



Legislative Council Staff

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Final Fiscal Note

Drafting Number:	LLS 24-0081	Date:	May 30, 2024
Prime Sponsors:	Sen. Roberts; Hinrichsen Rep. Lindstedt; Pugliese	Bill Status:	Signed into Law
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Bill Topic: ALCOHOL BEVERAGE DELIVERY & TAKEOUT

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill continues indefinitely the alcoholic beverage takeout and delivery permit, which is set to expire July 1, 2025. The bill increases state and local revenue and expenditures beginning in FY 2025-26.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The final fiscal note reflects the enacted bill.

**Table 1
State Fiscal Impacts Under SB 24-020**

		Budget Year FY 2024-25	Out Year FY 2025-26
Revenue	Cash Funds	-	\$26,180
	Total Revenue	-	\$26,180
Expenditures	Cash Funds	-	\$67,910
	Centrally Appropriated	-	\$15,100
	Total Expenditures	-	\$83,010
	Total FTE	-	1.0 FTE
Transfers		-	-
Other Budget Impacts	TABOR Refund	-	\$26,180

Summary of Legislation

Under current law, certain liquor licensees may sell limited amounts of alcoholic beverages as part of takeout and delivery orders. This authority repeals on July 1, 2025. The bill removes this repeal date, authorizing alcohol takeout and delivery to continue indefinitely. Additionally, beginning on January 1, 2025, the bill requires certain licensees in hotels and restaurants to ensure that any alcoholic beverages for takeout are handled by an employee of the licensee.

Background

[Senate Bill 20-213](#) codified the Governor’s Executive Order 2020-052 allowing for the takeout and delivery of alcoholic beverages and requiring licensees to have a permit issued by the Department of Revenue (DOR) once the declared disaster emergency ended. [House Bill 21-1027](#) extended the program through July 1, 2025; expanded the licensees eligible for takeout and delivery sales; and appropriated 1.0 FTE to the DOR to process permit applications and conduct delivery compliance checks. In FY 2022-23, the program had 1,532 applicants and 848 renewals, for a total of 2,380 permittees. Permits currently cost \$11.

State Revenue

By continuing fees for alcohol takeout and delivery permits indefinitely, the bill increases state revenue by an estimated \$26,180 beginning in FY 2025-26 and ongoing. Permit fee revenue for is deposited into the Liquor Enforcement Division Cash Fund and is subject to TABOR.

Table 2
Revenue Under SB 24-020

Fiscal Year	Type of Fee	Current Fee	Permittees	Fee Impact
FY 2025-26	Takeout & Delivery Permit	\$11.00	2,380	\$26,180

State Expenditures

Beginning in FY 2025-26, the bill increases state expenditures by \$83,010 from the Liquor Enforcement Division Cash Fund. Expenditures are detailed below and shown in Table 3.

Table 3
Expenditures Under SB 24-020

	FY 2024-25	FY 2025-26
Department of Revenue		
Personal Services	-	\$56,360
Operating Expenses	-	\$1,350
Delivery Compliance Checks	-	\$10,200
Centrally Appropriated Costs ¹	-	\$15,100
Total Cost	-	\$83,010
Total FTE	-	1.0 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Department of Revenue. Beginning in FY 2025-26, the DOR requires a continuing 1.0 FTE to process permit applications and conduct delivery compliance checks. Associated delivery compliance costs are estimated at \$10,200. These amounts assume a continuation of costs identified in HB 21-1027.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 3.

Other Budget Impacts

TABOR refunds. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the March 2024 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2025-26. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

Local Government

The bill may increase local government revenue and expenditures for any local licensing authority that chooses to require a takeout and delivery permit.

Effective Date

The bill was signed into law by the Governor on May 10, 2024 and takes effect on August 7, 2024, assuming no referendum petition is filed.

State and Local Government Contacts

Revenue

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).