



**Colorado  
Legislative  
Council  
Staff**

**HB17-1123**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 17-0028 **Date:** June 8, 2017  
**Prime Sponsor(s):** Rep. Lebsock; Thurlow **Bill Status:** Deemed Lost  
 Sen. Marble **Fiscal Analyst:** Anna Gerstle (303-866-4375)

**BILL TOPIC:** EXTEND ON-PREMISES RETAIL ALCOHOL BEV SALES HOURS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	Minimal workload increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase.		

**NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.**

**Summary of Legislation**

Under current law, it is illegal for a person licensed to sell alcohol beverages for on-premises consumption to sell, serve, or distribute any alcohol between the hours of 2 a.m. and 7 a.m. The bill allows a local government to extend the hours during which alcohol beverages for on-premises consumption can be sold at licensed establishments within its jurisdiction, and adds an exception to the crime if the jurisdiction extends the hours.

**Comparable Crime**

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. Under current law, it is illegal for a person licensed to sell alcohol for on-premises consumption to sell, serve, or distribute any alcohol between the hours of 2 a.m. and 7 a.m, the fine for which is up to \$250 per offense. In the last three years, there has been one conviction under this statute; the one conviction was of a white female. Due to the minimal number of convictions, the fiscal note assumes any decrease in cases will be negligible and there will be no tangible impact to the court system.

**State Expenditures**

Beginning in FY 2017-18, the bill increases the workload in the Department of Revenue (DOR) and the Department of Public Safety (DPS).

**Department of Revenue.** The bill increases the workload for DOR to conduct one-time rulemaking and conduct any additional enforcement as a result of the bill. The rulemaking is required to create a mechanism for local governments to notify DOR of any changes in legal hours of operation for establishments licensed to sell alcohol for on-premises consumption in the local government's jurisdiction. The workload increase is expected to be minimal and can be accomplished within existing appropriations.

**Department of Public Safety.** The bill increases the workload for DPS to adjust enforcement procedures for the Colorado State Patrol depending on which and how many local jurisdictions extend the hours during which alcohol beverages may be sold. The workload increase is expected to be accomplished within existing appropriations. If additional resources are required, it will be addressed through the annual budget process.

## Local Government Impact

The bill will increase costs and workload for local governments that adopt an ordinance or resolution expanding hours of operation for establishments licensed to sell alcohol for on-premises consumption in their jurisdiction. This includes legal fees, publication of notices, hearing, and enforcement costs. It is anticipated that only a few jurisdictions will expand their hours, but costs depend on the size and processes of a jurisdiction.

## Effective Date

The bill is deemed lost since the Senate laid the bill over until May 11, 2017, during second reading on April 24, 2017.

## State and Local Government Contacts

Counties	Municipalities	Revenue
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