

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 15-0569.01 Christy Chase x2008

HOUSE BILL 15-1031

HOUSE SPONSORSHIP

Windholz,

SENATE SPONSORSHIP

Todd,

House Committees

State, Veterans, & Military Affairs

Senate Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING A BAN ON POWDERED ALCOHOL.**

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>.)

The bill prohibits the use, possession, sale, purchase, transfer, or manufacture of powdered alcohol. A person who violates the prohibition commits a class 2 misdemeanor. Research hospitals, educational institutions, and pharmaceutical or biotechnology companies conducting bona fide research are excluded from the prohibition. If the federal food and drug administration approves the use of powdered alcohol and the state enacts and implements a mechanism for regulating powdered alcohol, the prohibition is repealed.

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.*

SENATE
3rd Reading Unamended
March 2, 2015

SENATE
Amended 2nd Reading
February 27, 2015

HOUSE
3rd Reading Unamended
February 2, 2015

HOUSE
Amended 2nd Reading
January 29, 2015

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 **(36); and add (23.7) 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 **(23.7) "POWDERED ALCOHOL" MEANS ALCOHOL THAT IS PREPARED**
7 **OR SOLD IN A POWDER OR CRYSTALLINE FORM FOR EITHER DIRECT USE OR**
8 **RECONSTITUTION.**

9 **(36) "Spirituous liquors" means any alcohol beverage obtained by**
10 **distillation, mixed with water and other substances in solution, and**
11 **includes among other things brandy, rum, whiskey, gin, POWDERED**
12 **ALCOHOL, and every liquid or solid, patented or not, containing at least**
13 **one-half of one percent alcohol by volume and which is fit for use for**
14 **beverage purposes. Any liquid or solid containing beer or wine in**
15 **combination with any other liquor, except as provided in subsections (19)**
16 **and (39) of this section, shall not be construed to be fermented malt or**
17 **malt or vinous liquor but shall be construed to be spirituous liquor.**

18 **SECTION 2.** In Colorado Revised Statutes, 12-47-401, **add (2)**
19 **as follows:**

20 **12-47-401. Classes of licenses. (2) IF THE FEDERAL ALCOHOL**
21 **AND TOBACCO TAX AND TRADE BUREAU APPROVES THE PURCHASE, SALE,**
22 **POSSESSION, OR MANUFACTURING OF POWDERED ALCOHOL IN THE UNITED**
23 **STATES, THE STATE LICENSING AUTHORITY SHALL ADOPT RULES**
24 **ESTABLISHING A MECHANISM FOR REGULATING THE MANUFACTURE,**
25 **PURCHASE, SALE, POSSESSION, AND USE OF POWDERED ALCOHOL.**

26 **SECTION 3.** In Colorado Revised Statutes, 12-47-503, **add**

1 (1)(a.5) as follows:

2 **12-47-503. Excise tax - records.** (1) (a.5) THE DEPARTMENT OF
3 REVENUE SHALL PROMULGATE RULES CONCERNING THE EXCISE TAX
4 APPLIED TO POWDERED ALCOHOL AT 60.26 CENTS PER LITER FOR THE
5 AMOUNT OF LITERS OF WATER SUGGESTED TO BE ADDED BY THE
6 MANUFACTURER'S PACKAGING.

7 **SECTION 4. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.