

CHAPTER 33

REVENUE - ACTIVITIES REGULATION

HOUSE BILL 18-1096

BY REPRESENTATIVE(S) Gray, Arndt, Coleman, Garnett, Hansen, Kraft-Tharp, Melton, Michaelson Jenet, Rosenthal, Valdez, Winter;
also SENATOR(S) Priola, Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Jones, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, Todd, Williams A., Zenzinger.

AN ACT

CONCERNING THE ELIGIBILITY OF CERTAIN ENTITIES TO APPLY FOR A SPECIAL EVENT PERMIT TO SELL ALCOHOL BEVERAGES.

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

SECTION 1. In Colorado Revised Statutes, **amend** 12-48-101 as follows:

12-48-101. Special licenses authorized. (1) The state or local licensing authority, as defined in articles 46 and 47 of this ~~title~~ TITLE 12, may issue a special event permit for the sale, by the drink only, of fermented malt beverages, as defined in section 12-46-103, or the sale, by the drink only, of malt, spirituous, or vinous liquors, as defined in section 12-47-103, to organizations and political candidates qualifying under this ~~article~~ ARTICLE 48, subject to the applicable provisions of articles 46 and 47 of this ~~title~~ TITLE 12 and to the limitations imposed by this ~~article~~ ARTICLE 48.

(2) FOR PURPOSES OF THIS ARTICLE 48, A STATE INSTITUTION OF HIGHER EDUCATION INCLUDES EACH PRINCIPAL CAMPUS OF A STATE SYSTEM OF HIGHER EDUCATION.

SECTION 2. In Colorado Revised Statutes, 12-48-102, **amend** (1); and **repeal** (2) as follows:

12-48-102. Qualifications for permit. (1) A special event permit issued under this ~~article~~ ARTICLE 48 may be issued to:

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) An organization, whether or not presently licensed under articles 46 and 47 of this title, ~~which~~ TITLE 12, THAT:

(I) Has been incorporated under the laws of this state for purposes of a social, fraternal, patriotic, political, EDUCATIONAL, or athletic nature, and not for pecuniary gain; ~~or which~~

(II) Is a regularly chartered branch, lodge, or chapter of a national organization or society organized for ~~such~~ THE purposes SPECIFIED IN SUBSECTION (1)(a)(I) OF THIS SECTION and ~~being~~ IS nonprofit in nature; ~~or which~~

(III) Is a regularly established religious or philanthropic institution; or ~~which~~

(IV) Is a state institution of higher education; ~~and to any~~

(b) A political candidate who has filed the necessary reports and statements with the secretary of state pursuant to article 45 of title 1; C.R.S. For purposes of this article, a state institution of higher education includes each principal campus of a state system of higher education. OR

(c) ANY MUNICIPALITY, COUNTY, OR SPECIAL DISTRICT.

~~(2) A special event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities, subject to the provisions of this article.~~

SECTION 3. 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 8, 2018, if adjournment sine die is on May 9, 2018); 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: March 15, 2018