

## CHAPTER 383

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**HUMAN SERVICES - SOCIAL SERVICES**

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## HOUSE BILL 17-1365

BY REPRESENTATIVE(S) Garnett and Nordberg, Becker K., Covarrubias, Gray, Hansen, Hooton, Melton, Pabon, Young;  
also SENATOR(S) Kefalas and Smallwood, Aguilar, Court, Kagan, Moreno, Priola, Tate, Williams A.

## AN ACT

CONCERNING AN EXEMPTION FROM THE PROHIBITION AGAINST HAVING ELECTRONIC BENEFITS TRANSFER SERVICES AVAILABLE THROUGH AN AUTOMATED TELLER MACHINE LOCATED ON A LIQUOR-LICENSED PREMISES FOR AN ESTABLISHMENT LICENSED AS A LIQUOR-LICENSED DRUGSTORE.

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

**SECTION 1.** In Colorado Revised Statutes, 26-2-104, **amend** (2)(a)(II)(C), (2)(h)(I) introductory portion, and (2)(h)(I)(B) as follows:

**26-2-104. Public assistance programs - electronic benefits transfer service - joint reports with department of revenue - signs - rules.** (2) (a) (II) Only those businesses that offer products or services related to the purpose of the public assistance benefits are allowed to participate in the electronic benefits transfer service through the use of point of sale terminals. Clients shall not be allowed to access cash benefits through the electronic benefits transfer service from automated teller machines in this state located in:

(C) Retail establishments licensed to sell malt, vinous, or spirituous liquors pursuant to part 3 of article 47 of title 12; ~~C.R.S.~~ EXCEPT THAT THE PROHIBITION IN THIS SUBSECTION (2)(a)(II)(C) DOES NOT APPLY TO ESTABLISHMENTS LICENSED AS LIQUOR-LICENSED DRUGSTORES UNDER SECTION 12-47-408;

(h) (I) On or before January 1, 2016, the department of revenue shall adopt rules pursuant to the "State Administrative Procedure Act", article 4 of title 24, ~~C.R.S.~~, that relate to a client's use of automated teller machines at locations where such use is prohibited. The rules must apply to the following establishments:

(B) Retail establishments licensed to sell malt, vinous, or spirituous liquors

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

pursuant to part 3 of article 47 of title 12, ~~C.R.S.~~ EXCLUDING ESTABLISHMENTS LICENSED AS LIQUOR-LICENSED DRUGSTORES UNDER SECTION 12-47-408;

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 6, 2017