



**Colorado  
Legislative  
Council  
Staff**

**HB16-1151**

**FINAL  
FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0768  
**Prime Sponsor(s):** Rep. Pabon  
Sen. Holbert

**Date:** May 23, 2016  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** ALCOHOL BEVERAGE EXPAND PENALTY MITIGATION

<b>Fiscal Impact Summary</b>	<b>FY 2016-2017</b>	<b>FY 2017-2018</b>
<b>State Revenue</b> General Fund	Minimal decrease.	
<b>State Expenditures</b>	Minimal workload increase.	
<b>TABOR Impact</b>		Minimal decrease.
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing minimal revenue decrease and workload increase.		

**Summary of Legislation**

Under current law, when a licensee's employee sells alcohol to a minor during a law enforcement compliance check, state and local licensing authorities must consider a completion of responsible alcohol beverage vendor training as a mitigating factor. Under the bill, responsible vendor training must be considered as a mitigating factor for other violations of the state's liquor laws, including sales to minors, sales to visibly intoxicated patrons, and other violations approved by future rulemaking in the Department of Revenue (DOR).

**Background**

State law requires the director of the Liquor Enforcement Division (LED) in DOR to set standards for a responsible alcohol beverage vendor training program by rule. Under current rule, the program must cover the following: alcohol's effect on the body, liquor liability, sales to visibly intoxicated persons and minors, acceptable forms of identification, as well as to highlight pertinent state laws and regulations. The LED requires licensees to use an approved responsible vendor trainer and maintains a list of approved trainers on its website.

## State Revenue

The bill may minimally reduce fine revenue to the General Fund. Fine calculations are set in state law, with a minimum of \$200 and a maximum of \$5,000 in penalties. Fines are assessed based on a calculation of a licensee's total alcohol sales. Because of the range of fines, variability of fine assessment, and mitigating factors, the impact to revenue cannot be determined, but is expected to be minimal.

## TABOR Impact

This bill minimally reduces state General Fund revenue, which will reduce the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund. No TABOR refund is expected in FY 2016-17.

## State Expenditures

Workload for the DOR may minimally increase to consider responsible vendor training as a mitigating factor for additional violations. This can be accomplished within existing appropriations.

## Local Government Impact

Workload for local licensing authorities may minimally increase to consider responsible vendor training as a mitigating factor for additional violations.

## Effective Date

The bill was signed into law by the Governor on March 31, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed.

## State and Local Government Contacts

Counties  
Municipalities

Information Technology  
Revenue

Judicial