

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 24-1045.01 Yelana Love x2295

**HOUSE BILL 24-1373**

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**HOUSE SPONSORSHIP**

**Amabile and Ricks, McCluskie, Clifford, Snyder, Mabrey, Mauro, McLachlan**

**SENATE SPONSORSHIP**

**Roberts and Will,**

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**House Committees**

Business Affairs & Labor  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101       **CONCERNING PERSONS LICENSED TO SELL ALCOHOL BEVERAGES, AND,**  
102               **IN CONNECTION THEREWITH, CONVERTING CERTAIN**  
103               **LIQUOR-LICENSED DRUGSTORE LICENSES TO FERMENTED MALT**  
104               **BEVERAGE AND WINE RETAILER LICENSES, UPDATING THE**  
105               **REQUIREMENTS FOR WHOLESALERS, REMOVING THE CAP ON THE**  
106               **AMOUNT OF ALCOHOL BEVERAGES A RETAILER CAN PURCHASE**  
107               **FROM RETAIL LIQUOR STORES, PROHIBITING A FERMENTED**  
108               **MALT BEVERAGE AND WINE RETAILER FROM DISPLAYING**  
109               **ALCOHOL BEVERAGES IN CERTAIN LOCATIONS ON THE**  
110               **RETAILER'S SALES FLOOR, EXPANDING CERTAIN LICENSEES'**  
111               **ABILITY TO DELIVER ALCOHOL TO CERTAIN OTHER LICENSEES,**  
112               **PROHIBITING A FERMENTED MALT BEVERAGE AND WINE**  
113               **RETAILER FROM SELLING ALCOHOL BEVERAGES WITH GREATER**

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

HOUSE  
Amended 2nd Reading  
May 3, 2024

101  
102

**THAN SEVENTEEN PERCENT ALCOHOL BY VOLUME AND MAKING  
AN APPROPRIATION.**

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**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>.)*

**Sections 1 and 2** of the bill eliminate the liquor-licensed drugstore license, effective January 1, 2025. All active liquor-licensed drugstore licenses will convert to a fermented malt beverage and wine retailer license on that date; except that a licensee with a single location may choose to convert the liquor-licensed drugstore license to a retail liquor store license. **Sections 18 through 29** make conforming amendments to account for the removal of the liquor-licensed drugstore license.

**Sections 3 and 4** require fermented malt beverage and wine retailers to display alcohol beverages for sale in a single location on the licensed premises and prohibit fermented malt beverage and wine retailers from selling alcohol beverages with greater than 14% alcohol by volume.

**Sections 5 and 6** expand on a wholesaler's duty not to discriminate when selling products to retailers and allows the state licensing authority to recover the cost of enforcing the anti-discrimination laws from a person found in violation of the anti-discrimination laws.

Current law limits the amount of alcohol beverages certain retailers can purchase from retail liquor stores, liquor-licensed drugstores, and fermented malt beverage and wine retailers. **Sections 7 through 17** remove the cap as it applies to retail liquor stores.

For the delivery of alcohol beverages:

- **Section 4** prohibits fermented malt beverage and wine retailers from delivering alcohol beverages to another person licensed to sell alcohol beverages; and
- **Section 24** removes the prohibition on a retail liquor store delivering alcohol beverages to another retail liquor store.

**Section 18** allows automated teller machine (ATM) cards associated with public assistance programs to be used at ATMs in grocery stores.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-3-103, **add** (21.5)  
3 and (22.5) as follows:

4 **44-3-103. Definitions.** As used in this article 3 and article 4 of  
5 this title 44, unless the context otherwise requires:

6 (21.5) "INFLATION" MEANS THE ANNUAL PERCENTAGE CHANGE IN  
7 THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR  
8 STATISTICS CONSUMER PRICE INDEX, OR A SUCCESSOR INDEX, FOR  
9 DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY URBAN  
10 CONSUMERS.

11 (22.5) "KEG" MEANS A PRESSURIZED, FACTORY-SEALED CASK OR  
12 BARREL CONTAINING TWO GALLONS OR MORE OF MALT LIQUOR.

13 **SECTION 2.** In Colorado Revised Statutes, 44-3-103, **amend**  
14 (26); and **add** (21.5) as follows:

15 **44-3-103. Definitions.** As used in this article 3 and article 4 of  
16 this title 44, unless the context otherwise requires:

17 (21.5) "INDEPENDENT PHARMACY" HAS THE SAME MEANING AS IN  
18 SECTION 25-4-2404 (1)(a).

19 (26) "Liquor-licensed drugstore" means any ~~drugstore~~  
20 INDEPENDENT PHARMACY licensed by the state board of pharmacy that has  
21 also applied for and has been granted a license by the state licensing  
22 authority to sell malt, vinous, and spirituous liquors in original sealed  
23 containers for consumption off the premises.

24 **SECTION 3.** In Colorado Revised Statutes, 44-3-410, **amend**  
25 (1)(a)(I), (2)(a)(I), and (2)(b); **repeal** (1)(b), (4)(b)(IV), (4)(b)(V), (4)(c),  
26 and (7); and **add** (8) as follows:

27 **44-3-410. Liquor-licensed drugstore license - multiple licenses**

1 **permitted - requirements - rules.** (1) (a) (I) A liquor-licensed drugstore  
2 license shall be issued to persons selling malt, vinous, and spirituous  
3 liquors in sealed containers not to be consumed at the place where sold.  
4 ~~On and after July 1, 2016, except as permitted under subsection (1)(b) of~~  
5 ~~this section, JANUARY 1, 2025, the state and local licensing authorities~~  
6 ~~shall not issue a ANY new liquor-licensed drugstore license if the licensed~~  
7 ~~premises for which a liquor-licensed drugstore license is sought is~~  
8 ~~located:~~ LICENSES.

9 (A) ~~Within one thousand five hundred feet of a retail liquor store~~  
10 ~~licensed under section 44-3-409;~~

11 (B) ~~For a drugstore premises located in a municipality with a~~  
12 ~~population of ten thousand or fewer, within three thousand feet of a retail~~  
13 ~~liquor store licensed under section 44-3-409; or~~

14 (C) ~~For a drugstore premises located in a municipality with a~~  
15 ~~population of ten thousand or fewer that is contiguous to the city and~~  
16 ~~county of Denver, within one thousand five hundred feet of a retail liquor~~  
17 ~~store licensed under section 44-3-409.~~

18 (b) (f) ~~On or after January 1, 2017, to qualify for an additional~~  
19 ~~liquor-licensed drugstore license under this section, a liquor-licensed~~  
20 ~~drugstore licensee, or a retail liquor store licensee that was licensed as a~~  
21 ~~liquor-licensed drugstore on February 21, 2016, must apply to the state~~  
22 ~~and local licensing authorities, as part of a single application, for a~~  
23 ~~transfer of ownership of at least two licensed retail liquor stores that were~~  
24 ~~licensed or had applied for a license on or before May 1, 2016, a change~~  
25 ~~of location of one of the retail liquor stores, and a merger and conversion~~  
26 ~~of the retail liquor store licenses into a single liquor-licensed drugstore~~  
27 ~~license. The applicant may apply for a transfer, change of location, and~~

1 merger and conversion only if all of the following requirements are met:

2 (A) The retail liquor stores that are the subject of the transfer of  
3 ownership are located within the same local licensing authority  
4 jurisdiction as the drugstore premises for which the applicant is seeking  
5 a liquor-licensed drugstore license, and, if any retail liquor stores are  
6 located within one thousand five hundred feet of the drugstore premises  
7 or, for a drugstore premises located in a municipality with a population  
8 of ten thousand or fewer, within three thousand feet of the drugstore  
9 premises, the applicant applies to transfer ownership of all retail liquor  
10 stores located within that distance. If there are no licensed retail liquor  
11 stores or only one licensed retail liquor store within the same local  
12 licensing authority jurisdiction as the drugstore premises for which a  
13 liquor-licensed drugstore license is sought, the applicant shall apply to  
14 transfer ownership of one or two retail liquor stores, as necessary, that are  
15 located in the local licensing authority jurisdiction that is nearest to the  
16 jurisdiction in which the drugstore premises is located.

17 (B) Upon transfer and conversion of the retail liquor store licenses  
18 to a single liquor-licensed drugstore license, the drugstore premises for  
19 which the liquor-licensed drugstore license is sought will be located at  
20 least one thousand five hundred feet from all licensed retail liquor stores  
21 that are within the same local licensing authority jurisdiction as the  
22 drugstore premises or, for a drugstore premises located in a municipality  
23 with a population of ten thousand or fewer, at least three thousand feet  
24 from all licensed retail liquor stores that are within the same local  
25 licensing authority jurisdiction as the drugstore premises.

26 (H) For purposes of determining whether the distance  
27 requirements specified in subsection (1)(b)(I) of this section are satisfied,

1 the distance shall be determined by a radius measurement that begins at  
2 the principal doorway of the drugstore premises for which the application  
3 is made and ends at the principal doorway of the licensed retail liquor  
4 store.

5 (III) In making its determination on the transfer of ownership,  
6 change of location, and license merger and conversion application, the  
7 local licensing authority shall consider the reasonable requirements of the  
8 neighborhood and the desires of the adult inhabitants in accordance with  
9 section 44-3-312.

10 (IV) In addition to any other requirements for licensure under this  
11 section or this article 3, a person applying for a new liquor-licensed  
12 drugstore license in accordance with this subsection (1)(b) on or after  
13 January 1, 2017, or to renew a liquor-licensed drugstore license issued on  
14 or after January 1, 2017, under this subsection (1)(b) must:

15 (A) Provide evidence to the state and local licensing authorities  
16 that at least twenty percent of the licensee's gross annual income derived  
17 from total sales during the prior twelve months at the drugstore premises  
18 for which a new or renewal licenses is sought is from the sale of food  
19 items, as defined by the state licensing authority by rule; and

20 (B) Make and keep its premises open to the public.

21 (2) (a) A person licensed under this section to sell malt, vinous,  
22 and spirituous liquors as provided in this section shall:

23 (I) Purchase malt, vinous, and spirituous liquors only from a  
24 wholesaler licensed under this article 3 OR FROM A RETAILER LICENSED  
25 PURSUANT TO SECTION 44-3-409;

26 (b) A person licensed under this section on or after January 1,  
27 2017, shall not purchase malt, vinous, or spirituous liquors from a

1 wholesaler OR RETAILER on credit and shall effect payment upon delivery  
2 of the alcohol beverages.

3 (4) (b) An owner, part owner, shareholder, or person interested  
4 directly or indirectly in a liquor-licensed drugstore may have an interest  
5 in:

6 (IV) ~~For a liquor-licensed drugstore licensed on or before January~~  
7 ~~1, 2016, or a liquor-licensed drugstore licensee that was licensed as a~~  
8 ~~liquor-licensed drugstore on February 21, 2016, that converted its license~~  
9 ~~to a retail liquor store license after February 21, 2016, and that applied on~~  
10 ~~or before May 1, 2017, to convert its retail liquor store license back to a~~  
11 ~~liquor-licensed drugstore license, additional liquor-licensed drugstore~~  
12 ~~licenses as follows, but only if obtained in accordance with subsection~~  
13 ~~(1)(b) of this section:~~

14 (A) ~~On or after January 1, 2017, and before January 1, 2022, four~~  
15 ~~additional liquor-licensed drugstore licenses, for a maximum of five total~~  
16 ~~liquor-licensed drugstore licenses;~~

17 (B) ~~On or after January 1, 2022, and before January 1, 2027, up~~  
18 ~~to seven additional liquor-licensed drugstore licenses, for a maximum of~~  
19 ~~eight total liquor-licensed drugstore licenses;~~

20 (C) ~~On or after January 1, 2027, and before January 1, 2032, up~~  
21 ~~to twelve additional liquor-licensed drugstore licenses, for a maximum of~~  
22 ~~thirteen total liquor-licensed drugstore licenses;~~

23 (D) ~~On or after January 1, 2032, and before January 1, 2037, up~~  
24 ~~to nineteen additional liquor-licensed drugstore licenses, for a maximum~~  
25 ~~of twenty total liquor-licensed drugstore licenses; and~~

26 (E) ~~On or after January 1, 2037, an unlimited number of additional~~  
27 ~~liquor-licensed drugstore licenses.~~

1           (V) For a liquor-licensed drugstore that submitted an application  
2 for a new liquor-licensed drugstore license before October 1, 2016,  
3 additional liquor-licensed drugstore licenses as follows, but only if  
4 obtained in accordance with subsection (1)(b) of this section:

5           (A) On or after January 1, 2019, and before January 1, 2022, four  
6 additional liquor-licensed drugstore licenses, for a maximum of five total  
7 liquor-licensed drugstore licenses;

8           (B) On or after January 1, 2022, and before January 1, 2027, up  
9 to seven additional liquor-licensed drugstore licenses, for a maximum of  
10 eight total liquor-licensed drugstore licenses;

11           (C) On or after January 1, 2027, and before January 1, 2032, up  
12 to twelve additional liquor-licensed drugstore licenses, for a maximum of  
13 thirteen total liquor-licensed drugstore licenses;

14           (D) On or after January 1, 2032, and before January 1, 2037, up  
15 to nineteen additional liquor-licensed drugstore licenses, for a maximum  
16 of twenty total liquor-licensed drugstore licenses; and

17           (E) On or after January 1, 2037, an unlimited number of additional  
18 liquor-licensed drugstore licenses.

19           (c) Subsection (4)(b)(V) of this section does not apply to a  
20 liquor-licensed drugstore licensee that was licensed as a liquor-licensed  
21 drugstore on February 21, 2016, that converted its license to a retail liquor  
22 store license after February 21, 2016, and that applied on or before May  
23 1, 2017, to convert its retail liquor store license back to a liquor-licensed  
24 drugstore license.

25           (7) A person licensed under this section that obtains additional  
26 liquor-licensed drugstore licenses in accordance with subsection  
27 (4)(b)(IV) or (4)(b)(V) of this section may operate under a single or



1 ~~consolidated corporate entity but shall not commingle purchases of or~~  
2 ~~credit extensions for purchases of malt, vinous, or spirituous liquors from~~  
3 ~~a wholesaler licensed under this article 3 for more than one licensed~~  
4 ~~premises. A wholesaler licensed under this article 3 shall not base the~~  
5 ~~price for the malt, vinous, or spirituous liquors it sells to a liquor-licensed~~  
6 ~~drugstore licensed under this section on the total volume of malt, vinous,~~  
7 ~~or spirituous liquors that the licensee purchases for multiple licensed~~  
8 ~~premises.~~

9 (8) (a) ON AND AFTER JANUARY 1, 2025, THE STATE OR A LOCAL  
10 LICENSING AUTHORITY SHALL NOT ISSUE ANY NEW LIQUOR-LICENSED  
11 DRUGSTORE LICENSES. ON AND AFTER JANUARY 1, 2025, THE STATE OR  
12 LOCAL LICENSING AUTHORITY MAY RENEW A LIQUOR-LICENSED  
13 DRUGSTORE LICENSE ONLY IF THE LICENSEE IS LICENSED ON THE EFFECTIVE  
14 DATE OF THIS SECTION, AS AMENDED.

15 (b) THE STATE AND LOCAL LICENSING AUTHORITIES SHALL TREAT  
16 ANY PENDING APPLICATION FOR A LIQUOR-LICENSED DRUGSTORE LICENSE  
17 AS AN APPLICATION FOR A FERMENTED MALT BEVERAGE AND WINE  
18 RETAILER LICENSE FOR CONSUMPTION OFF THE LICENSED PREMISES  
19 ISSUED PURSUANT TO SECTION 44-4-104 (1)(c).

20  
21 **SECTION 4.** In Colorado Revised Statutes, 44-4-104, add (5),  
22 (6), and (7) as follows:

23 **44-4-104. Licenses - state license fees - requirements -**  
24 **limitations - definition.** (5) A PERSON LICENSED TO SELL FERMENTED  
25 MALT BEVERAGES AND WINE UNDER SUBSECTION (1)(c) OF THIS SECTION  
26 SHALL NOT:

27 (a) PLACE ANY TEMPORARY DISPLAYS OF ALCOHOL BEVERAGES:

1 (I) IMMEDIATELY ADJACENT TO NONALCOHOLIC SOFT DRINKS,  
2 FRUIT JUICES, BOTTLED WATER, CANDY, OR TOYS;

3 (II) NEAR AN ENTRY OR EXIT OF THE LICENSED PREMISES; OR

4 (III) OUTSIDE OF THE AREA APPROVED BY THE LOCAL LICENSING  
5 AUTHORITY FOR THE DISPLAY OF ALCOHOL BEVERAGES; OR

6 (b) ALLOW CUSTOMERS ACCESS TO SINGLE BOTTLES OF ALCOHOL  
7 BEVERAGES THAT ARE TWO HUNDRED FIFTY MILLILITERS OR LESS. THE  
8 LICENSEE SHALL STORE SUCH ALCOHOL BEVERAGES BEHIND A COUNTER OR  
9 IN A LOCKED CASE AND PROHIBIT CUSTOMER ACCESS WITHOUT EMPLOYEE  
10 ASSISTANCE.

11 (6) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS  
12 SECTION SHALL NOT SELL:

13 (a) A FERMENTED MALT BEVERAGE THAT IS GREATER THAN  
14 SEVENTEEN PERCENT ALCOHOL BY VOLUME; OR

15 (b) WINE THAT IS GREATER THAN TWENTY-ONE PERCENT ALCOHOL  
16 BY VOLUME.

17 (7) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS  
18 SECTION SHALL ENSURE THAT ALL WORK PERFORMED ON THE LICENSED  
19 PREMISES IN CONNECTION WITH STOCKING AND REPLENISHING FERMENTED  
20 MALT BEVERAGES AND WINE IS PERFORMED BY AN EMPLOYEE OF THE  
21 LICENSEE.

22 **SECTION 5.** In Colorado Revised Statutes, 44-4-107, **amend**  
23 (6)(a)(I); and **add** (8), (9), and (10) as follows:

24 **44-4-107. Local licensing authority - application - fees -**  
25 **definitions - rules.** (6) (a) A person licensed under subsection (1)(a) of  
26 this section who complies with this subsection (6) and rules promulgated  
27 under this subsection (6) may deliver fermented malt beverages and wine

1 in sealed containers to a person of legal age if:

2 (I) The person receiving the delivery of fermented malt beverages  
3 or wine is located at a place that is not licensed pursuant to ~~this section~~  
4 ARTICLE 3 OF THIS TITLE 44 OR THIS ARTICLE 4;

5 (8) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(a) OF THIS  
6 SECTION SHALL NOT:

7 (a) PLACE ANY TEMPORARY DISPLAYS OF ALCOHOL BEVERAGES:

8 (I) IMMEDIATELY ADJACENT TO NONALCOHOLIC SOFT DRINKS,  
9 FRUIT JUICES, BOTTLED WATER, CANDY, OR TOYS;

10 (II) NEAR AN ENTRY OR EXIT OF THE LICENSED PREMISES; OR

11 (III) OUTSIDE OF THE AREA APPROVED BY THE LOCAL LICENSING  
12 AUTHORITY FOR THE DISPLAY OF ALCOHOL BEVERAGES; OR

13 (b) ALLOW CUSTOMERS ACCESS TO SINGLE BOTTLES OF ALCOHOL  
14 BEVERAGES THAT ARE TWO HUNDRED FIFTY MILLILITERS OR LESS. THE  
15 LICENSEE SHALL STORE SUCH ALCOHOL BEVERAGES BEHIND A COUNTER OR  
16 IN A LOCKED CASE AND PROHIBIT CUSTOMER ACCESS WITHOUT EMPLOYEE  
17 ASSISTANCE.

18 (9) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(a) OF THIS  
19 SECTION SHALL NOT SELL:

20 (a) A FERMENTED MALT BEVERAGE THAT IS GREATER THAN  
21 SEVENTEEN PERCENT ALCOHOL BY VOLUME; OR

22 (b) WINE THAT IS GREATER THAN TWENTY-ONE PERCENT ALCOHOL  
23 BY VOLUME.

24 (10) A PERSON LICENSED PURSUANT TO SUBSECTION (1)(c) OF THIS  
25 SECTION SHALL ENSURE THAT ALL WORK PERFORMED ON THE LICENSED  
26 PREMISES IN CONNECTION WITH STOCKING AND REPLENISHING FERMENTED  
27 MALT BEVERAGES AND WINE IS PERFORMED BY AN EMPLOYEE OF THE

1 LICENSEE.

2 SECTION 6. In Colorado Revised Statutes, 44-3-407, amend (4);  
3 and add (5) as follows:

4 44-3-407. Wholesaler's license - prohibitions - discrimination  
5 in wholesale sales - legislative intent - labor - enforcement. (4) (a) A  
6 wholesaler shall make available to all retailers licensed pursuant to this  
7 article 3 and article 4 of this title 44 in this state without discrimination  
8 all malt, vinous, and spirituous liquors offered by the wholesaler for sale  
9 at wholesale. A wholesaler shall use its best efforts to make available to  
10 licensed retailers each brand of alcohol beverage that the wholesaler has  
11 been authorized to distribute. A WHOLESALER MAY OFFER VARIABLE  
12 PRICING BASED ON QUANTITIES ORDERED BY A LICENSED RETAILER ON A  
13 PER-LICENSED-LOCATION BASIS, INCLUDING MULTIPLE CASE DISCOUNTS.  
14 A WHOLESALER SHALL NOT OTHERWISE OFFER MORE FAVORABLE PRICING  
15 TO ANY LICENSED RETAILER THAT IS NOT ALSO OFFERED TO EVERY RETAIL  
16 LIQUOR STORE LICENSEE. A WHOLESALER SHALL NOT OFFER MORE  
17 FAVORABLE PRODUCT AVAILABILITY; RELEVANT INFORMATION  
18 REGARDING PRODUCTS THE WHOLESALER OFFERS FOR SALE, INCLUDING  
19 VINTAGES AND QUANTITIES ON HAND; DEAL QUANTITIES, FEE STRUCTURES,  
20 DISCOUNTS, REBATES, CREDITS, OR ACCESS TO SUPPLIER COUPONS; OR  
21 OTHER TERMS OR CONDITIONS OF SALE TO A LICENSED RETAILER THAT ARE  
22 NOT ALSO OFFERED TO EVERY RETAIL LIQUOR STORE LICENSEE.

23 (b) (I) Nothing in this section prohibits a wholesaler from  
24 establishing reasonable allocation procedures when the anticipated  
25 demand for a product is greater than the supply of the product PURSUANT  
26 TO THIS SUBSECTION (4)(b).

27 (II) A WHOLESALER SHALL USE REASONABLE, GOOD FAITH,

1 NONDISCRIMINATORY JUDGMENT IN ALLOCATING A LIMITED SUPPLY OF A  
2 PRODUCT AMONG THE LICENSED RETAILERS DESIRING TO PURCHASE THE  
3 PRODUCT. IN DETERMINING HOW TO ALLOCATE THE PRODUCT, A  
4 WHOLESALER MAY TAKE INTO ACCOUNT THE ANNUAL PURCHASE VOLUME  
5 OF LICENSED RETAILERS ON A PER-LICENSED-LOCATION BASIS BUT SHALL  
6 NOT AGGREGATE THE PURCHASES OF MULTIPLE LOCATIONS LICENSED TO  
7 SELL AT RETAIL FOR CONSUMPTION OFF THE LICENSED PREMISES, WHICH  
8 LICENSES ARE HELD BY THE SAME OR A RELATED GROUP OF PERSONS.

9 (III) A WHOLESALER SHALL USE REASONABLE, GOOD FAITH  
10 EFFORTS TO ACQUIRE FROM ITS SUPPLIERS AS MUCH OF THE PRODUCT IN  
11 QUESTION AS NECESSARY TO SUPPLY FERMENTED MALT BEVERAGE AND  
12 WINE RETAILERS AND RETAIL LIQUOR STORE LICENSEES DESIRING TO  
13 PURCHASE SUCH PRODUCT IN THE AMOUNTS REQUESTED.

14 (IV) A WHOLESALER SHALL NOT INTENTIONALLY LIMIT ITS SUPPLY  
15 OR THE AVAILABILITY OF ANY PRODUCT FOR THE PURPOSE OF OR WITH THE  
16 RESULT OF A DISCRIMINATORY AMOUNT OF THAT PRODUCT BEING  
17 ALLOCATED TO A PARTICULAR RETAILER OR RETAILERS.

18 (c) THE INTENT OF THIS SUBSECTION (4) IS TO:

19 (I) ENSURE THAT RETAILERS LICENSED TO SELL FOR CONSUMPTION  
20 OFF THE LICENSED PREMISES WITH MULTIPLE LICENSEES AND MULTIPLE  
21 LOCATIONS DO NOT RECEIVE ANY PREFERENTIAL TREATMENT OVER  
22 INDEPENDENT, SINGLE LOCATION RETAILERS; AND

23 (II) PROHIBIT A RETAILER LICENSED TO SELL FOR CONSUMPTION  
24 OFF THE LICENSED PREMISES FROM MAINTAINING CERTAIN PRODUCTS AS  
25 "PRIVATE LABELS" AVAILABLE ONLY AT THE RETAILER'S LOCATION.

26 (d) THE STATE LICENSING AUTHORITY MAY RECOVER THE COST OF  
27 ENFORCING THIS SUBSECTION (4) FROM A PERSON FOUND IN VIOLATION OF

1 THIS SUBSECTION (4). MONEY COLLECTED PURSUANT TO THIS SUBSECTION  
2 (4)(d) SHALL BE DEPOSITED IN THE LIQUOR ENFORCEMENT DIVISION AND  
3 STATE LICENSING AUTHORITY CASH FUND CREATED IN SECTION 44-6-101.

4 (5) A WHOLESALER SHALL NOT PROVIDE ANY LABOR TO OR FOR  
5 THE BENEFIT OF A PERSON LICENSED TO SELL FERMENTED MALT  
6 BEVERAGES AND WINE PURSUANT TO SECTION 44-4-104 (1)(c) ON THE  
7 PERSON'S LICENSED PREMISES BEYOND THE DELIVERY OF PRODUCT FROM  
8 THE WHOLESALER'S DELIVERY VEHICLE TO THE NEAREST LOCATION INSIDE  
9 THE LICENSED PREMISES THAT DOES NOT BLOCK INGRESS TO OR EGRESS  
10 FROM THE LICENSED PREMISES.

11 **SECTION 7.** In Colorado Revised Statutes, **amend** 44-6-101 as  
12 follows:

13 **44-6-101. Liquor enforcement division and state licensing**  
14 **authority cash fund.** There is hereby created in the state treasury the  
15 liquor enforcement division and state licensing authority cash fund. The  
16 fund consists of money transferred in accordance with sections **44-3-407**  
17 **(4)(d)**, 44-3-502 (1), 44-4-105 (2), and 44-7-104.5 (6). The general  
18 assembly shall make annual appropriations from the fund for a portion of  
19 the direct and indirect costs of the liquor enforcement division and the  
20 state licensing authority in the administration and enforcement of articles  
21 3 to 5 and 7 of this title 44. Any money remaining in the fund at the end  
22 of each STATE fiscal year remains in the fund and does not revert to the  
23 general fund or any other fund. The fund shall be maintained in  
24 accordance with section 24-75-402.

25 **SECTION 8.** In Colorado Revised Statutes, 44-3-411, **amend** (2)  
26 as follows:

27 **44-3-411. Beer and wine license.** (2) (a) Every person selling

1 malt and vinous liquors as provided in this section shall purchase THE  
2 malt and vinous liquors only from a wholesaler licensed pursuant to this  
3 article 3; except that, during a calendar year, ~~any~~ A person selling malt  
4 and vinous liquors as provided in this section may purchase not more than  
5 two thousand dollars' worth of malt and vinous liquors from retailers  
6 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)  
7 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND  
8 DOLLARS' WORTH OF MALT AND VINOUS LIQUORS FROM A RETAILER  
9 LICENSED PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER  
10 THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

11 (b) A beer and wine licensee shall retain evidence of each  
12 purchase of malt and vinous liquors from a retailer licensed pursuant to  
13 section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase  
14 receipt showing the name of the licensed retailer, the date of purchase, a  
15 description of the malt or vinous liquor purchased, and the price paid for  
16 the ~~purchase~~ MALT AND VINOUS LIQUORS. The ~~beer and wine~~ licensee  
17 shall retain the receipt and ~~shall~~ make it available to the state and local  
18 licensing authorities at all times during business hours.

19    
20 **SECTION 9.** In Colorado Revised Statutes, 44-3-413, **amend** (7)  
21 as follows:

22 **44-3-413. Hotel and restaurant license - definitions - rules.**  
23 (7) (a) Except as provided in subsection (7)(b) of this section, every  
24 person selling alcohol beverages as provided in this section shall purchase  
25 THE alcohol beverages only from a wholesaler licensed pursuant to this  
26 article 3.

27 (b) (I) During a calendar year, a person selling alcohol beverages

1 as provided in this section may purchase not more than two thousand  
2 dollars' worth of malt, vinous, and spirituous liquors from retailers  
3 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)  
4 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND  
5 DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A  
6 RETAILER LICENSED PURSUANT TO SECTION ~~44-3-409~~. A PERSON LICENSED  
7 UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

8 (II) A hotel and restaurant licensee shall retain evidence of each  
9 purchase of malt, vinous, or spirituous liquors from a retailer licensed  
10 pursuant to section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of  
11 a purchase receipt showing the name of the licensed retailer, the date of  
12 purchase, a description of the alcohol beverages purchased, and the price  
13 paid for the alcohol beverages. The licensee shall retain the receipt and  
14 make it available to the state and local licensing authorities at all times  
15 during business hours.

16  
17 **SECTION 10.** In Colorado Revised Statutes, 44-3-414, **amend**  
18 (2) as follows:

19 **44-3-414. Tavern license.** (2) (a) Every person selling alcohol  
20 beverages as provided in this section shall purchase THE alcohol  
21 beverages only from a wholesaler licensed pursuant to this article 3;  
22 except that, during a calendar year, a person selling alcohol beverages as  
23 provided in this section may purchase not more than two thousand dollars'  
24 worth of malt, vinous, and spirituous liquors from retailers licensed  
25 pursuant to sections ~~44-3-409~~, 44-3-410 and ~~44-4-104 (1)(c)~~ AND, DURING  
26 A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH  
27 OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED



1 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS  
2 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

3 (b) A tavern licensee shall retain evidence of each purchase of  
4 malt, vinous, or spirituous liquors from a retailer licensed pursuant to  
5 section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase  
6 receipt showing the name of the licensed retailer, the date of purchase, a  
7 description of the alcohol beverages purchased, and the price paid for the  
8 alcohol beverages. The ~~tavern~~ licensee shall retain the receipt and make  
9 it available to the state and local licensing authorities at all times during  
10 business hours.

11   
12 **SECTION 11.** In Colorado Revised Statutes, 44-3-416, **amend**  
13 **(2)** as follows:

14 **44-3-416. Retail gaming tavern license.** (2) (a) Every person  
15 selling alcohol beverages as ~~described~~ PROVIDED in this section shall  
16 purchase the alcohol beverages only from a wholesaler licensed pursuant  
17 to this article 3; except that, during a calendar year, a person selling  
18 alcohol beverages as provided in this section may purchase not more than  
19 two thousand dollars' worth of malt, vinous, or spirituous liquors from  
20 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104  
21 **(1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE**  
22 **THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS**  
23 **FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON**  
24 **LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A**  
25 **WHOLESALER.**

26 (b) A retail gaming tavern licensee shall retain evidence of each  
27 purchase of malt, vinous, or spirituous liquors from a retailer licensed

1 pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of  
2 a purchase receipt showing the name of the licensed retailer, the date of  
3 purchase, a description of the alcohol beverages purchased, and the price  
4 paid for the alcohol beverages. The licensee shall retain the receipt and  
5 make it available to the state and local licensing authorities at all times  
6 during business hours.

7

8 **SECTION 12.** In Colorado Revised Statutes, 44-3-417, **amend**  
9 **(3)** as follows:

10 **44-3-417. Brew pub license - definitions - repeal.** (3) (a) Every  
11 person selling alcohol beverages pursuant to AS PROVIDED IN this section  
12 shall purchase alcohol beverages, other than those that are manufactured  
13 at the licensed brew pub, ONLY from a wholesaler licensed pursuant to  
14 this article 3; except that, during a calendar year, a person selling alcohol  
15 beverages as provided in this section may purchase not more than two  
16 thousand dollars' worth of malt, vinous, and spirituous liquors from  
17 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104  
18 (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE  
19 THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS  
20 FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON  
21 LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A  
22 WHOLESALER.

23 (b) The brew pub licensee shall retain evidence of each purchase  
24 of malt, vinous, and spirituous liquors from a retailer licensed pursuant  
25 to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a  
26 purchase receipt showing the name of the licensed retailer, the date of  
27 purchase, a description of the alcohol beverages purchased, and the price

1 paid for the alcohol beverages. The licensee shall retain the receipt and  
2 make it available to THE state and local licensing authorities at all times  
3 during business hours.

4 [REDACTED]

5 **SECTION 13.** In Colorado Revised Statutes, 44-3-418, **amend**  
6 (2) as follows:

7 **44-3-418. Club license - legislative declaration.** (2) (a) Every  
8 person selling alcohol beverages as provided in this section shall purchase  
9 the alcohol beverages only from a wholesaler licensed pursuant to this  
10 article 3; except that, during a calendar year, a person selling alcohol  
11 beverages as provided in this section may purchase not more than two  
12 thousand dollars' worth of malt, vinous, and spirituous liquors from  
13 retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104  
14 (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE  
15 THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS  
16 FROM A RETAILER LICENSED PURSUANT TO SECTION ~~44-3-409~~. A PERSON  
17 LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A  
18 WHOLESALER.

19 (b) The club licensee shall retain evidence of each purchase of  
20 malt, vinous, or spirituous liquors from a retailer licensed pursuant to  
21 section ~~44-3-409~~, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase  
22 receipt showing the name of the licensed retailer, the date of purchase, a  
23 description of the alcohol beverages purchased, and the price paid for the  
24 alcohol beverages. The licensee shall retain the receipt and make it  
25 available to the state and local licensing authorities at all times during  
26 business hours.

27 [REDACTED]

1           **SECTION 14.** In Colorado Revised Statutes, 44-3-419, **amend**  
2 (4) as follows:

3           **44-3-419. Arts license - definition.** (4) (a) Every person selling  
4 alcohol beverages as provided in this section shall purchase the alcohol  
5 beverages only from a wholesaler licensed pursuant to this article 3;  
6 except that, during a calendar year, a person selling alcohol beverages as  
7 provided in this section may purchase not more than two thousand dollars'  
8 worth of malt, vinous, and spirituous liquors from retailers licensed  
9 pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING  
10 A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH  
11 OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED  
12 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS  
13 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

14           (b) An arts licensee shall retain evidence of each purchase of malt,  
15 vinous, or spirituous liquors from a retailer licensed pursuant to section  
16 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase receipt  
17 showing the name of the licensed retailer, the date of purchase, a  
18 description of the alcohol beverages purchased, and the price paid for the  
19 alcohol beverages. The licensee shall retain the receipt and make it  
20 available to the state and local licensing authorities at all times during  
21 business hours.

22           ■ ■  
23           **SECTION 15.** In Colorado Revised Statutes, 44-3-420, **amend**  
24 (2) as follows:

25           **44-3-420. Racetrack license.** (2) (a) Every person selling alcohol  
26 beverages as provided in this section shall purchase the alcohol beverages  
27 only from a wholesaler licensed pursuant to this article 3; except that,

1 during a calendar year, a person selling alcohol beverages as provided in  
2 this section may purchase not more than two thousand dollars' worth of  
3 malt, vinous, and spirituous liquors from retailers licensed pursuant to  
4 sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING A  
5 CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH OF  
6 MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED  
7 PURSUANT TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS  
8 SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.

9 (b) A racetrack licensee shall retain evidence of each purchase of  
10 malt, vinous, or spirituous liquors from a retailer licensed pursuant to  
11 section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of a purchase  
12 receipt showing the name of the licensed retailer, the date of purchase, a  
13 description of the alcohol beverages purchased, and the price paid for the  
14 alcohol beverages. The licensee shall retain the receipt and make it  
15 available to the state and local licensing authorities at all times during  
16 business hours.

17

18 **SECTION 16.** In Colorado Revised Statutes, 44-3-422, **amend**  
19 **(3)** as follows:

20 **44-3-422. Vintner's restaurant license.** (3) (a) Every person  
21 selling alcohol beverages pursuant to AS PROVIDED IN this section shall  
22 purchase the alcohol beverages, other than those that are manufactured at  
23 the licensed vintner's restaurant, ONLY from a wholesaler licensed  
24 pursuant to this article 3; except that, during a calendar year, a person  
25 may purchase not more than two thousand dollars' worth of malt, vinous,  
26 and spirituous liquors from retailers licensed pursuant to sections  
27 ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c) AND, DURING A CALENDAR

1 MONTH, NOT MORE THAN FIVE THOUSAND DOLLARS' WORTH OF MALT,  
2 VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER LICENSED PURSUANT  
3 TO SECTION 44-3-409. A PERSON LICENSED UNDER THIS SECTION MAY  
4 PURCHASE A KEG ONLY FROM A WHOLESALER.

5 (b) The vintner's restaurant licensee shall retain evidence of each  
6 purchase of malt, vinous, and spirituous liquors from a retailer licensed  
7 pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of  
8 a purchase receipt showing the name of the licensed retailer, the date of  
9 purchase, a description of the alcohol beverages purchased, and the price  
10 paid for the alcohol beverages. The licensee shall retain the receipt and  
11 make it available to THE state and local licensing authorities at all times  
12 during business hours.

13

14 **SECTION 17.** In Colorado Revised Statutes, 44-3-426, **amend**  
15 **(4)** as follows:

16 **44-3-426. Distillery pub license - legislative declaration -**  
17 **definition.** (4) (a) Except as provided in subsection (4)(b) of this section,  
18 every person selling alcohol beverages ~~pursuant to~~ AS PROVIDED IN this  
19 section ~~must~~ SHALL purchase alcohol beverages, other than those that are  
20 fermented and distilled at the licensed distillery pub, ONLY from a  
21 wholesaler licensed pursuant to this article 3.

22 (b) (I) During a calendar year, a person selling alcohol beverages  
23 as provided in this section may purchase not more than two thousand  
24 dollars' worth of malt, vinous, and spirituous liquors from retailers  
25 licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104 (1)(c)  
26 AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE THOUSAND  
27 DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A

1     RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON LICENSED  
2     UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A WHOLESALER.



3             (II) The distillery pub licensee shall retain evidence of each  
4     purchase of malt, vinous, and spirituous liquors from a retailer licensed  
5     pursuant to section 44-3-409, 44-3-410, or 44-4-104 (1)(c) in the form of  
6     a purchase receipt showing the name of the licensed retailer, the date of  
7     purchase, a description of the alcohol beverages purchased, and the price  
8     paid for the alcohol beverages. The licensee shall retain the receipt and  
9     make it available to THE state and local licensing authorities at all times  
10    during business hours.

11             ■   ■  
12             **SECTION 18.** In Colorado Revised Statutes, 44-3-428, **amend**  
13    (2) as follows:

14             **44-3-428. Lodging and entertainment license.** (2) (a) A lodging  
15    and entertainment facility licensed to sell alcohol beverages as provided  
16    in this section shall purchase THE alcohol beverages only from a  
17    wholesaler licensed pursuant to this article 3; except that, during a  
18    calendar year, a lodging and entertainment facility licensed to sell alcohol  
19    beverages as provided in this section may purchase not more than two  
20    thousand dollars' worth of malt, vinous, and spirituous liquors from  
21    retailers licensed pursuant to sections ~~44-3-409~~, 44-3-410 and 44-4-104  
22    (1)(c) AND, DURING A CALENDAR MONTH, NOT MORE THAN FIVE  
23    THOUSAND DOLLARS' WORTH OF MALT, VINOUS, OR SPIRITUOUS LIQUORS  
24    FROM A RETAILER LICENSED PURSUANT TO SECTION 44-3-409. A PERSON  
25    LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM A  
26    WHOLESALER.

27             (b) A lodging and entertainment facility licensee shall retain

1 evidence of each purchase of malt, vinous, or spirituous liquors from a  
2 retailer licensed pursuant to section 44-3-409, 44-3-410, or 44-4-104  
3 (1)(c) in the form of a purchase receipt showing the name of the licensed  
4 retailer, the date of purchase, a description of the alcohol beverages  
5 purchased, and the price paid for the alcohol beverages. The ~~lodging and~~  
6 ~~entertainment facility~~ licensee shall retain the receipt and make it  
7 available to the state and local licensing authorities at all times during  
8 business hours.

9    
10 **SECTION 19.** In Colorado Revised Statutes, 26-2-104, **amend**  
11 (2)(a)(II)(C) and (2)(h)(I)(B) as follows:

12 **26-2-104. Public assistance programs - electronic benefits**  
13 **transfer service - joint reports with department of revenue - signs -**  
14 **rules.** (2) (a) (II) Only those businesses that offer products or services  
15 related to the purpose of the public assistance benefits are allowed to  
16 participate in the electronic benefits transfer service through the use of  
17 point-of-sale terminals. Clients shall not be allowed to access cash  
18 benefits through the electronic benefits transfer service from automated  
19 teller machines in this state located in:

20 (C) Retail establishments licensed to sell malt, vinous, or  
21 spirituous liquors pursuant to part 3 of article 3 of title 44; except that the  
22 prohibition in this subsection (2)(a)(II)(C) does not apply to  
23 establishments licensed as liquor-licensed drugstores under section  
24 44-3-410 OR FERMENTED MALT BEVERAGE AND WINE RETAILERS AS  
25 DEFINED IN SECTION 44-3-103 (18.5);

26 (h) (I) On or before January 1, 2016, The department of revenue  
27 shall adopt rules pursuant to the "State Administrative Procedure Act",



1 article 4 of title 24, that relate to a client's use of automated teller  
2 machines at locations where the use is prohibited. The rules must apply  
3 to the following establishments:

4 (B) Retail establishments licensed to sell malt, vinous, or  
5 spirituous liquors pursuant to part 3 of article 3 of title 44, excluding  
6 establishments licensed as liquor-licensed drugstores under section  
7 44-3-410 AND FERMENTED MALT BEVERAGE AND WINE RETAILERS AS  
8 DEFINED IN SECTION 44-3-103 (18.5);

9

10 **SECTION 20.** In Colorado Revised Statutes, 44-3-303, **amend**  
11 (1)(b), (1)(c)(I), and (2); and **repeal** (1)(c)(II) as follows:

12 **44-3-303. Transfer of ownership and temporary permits.**

13 (1) (b) When a license has been issued to ~~a husband and wife~~, SPOUSES  
14 or to general or limited partners, the death of a spouse or partner shall not  
15 require the surviving spouse or partner to obtain a new license. All rights  
16 and privileges granted under the original license shall continue in full  
17 force and effect as to such survivors for the balance of the license period.

18 (c) (I) ~~Except as provided in subsection (1)(c)(II) of this section,~~  
19 For any other transfer of ownership, application must be made to the state  
20 and local licensing authorities on forms prepared and furnished by the  
21 state licensing authority. In determining whether to permit a transfer of  
22 ownership, the licensing authorities shall consider only the requirements  
23 of section 44-3-307 and 1 CCR 203-2, rule 47-302, entitled "Changing,  
24 Altering, or Modifying Licensed Premises", or any analogous successor  
25 rule. The local licensing authority may conduct a hearing on the  
26 application for transfer of ownership after providing notice in accordance  
27 with subsection (1)(c)(III) of this section. Any transfer of ownership

1 hearing by the state licensing authority must be held in accordance with  
2 section 44-3-305 (2).

3 (II) ~~A license merger and conversion as provided for in section  
4 44-3-410 (1)(b) includes a transfer of ownership of at least two retail  
5 liquor stores, a change of location of one of the retail liquor stores, and  
6 a merger and conversion of the retail liquor store licenses into a single  
7 liquor-licensed drugstore license, all as part of a single transaction, and  
8 the liquor-licensed drugstore applicant need not apply separately for a  
9 transfer of ownership under this section. The liquor-licensed drugstore  
10 applying for a license merger and conversion pursuant to section  
11 44-3-410 (1)(b) is ineligible for a temporary permit pursuant to this  
12 section. The local licensing authority shall consider the reasonable  
13 requirements of the neighborhood pursuant to section 44-3-312 when  
14 making a determination on the merger and conversion of the retail liquor  
15 store licenses into a single liquor-licensed drugstore license. The local  
16 licensing authority may hold a hearing on the application for the license  
17 merger and conversion after providing notice in accordance with  
18 subsection (1)(c)(III) of this section.~~

19 (2) Notwithstanding any provision of this article 3 to the contrary,  
20 a local licensing authority may issue a temporary permit to a transferee of  
21 any retail class of alcohol beverage license issued by the local licensing  
22 authority pursuant to this article 3 or article 4 of this title 44. ~~except that~~  
23 ~~a local licensing authority shall not issue a temporary permit to a~~  
24 ~~liquor-licensed drugstore that has acquired ownership of licensed retail~~  
25 ~~liquor stores in accordance with section 44-3-410 (1)(b).~~ A temporary  
26 permit authorizes a transferee to continue selling alcohol beverages as  
27 permitted under the permanent license during the period in which an

1 application to transfer the ownership of the license is pending.

2 **SECTION 21.** In Colorado Revised Statutes, 44-3-312, **amend**  
3 (2)(a) as follows:

4 **44-3-312. Results of investigation - decision of authorities.**

5 (2) (a) Before entering any decision approving or denying the AN  
6 application, the local licensing authority shall consider, except where this  
7 article 3 specifically provides otherwise, the facts and evidence adduced  
8 as a result of its investigation, as well as any other facts, the reasonable  
9 requirements of the neighborhood for the type of license for which  
10 application has been made, the desires of the adult inhabitants, the  
11 number, type, and availability of alcohol beverage outlets located in or  
12 near the neighborhood under consideration, and any other pertinent  
13 matters affecting the qualifications of the applicant for the conduct of the  
14 type of business proposed; except that the reasonable requirements of the  
15 neighborhood shall not be considered in the issuance of a club liquor  
16 license. ~~For the merger and conversion of retail liquor store licenses to a~~  
17 ~~single liquor-licensed drugstore license in accordance with section~~  
18 ~~44-3-410(1)(b), the local licensing authority shall consider the reasonable~~  
19 ~~requirements of the neighborhood and the desires of the adult inhabitants~~  
20 ~~of the neighborhood.~~

21 **SECTION 22.** In Colorado Revised Statutes, 44-3-409, **amend**  
22 (2)(a)(I); and **repeal** (3)(a)(I) and (5) as follows:

23 **44-3-409. Retail liquor store license - rules.** (2) (a) A person  
24 licensed under this section to sell malt, vinous, and spirituous liquors in  
25 a retail liquor store:

26 (I) Shall purchase the malt, vinous, and spirituous liquors only  
27 from a wholesaler licensed pursuant to this article 3; **and EXCEPT THAT,**

1 DURING A CALENDAR MONTH, A PERSON LICENSED UNDER THIS SECTION  
2 MAY PURCHASE UP TO FIVE THOUSAND DOLLARS' WORTH OF ALCOHOL  
3 BEVERAGES FROM A RETAILER LICENSED PURSUANT TO THIS SECTION. A  
4 PERSON LICENSED UNDER THIS SECTION MAY PURCHASE A KEG ONLY FROM  
5 A WHOLESALER.

6 (3) (a) A person licensed to sell at retail who complies with this  
7 subsection (3) and rules promulgated pursuant to this subsection (3) may  
8 deliver malt, vinous, and spirituous liquors to a person of legal age if:

9 (I) ~~The person receiving the delivery of malt, vinous, or spirituous~~  
10 ~~liquors is located at a place that is not licensed pursuant to this section;~~

11 (5) ~~A liquor-licensed drugstore may apply to the state and local~~  
12 ~~licensing authorities, as part of a single application, for a merger and~~  
13 ~~conversion of retail liquor store licenses to a single liquor-licensed~~  
14 ~~drugstore license as provided in section 44-3-410 (1)(b).~~

15 ■ ■

16 **SECTION 23.** In Colorado Revised Statutes, 44-3-501, **repeal**  
17 ~~(3)(a)(XVI)~~ as follows:

18 **44-3-501. State fees - rules.** (3) (a) The state licensing authority  
19 shall establish fees for processing the following types of applications,  
20 notices, or reports required to be submitted to the state licensing  
21 authority:

22 (XVI) ~~Applications for transfer of ownership, change of location,~~  
23 ~~and license merger and conversion pursuant to section 44-3-410 (1)(b);~~

24 ■

25 **SECTION 24.** In Colorado Revised Statutes, 44-3-505, **amend**  
26 (1) introductory portion; and **repeal** ■ (4)(a)(V) as follows:

27 **44-3-505. Local license fees.** (1) The applicant shall pay the

1 following license fees to the treasurer of the ~~municipality~~ CITY, city and  
2 county, or county where the licensed premises is located annually in  
3 advance:

4

5 (4) (a) Each application for a license provided for in this article 3  
6 and article 4 of this title 44 filed with a local licensing authority must be  
7 accompanied by an application fee in an amount determined by the local  
8 licensing authority to cover actual and necessary expenses, subject to the  
9 following limitations:

10 (V) ~~For a transfer of ownership, change of location, and license~~  
11 ~~merger and conversion pursuant to section 44-3-410 (1)(b), not to exceed~~  
12 ~~one thousand dollars.~~

13 **SECTION 25.** In Colorado Revised Statutes, 44-3-901, **amend**  
14 **(1)(g), (6)(k)(I), and (6)(k)(V) as follows:**

15 **44-3-901. Unlawful acts - exceptions - definitions.** (1) Except  
16 as provided in section 18-13-122, it is unlawful for any person:

17 (g) To sell at retail any malt, vinous, or spirituous liquors in sealed  
18 containers without holding a retail liquor store **or liquor-licensed**  
19 **drugstore** license, except as permitted by section 44-3-107 (2) or 44-3-301  
20 (6)(b) or any other provision of this article 3, ~~or to sell at retail any~~  
21 ~~fermented malt beverages in sealed containers without holding a~~  
22 ~~fermented malt beverage retailer's license under section 44-4-104 (1)(c)~~  
23 ~~or to sell at retail any fermented malt beverages and wine in sealed~~  
24 containers without holding a fermented malt beverage and wine retailer's  
25 license under section ~~44-4-104 (1)(c)~~ OR 44-4-107 (1)(a);

26

27 (6) It is unlawful for any person licensed to sell at retail pursuant

1 to this article 3 or article 4 of this title 44:

2

3 (k) (I) Except as provided in subsections (6)(k)(II), (6)(k)(IV), and  
4 (6)(k)(V) of this section, to have on the licensed premises, if licensed as  
5 a retail liquor store, liquor-licensed drugstore, ~~fermented malt beverage~~  
6 ~~retailer~~, or fermented malt beverage and wine retailer, any container that  
7 shows evidence of having once been opened or that contains a volume of  
8 liquor less than that specified on the label of the container;

9

10 (V) A person holding a retail liquor store or liquor-licensed  
11 drugstore license under this article 3 or a fermented malt beverage and  
12 wine retailer's license under section 44-4-107 (1)(a) may have upon the  
13 licensed premises an open container of an alcohol beverage product that  
14 the licensee discovers to be damaged or defective so long as the licensee  
15 marks the product as damaged or for return and stores the open container  
16 outside the sales area of the licensed premises until the licensee is able to  
17 return the product to the wholesaler OR RETAILER from whom the product  
18 was purchased.

19

20 **SECTION 26.** In Colorado Revised Statutes, add 44-3-314 as  
21 follows:

22 **44-3-314. Adjustments for inflation - retail-to-retail sales.**

23 (1) ON JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER, THE STATE  
24 LICENSING AUTHORITY SHALL ADJUST FOR INFLATION THE PURCHASE  
25 LIMITATIONS FOR SALES BETWEEN RETAIL LICENSEES SPECIFIED IN  
26 SECTIONS 44-3-409 (2)(a)(I), 44-3-411 (2)(a), 44-3-413 (7)(b)(I),  
27 44-3-414 (2)(a), 44-3-416 (2)(a), 44-3-417 (3)(a), 44-3-418 (2)(a),

1 44-3-419 (4)(a), 44-3-420 (2)(a), 44-3-422 (3)(a), 44-3-426 (4)(a), AND  
2 44-3-428 (2)(a).

3 (2) THE STATE LICENSING AUTHORITY SHALL PUBLISH THE  
4 ADJUSTED PURCHASE LIMITATION AMOUNT ON THE LIQUOR ENFORCEMENT  
5 DIVISION'S WEBSITE.

6 **SECTION 27. Appropriation.** (1) For the 2024-25 state fiscal  
7 year, \$190,086 is appropriated to the department of revenue. This  
8 appropriation is from liquor enforcement division and state licensing  
9 authority cash fund created in 44-6-101, C.R.S. To implement this act, the  
10 department may use this appropriation as follows:

11 (a) \$50,518 for use by the specialized business group for personal  
12 services related to liquor and tobacco enforcement, which amount is  
13 based on an assumption that the division will require an additional 0.6  
14 FTE;

15 (b) \$14,108 for use by the specialized business group for operating  
16 expenses related to liquor and tobacco enforcement; and

17 (c) \$125,460 for the purchase of legal services.

18 (2) For the 2024-25 state fiscal year, \$125,460 is appropriated to  
19 the department of law. This appropriation is from reappropriated funds  
20 received from the department of revenue under subsection (1)(c) of this  
21 section and is based on an assumption that the department of law will  
22 require an additional 0.5 FTE. To implement this act, the department of  
23 law may use this appropriation to provide legal services for the  
24 department of revenue.

25 **SECTION 28. Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
2 of the state constitution against this act or an item, section, or part of this  
3 act within such period, then the act, item, section, or part will not take  
4 effect unless approved by the people at the general election to be held in  
5 November 2024 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.