

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB24-1373 be amended as follows:

- 1 Amend printed bill, page 28, line 11, strike "(2)(a)(I); and **repeal** (3)(a)(I)
2 and (5)" and substitute "(2)(a)(I) and (3)(a)(I); **repeal** (5); and **add** (3.5)".
3
- 4 Page 29, strike lines 14 and 15 and substitute:
5 "(I) The ~~person receiving the~~ delivery of malt, vinous, or
6 spirituous liquors ~~is located at a place that is not~~ TO A PERSON licensed
7 pursuant to this section IS MADE IN ACCORDANCE WITH SUBSECTION (3.5)
8 OF THIS SECTION;
9 (3.5) (a) EFFECTIVE JANUARY 1, 2025, A LICENSEE MAY SELL AND
10 DELIVER ALCOHOL BEVERAGES TO A RETAILER LICENSED UNDER THIS
11 SECTION AND SECTIONS 44-3-411, 44-3-413, 44-3-414, 44-3-416,
12 44-3-417, 44-3-418, 44-3-419, 44-3-420, 44-3-422, 44-3-426, AND
13 44-3-428. A RETAILER SHALL NOT PURCHASE MORE THAN A TOTAL OF SIX
14 GALLONS OF ALCOHOL BEVERAGES PER DAY ACROSS ALL PERSONS
15 LICENSED TO SELL AND DELIVER PURSUANT TO THIS SECTION (3.5).
16 (b) TO SELL AND DELIVER ALCOHOL BEVERAGES TO A RETAILER AS
17 AUTHORIZED UNDER THIS SUBSECTION (3.5), A LICENSEE MUST:
18 (I) HAVE ALL APPLICABLE PERMITS ISSUED UNDER THIS
19 SUBSECTION (3.5) TO SELL ALCOHOL BEVERAGES;
20 (II) SELL OR DELIVER NO MORE THAN SIX GALLONS OF ALCOHOL
21 BEVERAGES PER RETAILER PER DAY;
22 (III) SELL AND DELIVER ONLY TO A RETAILER WITHIN TWENTY-FIVE
23 MILES FROM THE LICENSEE'S LICENSED PREMISES;
24 (IV) SELL AND DELIVER ONLY FROM THE LICENSEE'S LICENSED
25 PREMISES;
26 (V) NOT SELL OR DELIVER MALT LIQUOR IN A BREWERY-SEALED,
27 SINGLE CONTAINER THAT CONTAINS FOUR OR MORE GALLONS OF MALT
28 LIQUOR; AND
29 (VI) ENSURE THAT DELIVERY OF THE ALCOHOL BEVERAGES IS
30 MADE ONLY BY THE LICENSEE OR AN EMPLOYEE OF THE LICENSEE AND
31 ONLY IN A VEHICLE OWNED OR LEASED BY THE LICENSEE THAT DOES NOT
32 EXCEED NINE THOUSAND POUNDS GROSS VEHICLE WEIGHT.
33 (c) (I) (A) THE STATE LICENSING AUTHORITY SHALL PROMULGATE
34 RULES NECESSARY TO ENFORCE THIS SUBSECTION (3.5), INCLUDING
35 CREATING A PERMIT FOR THE SALE AND DELIVERY OF ALCOHOL
36 BEVERAGES BY A RETAIL LIQUOR STORE TO RETAILERS, SETTING FEES FOR
37 THE PROCESSING AND APPROVAL OF A RETAILER SALE AND DELIVERY
38 PERMIT APPLICATION, AND ANY OTHER MATTER NECESSARY FOR THE SAFE
39 AND EFFECTIVE IMPLEMENTATION OF THIS SECTION.
40 (B) IN PROMULGATING THE RULES PURSUANT TO SUBSECTION
41 (3.5)(c)(I)(A) OF THIS SECTION, THE STATE LICENSING AUTHORITY SHALL

1 ENGAGE WITH AND SEEK INPUT FROM VARIOUS ALCOHOL INDUSTRY
2 STAKEHOLDERS.

3 (II) THE STATE LICENSING AUTHORITY SHALL ISSUE A PERMIT TO
4 A LICENSEE TO SELL ALCOHOL BEVERAGES TO ANOTHER RETAILER IF THE
5 LICENSEE DEMONSTRATES THE ABILITY TO COMPLY WITH THIS SECTION. A
6 PERMIT ISSUED UNDER THIS SUBSECTION (3.5)(c) IS SUBJECT TO THE
7 SUSPENSION AND REVOCATION PROVISIONS SET FORTH IN SECTION
8 44-3-601.

9 (d) (I) A LOCAL LICENSING AUTHORITY MAY CREATE A PERMIT FOR
10 THE SALE AND DELIVERY OF ALCOHOL BEVERAGES TO RETAILERS
11 PURSUANT TO THIS SUBSECTION (3.5). IF A LOCAL LICENSING AUTHORITY
12 DOES NOT CREATE A PERMIT UNDER THIS SUBSECTION (3.5)(d), A LICENSEE
13 NEED NOT OBTAIN A LOCAL PERMIT TO SELL AND DELIVER ALCOHOL
14 BEVERAGES PURSUANT TO THIS SUBSECTION (3.5).

15 (II) A LOCAL LICENSING AUTHORITY MAY ESTABLISH FEES FOR THE
16 PROCESSING AND APPROVAL OF A SALE AND DELIVERY PERMIT
17 APPLICATION, BUT THE AMOUNT OF THE FEES MUST NOT EXCEED THE
18 AMOUNT OF THE FEES SET BY THE STATE LICENSING AUTHORITY UNDER
19 SUBSECTION (3.5)(c)(I) OF THIS SECTION.

20 (III) IF A LOCAL LICENSING AUTHORITY CREATES A RETAIL SALE
21 AND DELIVERY PERMIT:

22 (A) A LICENSEE MUST OBTAIN THE PERMIT TO SELL AND DELIVER
23 ALCOHOL BEVERAGES AS AUTHORIZED UNDER THIS SUBSECTION (3.5); AND

24 (B) THE LOCAL LICENSING AUTHORITY SHALL ISSUE A PERMIT TO
25 A LICENSEE TO SELL AND DELIVER ALCOHOL BEVERAGES IF THE LICENSEE
26 DEMONSTRATES THE ABILITY TO COMPLY WITH THIS SECTION.

27 (IV) A PERMIT ISSUED UNDER THIS SUBSECTION (3.5)(d) IS SUBJECT
28 TO THE SUSPENSION AND REVOCATION PROVISIONS SET FORTH IN SECTION
29 44-3-601.

30 (V) A MANUFACTURER LICENSED UNDER SECTION 44-3-402 THAT
31 OPERATES A SALES ROOM OR A WHOLESALER LICENSED UNDER SECTION
32 44-3-407 THAT OPERATES A SALES ROOM NEED NOT OBTAIN A PERMIT
33 FROM A LOCAL LICENSING AUTHORITY TO SELL AND DELIVER AN ALCOHOL
34 BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN ALCOHOL
35 BEVERAGE FROM THE LICENSED PREMISES.

36 (e) A LICENSEE SHALL SUBMIT AN APPLICATION FOR A PERMIT
37 ISSUED UNDER THIS SECTION TO THE STATE LICENSING AUTHORITY AND
38 THE LOCAL LICENSING AUTHORITY, IF APPLICABLE, SIMULTANEOUSLY.
39 APPROVAL BY EITHER THE STATE LICENSING AUTHORITY OR A LOCAL
40 LICENSING AUTHORITY DOES NOT GUARANTEE APPROVAL BY THE OTHER
41 LICENSING AUTHORITY."

42 Strike "44-3-409" and substitute "44-3-409 IN ACCORDANCE WITH

1 SECTION 44-3-409 (3.5)" on" **Page 8**, line 8; **Page 9**, line 19; **Page 11**, line
2 5; **Page 12**, line 17; **Page 14**, line 3; **Page 15**, line 16; **Page 16**, line 27;
3 **Page 18**, line 11; **Page 19**, line 24; **Page 21**, line 10; and **Page 22**, line
4 23.

5 Strike "~~44-3-409~~, 44-3-410" and substitute "44-3-409, 44-3-410," on:
6 **Page 8**, line 14; **Page 9**, line 26; **Page 11**, line 12; **Page 12**, line 24; **Page**
7 **14**, line 10; **Page 15**, line 23; **Page 17**, line 7; **Page 18**, line 18; **Page 20**,
8 line 3; **Page 21**, line 17; and **Page 23**, line 4.

9 Page 1, line 104, strike "REMOVING" and substitute "ADJUSTING".

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