

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 12-0842.01 Christy Chase x2008

HOUSE BILL 12-1347

HOUSE SPONSORSHIP

Kerr J., Bradford, Brown, Conti, DelGrosso, Gardner B., Gerou, Hamner, Kerr A., Massey, Murray, Ramirez, Schafer S., Summers, Tyler

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE LIMITATION ON THE AMOUNT OF BEER A BREW PUB**
102 **LICENSED UNDER THE "COLORADO LIQUOR CODE" CAN**
103 **PRODUCE ANNUALLY.**

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://www.leg.state.co.us/billsummaries>.)

Under the "Colorado Liquor Code", a brew pub is defined as a retail establishment that manufactures not more than 1,860,000 gallons of full-strength and 3.2% beer on its licensed premises each year. The bill permits a licensed brew pub to manufacture an amount of beer in excess

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

of the limitation if the brew pub does not sell beer at wholesale to licensed retailers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend**
3 (4) as follows:

4 **12-47-103. Definitions.** As used in this article and article 46 of
5 this title, unless the context otherwise requires:

6 (4) "Brew pub" means:

7 (a) A retail establishment that manufactures not more than one
8 million eight hundred sixty thousand gallons of malt liquor and fermented
9 malt beverages on its licensed premises or licensed alternating proprietor
10 licensed premises, combined, each calendar year; AND

11 (b) A RETAIL ESTABLISHMENT THAT MANUFACTURES AN AMOUNT
12 OF MALT LIQUOR AND FERMENTED MALT BEVERAGES IN EXCESS OF THE
13 AMOUNT SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (4) IF THE
14 ESTABLISHMENT DOES NOT SELL ANY ALCOHOL BEVERAGES AT
15 WHOLESALE TO LICENSED RETAILERS PURSUANT TO SECTION 12-47-415 (2)
16 (a) (IV).

17 **SECTION 2.** In Colorado Revised Statutes, 12-47-415, **amend**
18 (2) (a) (IV) as follows:

19 **12-47-415. Brew pub license.** (2) (a) Except as provided in
20 paragraph (b) of this subsection (2), during the hours established in
21 section 12-47-901 (5) (b), malt liquors or fermented malt beverages
22 manufactured by a brew pub licensee on the licensed premises or
23 alternating proprietor licensed premises may be:

24 (IV) Sold at wholesale to licensed retailers in an amount up to
25 three hundred thousand gallons per calendar year; EXCEPT THAT A BREW

1 PUB THAT INTENDS TO AND DOES MANUFACTURE MORE THAN ONE MILLION
2 EIGHT HUNDRED SIXTY THOUSAND GALLONS OF MALT LIQUOR AND
3 FERMENTED MALT BEVERAGES, COMBINED, ANY CALENDAR YEAR, SHALL
4 NOT SELL ANY MALT LIQUOR OR FERMENTED MALT BEVERAGES AT
5 WHOLESALE TO LICENSED RETAILERS.

6 **SECTION 3. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2012 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.