ~~The person receiving the delivery of malt, vinous, or spirituous~~
10 ~~liquors is located at a place that is not licensed pursuant to this section;~~

11 (5) ~~A liquor-licensed drugstore may apply to the state and local~~
12 ~~licensing authorities, as part of a single application, for a merger and~~
13 ~~conversion of retail liquor store licenses to a single liquor-licensed~~
14 ~~drugstore license as provided in section 44-3-410 (1)(b).~~

15

16 **SECTION 23.** In Colorado Revised Statutes, 44-3-501, **repeal**
17 **(3)(a)(XVI)** as follows:

18 **44-3-501. State fees - rules.** (3) (a) The state licensing authority
19 shall establish fees for processing the following types of applications,
20 notices, or reports required to be submitted to the state licensing
21 authority:

22 (XVI) ~~Applications for transfer of ownership, change of location,~~
23 ~~and license merger and conversion pursuant to section 44-3-410 (1)(b);~~

24

25 **SECTION 24.** In Colorado Revised Statutes, 44-3-505, **amend**
26 (1) introductory portion; and **repeal** (4)(a)(V) as follows:

27 **44-3-505. Local license fees.** (1) The applicant shall pay the

1 following license fees to the treasurer of the ~~municipality~~ CITY, city and
2 county, or county where the licensed premises is located annually in
3 advance:

4 ■ ■

5 (4) (a) Each application for a license provided for in this article 3
6 and article 4 of this title 44 filed with a local licensing authority must be
7 accompanied by an application fee in an amount determined by the local
8 licensing authority to cover actual and necessary expenses, subject to the
9 following limitations:

10 (V) ~~For a transfer of ownership, change of location, and license~~
11 ~~merger and conversion pursuant to section 44-3-410 (1)(b), not to exceed~~
12 ~~one thousand dollars.~~

13 **SECTION 25.** In Colorado Revised Statutes, 44-3-901, **amend**
14 **(1)(g), (6)(k)(I), and (6)(k)(V) as follows:**

15 **44-3-901. Unlawful acts - exceptions - definitions.** (1) Except
16 as provided in section 18-13-122, it is unlawful for any person:

17 (g) To sell at retail any malt, vinous, or spirituous liquors in sealed
18 containers without holding a retail liquor store **or liquor-licensed**
19 **drugstore** license, except as permitted by section 44-3-107 (2) or 44-3-301
20 (6)(b) or any other provision of this article 3, or ~~to sell at retail any~~
21 ~~fermented malt beverages in sealed containers without holding a~~
22 ~~fermented malt beverage retailer's license under section 44-4-104 (1)(c)~~
23 ~~or to sell at retail any fermented malt beverages and wine in sealed~~
24 ~~containers without holding a fermented malt beverage and wine retailer's~~
25 license under section **44-4-104 (1)(c)** OR 44-4-107 (1)(a);

26 ■ ■

27 (6) It is unlawful for any person licensed to sell at retail pursuant

1 to this article 3 or article 4 of this title 44:

2

3 (k) (I) Except as provided in subsections (6)(k)(II), (6)(k)(IV), and
4 (6)(k)(V) of this section, to have on the licensed premises, if licensed as
5 a retail liquor store, liquor-licensed drugstore, ~~fermented malt beverage~~
6 ~~retailer~~, or fermented malt beverage and wine retailer, any container that
7 shows evidence of having once been opened or that contains a volume of
8 liquor less than that specified on the label of the container;

9

10 (V) A person holding a retail liquor store or liquor-licensed
11 drugstore license under this article 3 or a fermented malt beverage and
12 wine retailer's license under section 44-4-107 (1)(a) may have upon the
13 licensed premises an open container of an alcohol beverage product that
14 the licensee discovers to be damaged or defective so long as the licensee
15 marks the product as damaged or for return and stores the open container
16 outside the sales area of the licensed premises until the licensee is able to
17 return the product to the wholesaler OR RETAILER from whom the product
18 was purchased.

19

20 **SECTION 26.** In Colorado Revised Statutes, add 44-3-314 as
21 follows:

22 **44-3-314. Adjustments for inflation - retail-to-retail sales.**

23 (1) ON JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER, THE STATE
24 LICENSING AUTHORITY SHALL ADJUST FOR INFLATION THE PURCHASE
25 LIMITATIONS FOR SALES BETWEEN RETAIL LICENSEES SPECIFIED IN
26 SECTIONS 44-3-409 (2)(a)(I), 44-3-411 (2)(a), 44-3-413 (7)(b)(I),
27 44-3-414 (2)(a), 44-3-416 (2)(a), 44-3-417 (3)(a), 44-3-418 (2)(a),

1 44-3-419 (4)(a), 44-3-420 (2)(a), 44-3-422 (3)(a), 44-3-426 (4)(a), AND
2 44-3-428 (2)(a).

3 (2) THE STATE LICENSING AUTHORITY SHALL PUBLISH THE
4 ADJUSTED PURCHASE LIMITATION AMOUNT ON THE LIQUOR ENFORCEMENT
5 DIVISION'S WEBSITE.

6 **SECTION 27. Appropriation.** (1) For the 2024-25 state fiscal
7 year, \$190,086 is appropriated to the department of revenue. This
8 appropriation is from liquor enforcement division and state licensing
9 authority cash fund created in 44-6-101, C.R.S. To implement this act, the
10 department may use this appropriation as follows:

11 (a) \$50,518 for use by the specialized business group for personal
12 services related to liquor and tobacco enforcement, which amount is
13 based on an assumption that the division will require an additional 0.6
14 FTE;

15 (b) \$14,108 for use by the specialized business group for operating
16 expenses related to liquor and tobacco enforcement; and

17 (c) \$125,460 for the purchase of legal services.

18 (2) For the 2024-25 state fiscal year, \$125,460 is appropriated to
19 the department of law. This appropriation is from reappropriated funds
20 received from the department of revenue under subsection (1)(c) of this
21 section and is based on an assumption that the department of law will
22 require an additional 0.5 FTE. To implement this act, the department of
23 law may use this appropriation to provide legal services for the
24 department of revenue.

25 **SECTION 28. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2024 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.