

*Colorado Legislative Council Staff Fiscal Note*  
**NO FISCAL IMPACT**

---

**Drafting Number:** LLS 09-0737**Date:** February 3, 2009**Prime Sponsor(s):** Rep. McFadyen  
Sen. Veiga**Bill Status:** House Business Affairs and Labor  
**Fiscal Analyst:** Harry Zeid (303-866-4753)

---

**TITLE:** CONCERNING THE ELIMINATION OF THE ALCOHOL PERCENTAGE LIMITATIONS ON BEER PRODUCTS SOLD IN COLORADO.

### Summary of Legislation

HB09-1192 eliminates the limitation in current law on the percentage of alcohol contained in fermented malt beverages (beer with not more than 3.2 percent alcohol by weight), thereby allowing beer licensees to manufacture, sell at wholesale or retail, or distribute full strength beer. Employees of premises where beer is sold at retail in containers for off-premises consumption who are 18 to 20 years of age would be required to either comply with the server and seller training program requirements established by the Liquor Enforcement Division in the Department of Revenue or be supervised by a person on the licensed premises who is at least 21 years of age.

The bill becomes effective August 4, 2009, assuming the General Assembly adjourns sine die as scheduled on May 6, 2009, unless a referendum petition is filed.

### Assessment

The bill is assessed as having no fiscal impact on state or local revenue or expenditures. Although it is recognized that a certain amount of beer sales will shift from liquor stores to retailers that currently sell 3.2 percent beer, and that sales will move away from 3.2 percent beer towards full strength beer, no evidence exists to suggest that a change in the aggregate amount of beer sales statewide will occur.

### Departments Contacted

Revenue