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

SB20-213 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3 line 21, strike "A PERMIT" and substitute "ANY APPLICABLE PERMITS".

Page 5, after line 21, insert:

"(c) (I) THE LOCAL LICENSING AUTHORITY MAY CREATE A PERMIT FOR TAKEOUT AND DELIVERY OF ALCOHOL BEVERAGES TO IMPLEMENT THIS SECTION. IF A LOCAL LICENSING AUTHORITY DOES NOT CREATE A PERMIT UNDER THIS SUBSECTION (4)(c), A LICENSEE NEED NOT OBTAIN A LOCAL PERMIT TO SELL AND DELIVER AN ALCOHOL BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN ALCOHOL BEVERAGE FROM THE LICENSED PREMISES.

(II) A LOCAL LICENSING AUTHORITY MAY ESTABLISH FEES FOR THE PROCESSING AND APPROVAL OF A TAKEOUT OR DELIVERY PERMIT APPLICATION, BUT THE AMOUNT OF THE FEE MUST NOT EXCEED THE AMOUNT OF THE FEE SET BY THE STATE LICENSING AUTHORITY UNDER SUBSECTION (4)(a)(III) OF THIS SECTION.

(III) IF A LOCAL LICENSING AUTHORITY CREATES A TAKEOUT OR DELIVERY PERMIT:

(A) THE LICENSEE MUST OBTAIN THE PERMIT TO SELL AND DELIVER AN ALCOHOL BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN ALCOHOL BEVERAGE FROM THE LICENSED PREMISES AS EITHER IS AUTHORIZED UNDER SUBSECTION (1) OF THIS SECTION; AND

(B) THE LOCAL LICENSING AUTHORITY SHALL ISSUE A PERMIT TO A LICENSEE TO SELL ALCOHOL BEVERAGES FOR TAKEOUT AND DELIVERY
IF THE LICENSEE DEMONSTRATES THE ABILITY TO COMPLY WITH THIS
SECTION.

(IV) A PERMIT ISSUED UNDER THIS SUBSECTION (4)(c) IS SUBJECT
TO THE SUSPENSION AND REVOCATION PROVISIONS SET FORTH IN SECTION
44-3-601.

(V) A MANUFACTURER LICENSED UNDER SECTION 44-3-402 THAT
OPERATES A SALES ROOM OR A WHOLESALER LICENSED UNDER SECTION
44-3-407 THAT OPERATES A SALES ROOM NEED NOT OBTAIN A PERMIT
FROM THE LOCAL LICENSING AUTHORITY TO SELL AND DELIVER AN
ALCOHOL BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN ALCOHOL
BEVERAGE FROM THE LICENSED PREMISES.

(d) THE LICENSEE SHALL SUBMIT AN APPLICATION FOR A PERMIT
ISSUED UNDER THIS SECTION TO THE STATE LICENSING AUTHORITY AND
THE LOCAL LICENSING AUTHORITY, IF APPLICABLE, SIMULTANEOUSLY.
APPROVAL BY EITHER THE STATE LICENSING AUTHORITY OR A LOCAL
LICENSING AUTHORITY DOES NOT GUARANTEE APPROVAL BY THE OTHER
LICENSING AUTHORITY.".

Page 6, strike lines 1 through 3 and substitute "ROOM OR SECTION
44-3-407 THAT OPERATES A SALES ROOM OR SECTION 44-3-411, 44-3-413,
44-3-414, 44-3-417, 44-3-418, 44-3-422, 44-3-426, 44-3-428, 44-4-104
(1)(c)(I)(A), OR 44-4-104 (1)(c)(II).".

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