

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0078.01 Jery Payne x2157

HOUSE BILL 21-1027

HOUSE SPONSORSHIP

Larson and Roberts,

SENATE SPONSORSHIP

Bridges and Priola,

House Committees

Business Affairs & Labor
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORIZATION FOR CERTAIN ALCOHOL LICENSE**
102 **HOLDERS TO OFFER ALCOHOL BEVERAGES FOR CONSUMPTION**
103 **OFF THE LICENSED PREMISES, AND, IN CONNECTION THEREWITH,**
104 **MAKING AN APPROPRIATION.**

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://leg.colorado.gov>.)

Colorado law authorizes certain license holders, who normally offer alcohol beverages for consumption on the licensed premises, to offer takeout and delivery of alcohol beverages. This authorization

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

repeals on July 1, 2021. The bill removes the repeal to continue the authorization indefinitely.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-3-911, **amend**
3 **(2)(b)(III), (6)(a), and (7)** as follows:

4 **44-3-911. Takeout and delivery of alcohol beverages - permit**
5 **- on-premises consumption licenses - requirements and limitations -**
6 **rules - definition - repeal.** (2) To sell and deliver an alcohol beverage
7 or to allow a customer to remove an alcohol beverage from the licensed
8 premises as either is authorized under subsection (1) of this section, the
9 licensee must:

10 (b) Sell or deliver:

11 (III) No more than the following amounts of alcohol beverages
12 per delivery or takeout order unless the governor has declared a disaster
13 emergency under part 7 of article 33.5 of title 24:

14 (A) ~~Seven hundred fifty~~ ONE THOUSAND FIVE HUNDRED milliliters,
15 approximately ~~26.4~~ 50.8 fluid ounces, of ~~spirituous liquors and~~ vinous
16 liquors; and

17 (B) ~~Seventy-two~~ ONE HUNDRED FORTY-FOUR fluid ounces,
18 approximately ~~two thousand forty-six~~ FOUR THOUSAND TWO HUNDRED
19 FIFTY-NINE milliliters, of malt liquors, fermented malt beverages, and
20 hard cider; AND

21 (C) ONE LITER, APPROXIMATELY 33.8 FLUID OUNCES, OF
22 SPIRITUOUS LIQUORS.

23 (6) (a) (I) ~~As used in this section, "licensee" means a person~~
24 ~~issued a license under~~ THIS SECTION AUTHORIZES A LICENSE HOLDER THAT
25 IS ISSUED A LICENSE UNDER ONE OF THE FOLLOWING SECTIONS TO SELL AN

1 ALCOHOL BEVERAGE TO A CUSTOMER FOR CONSUMPTION OFF OF THE
2 LICENSED PREMISES: Section 44-3-402 that operates a sales room or
3 section 44-3-407 that operates a sales room or section 44-3-411,
4 44-3-413, 44-3-414, 44-3-417, 44-3-418, 44-3-422, 44-3-426, 44-3-428,
5 44-4-104 (1)(c)(I)(A), or 44-4-104 (1)(c)(III).

6 (II) THIS SECTION AUTHORIZES A LICENSE HOLDER THAT IS ISSUED
7 A LICENSE UNDER ONE OF THE FOLLOWING SECTIONS TO DELIVER AN
8 ALCOHOL BEVERAGE TO A CUSTOMER FOR CONSUMPTION OFF OF THE
9 LICENSED PREMISES: SECTION 44-3-411, 44-3-412, 44-3-413, 44-3-414,
10 44-3-415, 44-3-416, 44-3-417, 44-3-418, 44-3-419, 44-3-420, 44-3-421,
11 44-3-422, 44-3-426, OR 44-3-428.

12 (III) THIS SECTION AUTHORIZES A LICENSE HOLDER THAT IS ISSUED
13 A LICENSE UNDER SECTION 44-3-402 AND THAT OPERATES A SALES ROOM
14 OR SECTION 44-3-407 AND THAT OPERATES A SALES ROOM TO DELIVER AN
15 ALCOHOL BEVERAGE TO A CUSTOMER FOR CONSUMPTION OFF OF THE
16 LICENSED PREMISES. THIS SUBSECTION (6)(a)(III) IS REPEALED, EFFECTIVE
17 JANUARY 2, 2022.

18 (7) This section is repealed, effective July 1, ~~2021~~ 2026.

19 **SECTION 2. Appropriation.** (1) For the 2021-22 state fiscal
20 year, \$63,274 is appropriated to the department of revenue for use by the
21 liquor and tobacco enforcement division. This appropriation is from the
22 liquor enforcement division and state licensing authority cash fund
23 created in section 44-6-101, C.R.S. To implement this act, the department
24 may use this appropriation as follows:

25 (a) \$41,294 for personal services, which amount is based on an
26 assumption that the division will require an additional 0.8 FTE; and

27 (b) \$21,980 for operating expenses.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.