HB1062_L.005
HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on <u>Finance</u>.
<u>HB22-1062</u> be amended as follows:

1   Amend printed bill, page 4, line 11, strike "(4)" and substitute "(4); and
2   **add** (5)".

3   Page 4, line 18, after "~~amended.~~" add "EXCEPT THAT ANY SALE OF FOOD,
4   OR FOOD AND ALCOHOL BEVERAGES, BY A HOTEL-OPERATED RESTAURANT,
5   BAR, OR CATERING SERVICE; RESTAURANT; BAR; OR CATERING SERVICE
6   THAT IS NOT A TAKEOUT ORDER IS SUBJECT TO TAXATION;".

7   Page 9, after line 3 insert:

8   "(5)   FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
9   OTHERWISE REQUIRES:
10   (a)   "BAR" MEANS AN ESTABLISHMENT THAT MAY MAKE
11   SANDWICHES OR LIGHT SNACKS AVAILABLE FOR CONSUMPTION, THAT IS
12   OPEN TO THE PUBLIC, AND THAT IS PRIMARILY ENGAGED IN PREPARING AND
13   SERVING ALCOHOL BEVERAGES FOR IMMEDIATE, ON-PREMISE
14   CONSUMPTION.
15   (b)   "CATERING SERVICE" MEANS AN ESTABLISHMENT THAT IS
16   PRIMARILY ENGAGED IN PROVIDING SINGLE EVENT-BASED FOOD SERVICES
17   AND THAT HAS EQUIPMENT AND VEHICLES TO TRANSPORT MEALS AND
18   SNACKS TO EVENTS OR TO PREPARE FOOD AT AN OFF-PREMISE SITE.
19   (c) "HOTEL-OPERATED RESTAURANT, BAR, OR CATERING SERVICE"
20   MEANS A RESTAURANT, BAR, OR CATERING SERVICES LOCATED ON THE
21   PREMISES OF AN ESTABLISHMENT THAT IS PRIMARILY ENGAGED IN
22   PROVIDING SHORT-TERM LODGING FACILITIES, INCLUDING A HOTEL
23   FACILITY WITH A CASINO ON THE PREMISES.
24   (d) "RESTAURANT" MEANS AN ESTABLISHMENT THAT IS PRIMARILY
25   ENGAGED, AT A FIXED, PHYSICAL PREMISES, IN:
26   (I) PROVIDING PREPARED FOOD SERVICES TO PATRONS WHO ORDER
27   AND ARE SERVED WHILE SEATED AND WHO PAY AFTER EATING;
28   (II)   PROVIDING PREPARED FOOD SERVICES TO PATRONS WHO
29   GENERALLY ORDER OR SELECT ITEMS AND WHO PAY BEFORE EATING; OR
30   (III)   PREPARING OR SERVING SPECIALTY SNACKS OR
31   NONALCOHOLIC BEVERAGES TO PATRONS WHO PAY BEFORE EATING OR
32   DRINKING FOR CONSUMPTION ON OR NEAR THE PREMISES.
33   (e) "TAKEOUT ORDER" MEANS AN ORDER OF FOOD OR FOOD AND
34   DRINK THAT IS INTENDED TO BE CONSUMED OUTSIDE THE PREMISES WHERE
35   THE FOOD WAS PREPARED.".

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