

CHAPTER 43

PROFESSIONS AND OCCUPATIONS

SENATE BILL 98-067

BY SENATORS Johnson and Hopper;
also REPRESENTATIVES Schauer, Nichol, Reeser, and Sullivant.

AN ACT

CONCERNING TAVERN LIQUOR LICENSES, AND, IN CONNECTION THEREWITH, AUTHORIZES THE MULTIPLE OWNERSHIP OF TAVERN LICENSES AND REQUIRES THE REGISTRATION OF MANAGERS OF LICENSED TAVERNS.

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

SECTION 1. 12-47-412 (1) and (3), Colorado Revised Statutes, are amended, and the said 12-47-412 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

12-47-412. Tavern license. (1) A tavern license shall be issued to persons selling malt, vinous, or spirituous liquors by the drink only to customers for consumption on the premises, and such licensee shall have available for consumption on the premises during business hours sandwiches and light snacks, but need not have meals available for consumption. IN NO EVENT SHALL ANY PERSON HOLD MORE THAN THREE TAVERN LICENSES.

(3) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a tavern license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article; except that such a person may have an interest in NOT MORE THAN THREE TAVERN LICENSES, an arts license, or an airline public transportation system license granted under this article, or in a financial institution referred to in section 12-47-308 (4).

(4) EACH TAVERN LICENSEE SHALL MANAGE OR HAVE A SEPARATE AND DISTINCT MANAGER FOR EACH LICENSED PREMISES AND SHALL REGISTER THE MANAGER OF EACH LICENSED PREMISES WITH BOTH THE STATE AND THE LOCAL LICENSING AUTHORITY. NO PERSON SHALL BE A REGISTERED MANAGER FOR MORE THAN ONE

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

TAVERN LICENSE.

(5) THE REGISTERED MANAGER FOR EACH TAVERN LICENSE OR THE TAVERN LICENSEE SHALL PURCHASE MALT, VINOUS, OR SPIRITUOUS LIQUORS FOR ONE LICENSED PREMISES ONLY, AND SUCH PURCHASES SHALL BE SEPARATE AND DISTINCT FROM PURCHASES FOR ANY OTHER TAVERN LICENSE.

(6) WHEN A PERSON CEASES TO BE A REGISTERED MANAGER FOR A TAVERN LICENSE, FOR WHATEVER REASON, THE TAVERN LICENSEE SHALL NOTIFY THE LICENSING AUTHORITIES WITHIN FIVE DAYS AND SHALL DESIGNATE A NEW REGISTERED MANAGER WITHIN THIRTY DAYS.

(7) THE STATE LICENSING AUTHORITY OR THE LOCAL LICENSING AUTHORITY MAY REFUSE TO ACCEPT ANY PERSON AS A REGISTERED MANAGER UNLESS THE PERSON IS SATISFACTORY TO THE RESPECTIVE LICENSING AUTHORITIES AS TO CHARACTER, RECORD, AND REPUTATION. IN DETERMINING A REGISTERED MANAGER'S CHARACTER, RECORD, AND REPUTATION, THE STATE OR LOCAL LICENSING AUTHORITY MAY HAVE ACCESS TO CRIMINAL HISTORY RECORD INFORMATION FURNISHED BY A CRIMINAL JUSTICE AGENCY SUBJECT TO ANY RESTRICTIONS IMPOSED BY SUCH AGENCY.

(8) THE TAVERN LICENSEE SHALL PAY A REGISTRATION FEE NOT TO EXCEED SEVENTY-FIVE DOLLARS FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN DETERMINING THE CHARACTER, RECORD, AND REPUTATION OF EACH REGISTERED MANAGER. SUCH FEE SHALL BE PAID TO BOTH THE STATE AND THE LOCAL LICENSING AUTHORITY.

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

Approved: March 24, 1998