

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-1102.01 Christy Chase x2008

SENATE BILL 17-269

SENATE SPONSORSHIP

Marble and Aguilar,

HOUSE SPONSORSHIP

Winter and McKean,

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE EXCLUSION OF SPECIFIED NONALCOHOL PRODUCTS**

102 **FROM THE CALCULATION OF THE MAXIMUM AMOUNT OF A**

103 **RETAIL LIQUOR STORE'S ANNUAL GROSS SALES REVENUE THAT**

104 **MAY BE DERIVED FROM THE SALE OF NONALCOHOL PRODUCTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law permits a licensed retail liquor store to sell nonalcohol products, subject to a 20% limit on gross sales revenue from the sale of nonalcohol products.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill excludes revenues from the sale of cigarettes, tobacco products, nicotine products, and lottery products from the calculation of the cap on a retail liquor store's gross revenues from the sale of nonalcohol products.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend**
3 the introductory portion and (31) as follows:

4 **12-47-103. Definitions.** As used in this ~~article~~ ARTICLE 47 and
5 article 46 of this ~~title~~ TITLE 12, unless the context otherwise requires:

6 (31) "Retail liquor store" means an establishment engaged only in
7 the sale of malt, vinous, and spirituous liquors and nonalcohol products,
8 but only if the annual gross revenues from the sale of nonalcohol products
9 ~~does~~ DO not exceed twenty percent of the retail liquor store's total annual
10 gross SALES revenues, AS SPECIFIED IN SECTION 12-47-407 (1)(b).

11 **SECTION 2.** In Colorado Revised Statutes, 12-47-407, **amend**
12 (1)(b) as follows:

13 **12-47-407. Retail liquor store license.** (1) (b) In addition, retail
14 liquor stores may sell any nonalcohol products, but only if the annual
15 gross revenues from the sale of nonalcohol products do not exceed twenty
16 percent of the retail liquor store's total annual gross SALES revenues. FOR
17 PURPOSES OF CALCULATING THE ANNUAL GROSS REVENUES FROM THE
18 SALE OF NONALCOHOL PRODUCTS, SALES REVENUES FROM THE FOLLOWING
19 PRODUCTS ARE EXCLUDED:

20 (I) LOTTERY PRODUCTS; AND

21 (II) CIGARETTES, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS,
22 AS DEFINED IN SECTION 18-13-121 (5).

23 **SECTION 3. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2018 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.