

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-1022.01 Yelana Love x2295

HOUSE BILL 16-1452

HOUSE SPONSORSHIP

Melton,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A WINE-EXPANDED PERMIT FOR
102 HOTELS LICENSED TO SELL ALCOHOL BEVERAGES, AND, IN
103 CONNECTION THEREWITH, ALLOWING HOTELS TO SELL SEALED
104 CONTAINERS OF VINOUS LIQUORS FOR ON- AND OFF- PREMISES
105 CONSUMPTION.

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 allows hotels with a valid hotel and restaurant license to apply for a wine-expanded permit. The wine-expanded permit authorizes

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.

a hotel to sell bottles of wine for on- and off-premises consumption, with some limitations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-411, **add** (3)
3 (d) and (3.7) as follows:

4 **12-47-411. Hotel and restaurant license - definition - rules.**

5 (3) Notwithstanding any provision of this article to the contrary, a hotel
6 licensed pursuant to this article may:

7 (d) SELL VINOUS LIQUORS IN SEALED CONTAINERS FOR
8 CONSUMPTION ON OR OFF THE LICENSED PREMISES PURSUANT TO A VALID
9 WINE-EXPANDED PERMIT ISSUED UNDER SUBSECTION (3.7) OF THIS
10 SECTION.

11 (3.7) (a) (I) A HOTEL LICENSED UNDER THIS SECTION MAY BE
12 ISSUED A WINE-EXPANDED PERMIT THAT AUTHORIZES THE HOTEL TO SELL
13 VINOUS LIQUORS IN SEALED CONTAINERS TO CUSTOMERS FOR
14 CONSUMPTION ON OR OFF THE LICENSED PREMISES.

15 (II) THE STATE LICENSING AUTHORITY SHALL NOT ISSUE A
16 WINE-EXPANDED PERMIT TO A HOTEL LICENSED UNDER THIS SECTION
17 THAT, AT THE TIME OF APPLICATION FOR THE PERMIT, HAS HAD ITS LICENSE
18 SUSPENDED OR IS OTHERWISE SUBJECT TO DISCIPLINE UNDER SECTION
19 12-47-601.

20 (b) DURING THE HOURS ESTABLISHED IN SECTION 12-47-901 (5)
21 (b), A HOTEL LICENSED UNDER THIS SECTION THAT HAS A WINE-EXPANDED
22 PERMIT MAY SELL UP TO SIX SEVEN-HUNDRED-FIFTY-MILLILITER SEALED
23 CONTAINERS OF VINOUS LIQUORS PER TRANSACTION FOR ON- OR
24 OFF-PREMISES CONSUMPTION.

25 (c) A HOTEL WITH A WINE-EXPANDED PERMIT SHALL CONFINE ITS

1 SALES OF VINOUS LIQUORS IN SEALED CONTAINERS TO A SPECIFICALLY
2 DESIGNATED AREA WITHIN THE LICENSED PREMISES.

3 (d) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH (d), A WINE-EXPANDED PERMIT HOLDER OR ITS EMPLOYEES
5 SHALL REQUIRE CONSUMERS ATTEMPTING TO PURCHASE VINOUS LIQUORS
6 IN SEALED CONTAINERS TO PRESENT A VALID, GOVERNMENT-ISSUED
7 DOCUMENT OR OTHER ACCEPTABLE FORM OF IDENTIFICATION THAT
8 INCLUDES A PHOTOGRAPH AND THE DATE OF BIRTH OF THE CONSUMER TO
9 VERIFY THAT THE CONSUMER IS AT LEAST TWENTY-ONE YEARS OF AGE.

10 (II) A WINE-EXPANDED PERMIT HOLDER OR ITS EMPLOYEES NEED
11 NOT REQUIRE A CONSUMER WHO IS OR REASONABLY APPEARS TO BE OVER
12 THIRTY-FIVE YEARS OF AGE TO PRESENT AN ACCEPTABLE FORM OF
13 IDENTIFICATION.

14 **SECTION 2.** In Colorado Revised Statutes, 12-47-401, **add** (1)
15 (w) as follows:

16 **12-47-401. Classes of licenses.** (1) For the purpose of regulating
17 the manufacture, sale, and distribution of alcohol beverages, the state
18 licensing authority in its discretion, upon application in the prescribed
19 form made to it, may issue and grant to the applicant a license or permit
20 from any of the following classes, subject to the provisions and
21 restrictions provided by this article:

22 (w) WINE-EXPANDED PERMIT.

23 **SECTION 3.** In Colorado Revised Statutes, 12-47-501, **amend**
24 (2) (a) (XIV) and (2) (a) (XV); and **add** (1) (t) and (2) (a) (XVI) as
25 follows:

26 **12-47-501. State fees.** (1) The following license and permit fees
27 shall be paid to the department of revenue annually in advance:

1 (t) FOR EACH WINE-EXPANDED PERMIT, SEVENTY-FIVE DOLLARS.

2 (2) (a) The state licensing authority shall establish fees for
3 processing the following types of applications, notices, or reports required
4 to be submitted to the state licensing authority:

5 (XIV) Notice of change of name or trade name pursuant to section
6 12-47-301 and rules adopted pursuant to that section; ~~and~~

7 (XV) Applications for wine packing permits pursuant to section
8 12-47-423; AND

9 (XVI) APPLICATIONS FOR WINE-EXPANDED PERMITS PURSUANT TO
10 SECTION 12-47-411 (3.7).

11 **SECTION 4. Act subject to petition - effective date -**
12 **applicability.** (1) This act takes effect January 1, 2017; except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within the ninety-day period after final adjournment of the general
16 assembly, then the act, item, section, or part will not take effect unless
17 approved by the people at the general election to be held in November
18 2016 and, in such case, will take effect on January 1, 2017, or on the date
19 of the official declaration of the vote thereon by the governor, whichever
20 is later.

21 (2) This act applies to permit applications submitted on or after
22 the applicable effective date of this act.