



**Colorado
Legislative
Council
Staff**

HB16-1151

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0768
Prime Sponsor(s): Rep. Pabon
Sen. Holbert

Date: February 8, 2016
Bill Status: House Business Affairs and Labor
Fiscal Analyst: Erin Reynolds (303-866-4146)

BILL TOPIC: ALCOHOL BEVERAGE EXPAND PENALTY MITIGATION

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue General Fund	Minimal decrease.	
State Expenditures	Minimal workload increase.	
TABOR Impact	Minimal decrease.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal revenue decrease and workload increase.		

Summary of Legislation

Under current law, when a licensee or a licensee's employee sells alcohol to a minor during a law enforcement compliance check, state and local licensing authorities must consider a licensee's responsible alcohol beverage vendor training as a mitigating factor. Under the bill, responsible vendor training must be considered as a mitigating factor for other violations of the state's liquor laws, including sales to minors, sales to visibly intoxicated patrons, and other violations approved by future rulemaking in the Department of Revenue (DOR).

Background

State law requires the director of the Liquor Enforcement Division (LED) in DOR to set standards for a responsible alcohol beverage vendor training program by rule. Under current rule, the program must cover the following: alcohol's effect on the body, liquor liability, sales to visibly intoxicated persons and minors, acceptable forms of identification, as well as to highlight pertinent state laws and regulations. The LED also requires licensees to use an approved responsible vendor trainer and maintains a list of approved trainers on its website.

State Revenue

The bill may minimally reduce fine revenue to the General Fund. Fine calculations are set in state law, with a minimum of \$200 and a maximum of \$5,000 in penalties. Fines are assessed based on a calculation of a licensee's total alcohol sales. Because of the range of fines, variability of fine assessment, and mitigating factors, the impact to revenue cannot be determined, but is expected to be minimal.

State Expenditures

Workload for the DOR may minimally increase to consider responsible vendor training as a mitigating factor for additional violations. This can be accomplished within existing appropriations.

Local Government Impact

Workload for local licensing authorities may minimally increase to consider responsible vendor training as a mitigating factor for additional violations.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties
Municipalities

Information Technology
Revenue

Judicial