

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 12-0757.02 Christy Chase x2008

HOUSE BILL 12-1270

HOUSE SPONSORSHIP

Ryden, Jones, Liston, Miklosi, Tyler, Wilson

SENATE SPONSORSHIP

Heath,

House Committees

Economic and Business Development

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE LIMIT ON THE AMOUNT OF ALCOHOL**
102 **BEVERAGES A PERSON LICENSED TO SELL ALCOHOL BEVERAGES**
103 **FOR ON-PREMISES CONSUMPTION MAY PURCHASE FROM A**
104 **LICENSED ALCOHOL BEVERAGE RETAILER.**

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>.)

Current law limits the amount of alcohol beverages persons licensed to sell alcohol beverages for consumption on a licensed premises

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.

HOUSE
Amended 2nd Reading
February 20, 2012

may purchase at retail, rather than from a licensed alcohol beverage wholesaler. For hotel and restaurant licensees, the limit is \$1,000 worth of alcohol beverages per year; for all other on-premises licensees, the limit is \$500 worth of alcohol beverages per year.

The bill increases the limit to \$2,000 worth of alcohol beverages per year for all persons licensed to sell alcohol beverages for on-premises consumption.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-409, **amend**
3 (2) (a) introductory portion as follows:

4 **12-47-409. Beer and wine license.** (2) (a) Every person selling
5 malt and vinous liquors and fermented malt beverages as provided in this
6 section shall purchase malt and vinous liquors and fermented malt
7 beverages only from a wholesaler licensed pursuant to this article or
8 article 46 of this title; except that, during a calendar year, any person
9 selling malt and vinous liquors and fermented malt beverages as provided
10 in this section may purchase not more than ~~five hundred~~ TWO THOUSAND
11 dollars' worth of:

12 **SECTION 2.** In Colorado Revised Statutes, 12-47-411, **amend**
13 (6) (b) (I) introductory portion as follows:

14 **12-47-411. Hotel and restaurant license - definition - rules.**
15 (6) (b) (I) During a calendar year, a person selling alcohol beverages as
16 provided in this section may purchase not more than ~~one~~ TWO thousand
17 dollars' worth of:

18 **SECTION 3.** In Colorado Revised Statutes, 12-47-412, **amend**
19 (2) (a) introductory portion as follows:

20 **12-47-412. Tavern license.** (2) (a) Every person selling alcohol
21 beverages as provided in this section shall purchase alcohol beverages
22 only from a wholesaler licensed pursuant to this article or article 46 of

1 this title; except that, during a calendar year, a person selling alcohol
2 beverages as provided in this section may purchase not more than five
3 hundred TWO THOUSAND dollars' worth of:

4 **SECTION 4.** In Colorado Revised Statutes, 12-47-414, **amend**
5 (2) (a); and **add** (2) (a.5) as follows:

6 **12-47-414. Retail gaming tavern license.** (2) (a) **EXCEPT AS**
7 **PROVIDED IN PARAGRAPH (a.5) OF THIS SUBSECTION (2),** every person
8 selling alcohol beverages as described in this section shall purchase the
9 alcohol beverages only from a wholesaler licensed pursuant to this article
10 or article 46 of this title. **except that,**

11 (a.5) (I) **DURING THE 2013 CALENDAR YEAR,** a person selling alcohol
12 beverages as provided in this section may purchase not more than five
13 hundred ONE THOUSAND dollars' worth of:

14 ~~(A)~~ (A) Malt, vinous, or spirituous liquors from a retailer licensed
15 pursuant to section 12-47-407 or 12-47-408; and

16 ~~(B)~~ (B) Fermented malt beverages from a retailer licensed
17 pursuant to section 12-46-104 (1) (c).

18 (II) **DURING THE 2014 CALENDAR YEAR, A PERSON SELLING**
19 **ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT**
20 **MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:**

21 (A) **MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER**
22 **LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND**

23 (B) **FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED**
24 **PURSUANT TO SECTION 12-46-104 (1) (c).**

25 (III) **DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR**
26 **YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED**
27 **IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND**

1 DOLLARS' WORTH OF:

2 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
3 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

4 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
5 PURSUANT TO SECTION 12-46-104 (1) (c).

6 **SECTION 5.** In Colorado Revised Statutes, 12-47-415, **amend**
7 (3) (a); and **add** (3) (a.5) as follows:

8 **12-47-415. Brew pub license.** (3) (a) EXCEPT AS PROVIDED IN
9 PARAGRAPH (a.5) OF THIS SUBSECTION (3), every person selling alcohol
10 beverages pursuant to this section shall purchase alcohol beverages, other
11 than those that are manufactured at the licensed brew pub, from a
12 wholesaler licensed pursuant to this article or article 46 of this title.
13 ~~except that,~~

14 (a.5) (I) During a THE 2013 calendar year, a person selling alcohol
15 beverages as provided in this section may purchase not more than five
16 hundred ONE THOUSAND dollars' worth of:

17 (⊕) (A) Malt, vinous, and OR spirituous liquors from a retailer
18 licensed pursuant to section 12-47-407 or 12-47-408; and

19 (⊕) (B) Fermented malt beverages from a retailer licensed
20 pursuant to section 12-46-104 (1) (c).

21 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
22 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
23 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

24 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
25 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

26 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
27 PURSUANT TO SECTION 12-46-104 (1) (c).

1 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
2 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
3 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
4 DOLLARS' WORTH OF:

5 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
6 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

7 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
8 PURSUANT TO SECTION 12-46-104 (1) (c).

9 **SECTION 6.** In Colorado Revised Statutes, 12-47-416, **amend**
10 (2) (a); and **add** (2) (a.5) as follows:

11 **12-47-416. Club license - legislative declaration.** (2) (a) **EXCEPT**
12 **AS PROVIDED IN PARAGRAPH (a.5) OF THIS SUBSECTION (2),** every person
13 selling alcohol beverages as provided in this section shall purchase the
14 alcohol beverages only from a wholesaler licensed pursuant to this **article**
15 **or article 46 of this title. except that,**

16 (a.5) (I) During a THE 2013 calendar year, a person selling alcohol
17 beverages as provided in this section may purchase not more than **five**
18 **hundred** ONE THOUSAND dollars' worth of:

19 (⊕) (A) Malt, vinous, **and** OR spirituous liquors from a retailer
20 licensed pursuant to section 12-47-407 or 12-47-408; and

21 (⊕) (B) Fermented malt beverages from a retailer licensed
22 pursuant to section 12-46-104 (1) (c).

23 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
24 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
25 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

26 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
27 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

1 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
2 PURSUANT TO SECTION 12-46-104 (1) (c).

3 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
4 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
5 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
6 DOLLARS' WORTH OF:

7 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
8 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

9 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
10 PURSUANT TO SECTION 12-46-104 (1) (c).

11 **SECTION 7.** In Colorado Revised Statutes, 12-47-417, **amend**
12 (4) (a); and **add** (4) (a.5) as follows:

13 **12-47-417. Arts license.** (4) (a) **EXCEPT AS PROVIDED IN**
14 **PARAGRAPH (a.5) OF THIS SUBSECTION (4), every person selling alcohol**
15 **beverages as provided in this section shall purchase the alcohol beverages**
16 **only from a wholesaler licensed pursuant to this article or article 46 of**
17 **this title. ~~except that,~~**

18 (a.5) (I) During a THE 2013 calendar year, a person selling alcohol
19 beverages as provided in this section may purchase not more than ~~five~~
20 ~~hundred~~ ONE THOUSAND dollars' worth of:

21 (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
22 licensed pursuant to section 12-47-407 or 12-47-408; and

23 (B) Fermented malt beverages from a retailer licensed
24 pursuant to section 12-46-104 (1) (c).

25 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
26 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
27 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

1 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
2 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

3 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
4 PURSUANT TO SECTION 12-46-104 (1) (c).

5 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
6 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
7 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
8 DOLLARS' WORTH OF:

9 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
10 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

11 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
12 PURSUANT TO SECTION 12-46-104 (1) (c).

13 **SECTION 8.** In Colorado Revised Statutes, 12-47-418, **amend**
14 (2) (a); and **add** (2) (a.5) as follows:

15 **12-47-418. Racetrack license.** (2) (a) EXCEPT AS PROVIDED IN
16 PARAGRAPH (a.5) OF THIS SUBSECTION (2), every person selling alcohol
17 beverages as provided in this section shall purchase the alcohol beverages
18 only from a wholesaler licensed pursuant to this article or article 46 of this
19 title. ~~except that,~~

20 (a.5) (I) During a THE 2013 calendar year, a person selling alcohol
21 beverages as provided in this section may purchase not more than five
22 hundred ONE THOUSAND dollars' worth of:

23 ~~(A)~~ (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer licensed
24 pursuant to section 12-47-407 or 12-47-408; and

25 ~~(B)~~ (B) Fermented malt beverages from a retailer licensed pursuant
26 to section 12-46-104 (1) (c).

27 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING ALCOHOL

1 BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT MORE THAN
2 ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

3 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
4 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

5 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
6 PURSUANT TO SECTION 12-46-104 (1) (c).

7 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR YEAR
8 THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED IN THIS
9 SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND DOLLARS' WORTH
10 OF:

11 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
12 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

13 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
14 PURSUANT TO SECTION 12-46-104 (1) (c).

15 **SECTION 9.** In Colorado Revised Statutes, 12-47-420, **amend** (3)
16 (a); and **add** (3) (a.5) as follows:

17 **12-47-420. Vintner's restaurant license.** (3) (a) **EXCEPT AS**
18 **PROVIDED IN PARAGRAPH (a.5) OF THIS SUBSECTION (3),** every person selling
19 alcohol beverages pursuant to this section shall purchase the alcohol
20 beverages, other than those that are manufactured at the licensed vintner's
21 restaurant, from a wholesaler licensed pursuant to this article or **article 46 of**
22 **this title. except that,**

23 (a.5) (I) During a THE 2013 calendar year, a person may purchase not
24 more than ~~five hundred~~ ONE THOUSAND dollars' worth of:

25 ~~(A)~~ (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer licensed
26 pursuant to section 12-47-407 or 12-47-408; and

27 ~~(B)~~ (B) Fermented malt beverages from a retailer licensed pursuant

1 to section 12-46-104 (1) (c).

2 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING ALCOHOL
3 BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT MORE THAN
4 ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

5 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
6 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

7 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
8 PURSUANT TO SECTION 12-46-104 (1) (c).

9 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR YEAR
10 THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED IN THIS
11 SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND DOLLARS' WORTH
12 OF:

13 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
14 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

15 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
16 PURSUANT TO SECTION 12-46-104 (1) (c).

17 **SECTION 10. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the state
22 constitution against this act or an item, section, or part of this act within such
23 period, then the act, item, section, or part will not take effect unless approved
24 by the people at the general election to be held in November 2012 and, in
25 such case, will take effect on the date of the official declaration of the vote
26 thereon by the governor.