

An Act

SENATE BILL 26-114

BY SENATOR(S) Marchman and Bright, Bridges, Hinrichsen;
also REPRESENTATIVE(S) Titone and Soper, Brooks, Gonzalez R.,
Stewart K., McCluskie.

CONCERNING A SPIRITUOUS LIQUOR MANUFACTURER'S SALES ROOMS.

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

SECTION 1. In Colorado Revised Statutes, 44-3-402, **amend** (7)(a); and **add** (7)(d) as follows:

44-3-402. Manufacturer's license - rules.

(7)(a)(I)(A) A manufacturer of spirituous liquors licensed pursuant to this section may conduct tastings and sell to customers spirituous liquors of its own manufacture on ~~its~~ THE MANUFACTURER'S licensed premises and at one other approved sales room location at no additional cost. A sales room location may be included in the license at the time of the original license issuance or by supplemental application. If the licensed premises includes multiple noncontiguous locations, the manufacturer may operate a sales room on only one of those noncontiguous locations.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(B) A MANUFACTURER OF SPIRITUOUS LIQUORS LICENSED PURSUANT TO THIS SECTION SHALL APPLY TO A LOCAL LICENSING AUTHORITY FOR APPROVAL OF A PERMIT TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THE STATE PURSUANT TO SECTION 44-3-407 AT THE LICENSED PREMISES AND ANY SALES ROOM APPROVED PURSUANT TO SUBSECTION (7)(a)(I)(A) OF THIS SECTION. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (7)(a)(II) OF THIS SECTION, THE MANUFACTURER SHALL ONLY SERVE OR SELL ALCOHOL BEVERAGES ACQUIRED FROM SUCH WHOLESALERS FOR ON-PREMISES CONSUMPTION AND NOT FOR OFF-PREMISES CONSUMPTION OR FOR TAKEOUT AND DELIVERY PURSUANT TO SECTION 44-3-911 (4)(c)(V). A MANUFACTURER MUST OBTAIN A SEPARATE PERMIT FOR EACH LOCATION WHERE ACTIVITIES THAT ARE AUTHORIZED BY THIS SUBSECTION (7)(a)(I)(B) OCCUR. THE ISSUANCE OF A PERMIT BY A LOCAL LICENSING AUTHORITY IS SUBJECT TO SECTIONS 44-3-301 (2)(a), 44-3-311, 44-3-312, AND 44-3-313. A PERMIT ISSUED UNDER THIS SUBSECTION (7)(a)(I)(B) IS VALID FOR ONE YEAR AFTER THE DATE OF ISSUANCE UNLESS REVOKED OR SUSPENDED PURSUANT TO SECTION 44-3-306 OR 44-3-601. THE STATE LICENSING AUTHORITY SHALL DETERMINE THE FORM AND MANNER OF A PERMIT APPLICATION SUBMITTED PURSUANT TO THIS SUBSECTION (7)(a)(I)(B).

(C) UPON APPROVAL OF A PERMIT FROM THE LOCAL LICENSING AUTHORITY PURSUANT TO SUBSECTION (7)(a)(I)(B) OF THIS SECTION, A MANUFACTURER OF SPIRITUOUS LIQUORS LICENSED PURSUANT TO THIS SECTION SHALL APPLY TO THE STATE LICENSING AUTHORITY FOR A PERMIT TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THIS STATE PURSUANT TO SECTION 44-3-407 AT THE LICENSED PREMISES AND ANY SALES ROOM APPROVED PURSUANT TO SUBSECTION (7)(a)(I)(A) OF THIS SECTION. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (7)(a)(II) OF THIS SECTION, THE MANUFACTURER SHALL ONLY SERVE OR SELL ALCOHOL BEVERAGES ACQUIRED FROM SUCH WHOLESALERS FOR ON-PREMISES CONSUMPTION AND NOT FOR OFF-PREMISES CONSUMPTION OR FOR TAKEOUT AND DELIVERY PURSUANT TO SECTION 44-3-911 (4)(c)(V). THE STATE LICENSING AUTHORITY SHALL DETERMINE THE FORM AND MANNER OF A PERMIT APPLICATION SUBMITTED PURSUANT TO THIS SUBSECTION (7)(a)(I)(C). IF THE STATE LICENSING AUTHORITY APPROVES A PERMIT APPLICATION FILED PURSUANT TO THIS SUBSECTION (7)(a)(I)(C): THE MANUFACTURER OF SPIRITUOUS LIQUORS SHALL HAVE SANDWICHES AND LIGHT SNACKS AVAILABLE FOR CONSUMPTION AT ITS LICENSED PREMISES AND ANY APPROVED SALES ROOM, BUT NEED NOT HAVE MEALS AVAILABLE

FOR CONSUMPTION; AND THE PROCEEDS DERIVED FROM SALES OF ALCOHOL BEVERAGES ACQUIRED FROM SUCH WHOLESALERS MUST NOT EXCEED FIFTY PERCENT OF THE MANUFACTURER'S GROSS ANNUAL REVENUE FROM ALCOHOL BEVERAGE SALES. A PERMIT ISSUED UNDER THIS SUBSECTION (7)(a)(I)(C) IS VALID UNTIL THE EXPIRATION OF THE PERMIT ISSUED BY THE LOCAL LICENSING AUTHORITY PURSUANT TO SUBSECTION (7)(a)(I)(B) OF THIS SECTION OR FOR ONE YEAR AFTER THE DATE OF ISSUANCE, WHICHEVER IS SOONER, UNLESS THE PERMIT IS REVOKED OR SUSPENDED PURSUANT TO SECTION 44-3-306 OR 44-3-601.

(II) A manufacturer of spirituous liquors licensed pursuant to this section that operates a sales room AND THAT DOES NOT OBTAIN A PERMIT PURSUANT TO SUBSECTIONS (7)(a)(I)(B) AND (7)(a)(I)(C) OF THIS SECTION FOR THE SALES ROOM TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THIS STATE may purchase and use common alcohol modifiers, including vermouth, amaros, and liqueurs, to combine with spirituous liquors to produce cocktails for consumption on or off the sales room premises. A manufacturer that uses an alcohol modifier pursuant to this subsection (7)(a)(II) shall combine the modifier with a spirituous liquor produced by the manufacturer. A manufacturer shall not sell an alcohol modifier that has not been combined with a spirituous liquor. The state licensing authority may adopt rules necessary to implement and administer this subsection (7)(a)(II).

(d) THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO IMPLEMENT THIS SUBSECTION (7).

SECTION 2. In Colorado Revised Statutes, 44-3-505, **add** (1)(s) and (4)(a)(VI) as follows:

44-3-505. Local license fees.

(1) The applicant shall pay the following license fees to the treasurer of the municipality, city and county, or county where the licensed premises is located annually in advance:

(s) FOR EACH PERMIT ISSUED TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THE STATE PURSUANT TO SECTION 44-3-407 AT A MANUFACTURER'S LICENSED PREMISES IN ACCORDANCE WITH SECTION 44-3-402, FIVE HUNDRED DOLLARS.

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

(VI) (A) FOR A NEW PERMIT ISSUED TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THE STATE PURSUANT TO SECTION 44-3-407 AT A MANUFACTURER'S LICENSED PREMISES IN ACCORDANCE WITH SECTION 44-3-402, AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS, SET BY THE LOCAL LICENSING AUTHORITY; AND

(B) FOR A RENEWAL APPLICATION FOR A PERMIT ISSUED TO SERVE AND SELL ALCOHOL BEVERAGES ACQUIRED FROM WHOLESALERS LICENSED IN THE STATE PURSUANT TO SECTION 44-3-407 AT A MANUFACTURER'S LICENSED PREMISES IN ACCORDANCE WITH SECTION 44-3-402, AN AMOUNT NOT TO EXCEED ONE HUNDRED DOLLARS, SET BY THE LOCAL LICENSING AUTHORITY; EXCEPT THAT AN EXPIRED PERMIT RENEWAL AMOUNT MUST NOT EXCEED FIVE HUNDRED DOLLARS.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO