

HB1192\_L.006

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

HB09-1192 be amended as follows:

1 Amend proposed committee amendment (HB1192\_L.003), page 2, after  
2 line 28, insert the following:

3 "SECTION 4. 12-47-407 (1), Colorado Revised Statutes, is  
4 amended to read:

5 **12-47-407. Retail liquor store license.** (1) (a) A retail liquor  
6 store license shall be issued to persons selling only malt, vinous, and  
7 spirituous liquors in sealed containers not to be consumed at the place  
8 where sold. Malt, vinous, and spirituous liquors in sealed containers shall  
9 not be sold at retail other than in retail liquor stores except as provided in  
10 section 12-47-408 OR 12-47-423.

11 (b) In addition TO SELLING MALT, VINOUS, AND SPIRITUOUS  
12 LIQUORS, A retail liquor stores STORE may sell nonfood items related to  
13 the consumption of such liquors, liquor-filled candy, and food items  
14 approved by the state licensing authority that are prepackaged, labeled,  
15 directly related to the consumption of such liquors, and sold solely for the  
16 purpose of cocktail garnish in containers up to sixteen ounces. Nothing  
17 in this section shall be construed to authorize the sale of food items that  
18 could constitute a snack, a meal, or a portion of a meal.

19 (c) Nothing in this section or in section 12-47-103 (31) shall be  
20 construed to prohibit the sale of items by a retail liquor store on behalf of  
21 or to benefit a charitable organization, as defined in section 39-26-102,  
22 C.R.S., or a nonprofit corporation subject to the "Colorado Revised



1 Nonprofit Corporation Act", articles 121 to 137 of title 7, C.R.S., and  
2 determined to be exempt from federal income tax by the federal internal  
3 revenue service, if the retail liquor store does not receive compensation  
4 for any such sale.

5 (d) Nothing in this section shall prohibit a retail liquor store  
6 licensee, at the option of the licensee, from displaying promotional  
7 material furnished by a manufacturer or wholesaler, which material  
8 permits a customer to purchase other items from a third person if the  
9 retail liquor store licensee does not receive payment from the third person  
10 and if the ordering of the additional merchandise is done by the customer  
11 directly from the third person.

12 (e) Nothing in this subsection (1) shall prohibit a retail liquor store  
13 licensee from allowing tastings to be conducted on his or her licensed  
14 premises if an authorization for the tastings has been granted pursuant to  
15 section 12-47-301."

16 Renumber succeeding sections accordingly.

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