

NOTE: The governor signed this measure on 3/18/2016.

An Act

HOUSE BILL 16-1042

BY REPRESENTATIVE(S) Arndt, Esgar, Fields, Ginal, Kraft-Tharp, Lontine, Melton, Moreno, Rosenthal, Ryden, Vigil, Williams, Young, Hullinghorst, DelGrosso, Lebsock, Saine, Singer;
also SENATOR(S) Sonnenberg, Aguilar, Baumgardner, Cooke, Grantham, Heath, Hill, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Scott, Todd, Woods.

CONCERNING AN EXEMPTION FROM LIQUOR LICENSING LAWS FOR A BREWING PROGRAM OFFERED BY A STATE INSTITUTION OF HIGHER EDUCATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 12-46-108 as follows:

12-46-108. Exemption. THIS ARTICLE DOES NOT APPLY TO A STATE INSTITUTION OF HIGHER EDUCATION WHEN THE INSTITUTION IS ENGAGED IN THE MANUFACTURE AND TASTING, AT THE PLACE OF MANUFACTURE OR AT A LICENSED PREMISES, OF FERMENTED MALT BEVERAGES FOR TEACHING OR RESEARCH PURPOSES SO LONG AS THE FERMENTED MALT BEVERAGES ARE NOT SOLD OR OFFERED FOR SALE AND ARE ONLY TASTED BY A QUALIFIED EMPLOYEE, QUALIFIED STUDENT, OR EXPERT TASTER. ANY UNUSED

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

FERMENTED MALT BEVERAGE PRODUCT THAT IS PRODUCED BY A STATE INSTITUTION OF HIGHER EDUCATION IN ACCORDANCE WITH THIS SECTION MUST BE REMOVED FROM A LICENSED PREMISES AT THE END OF AN EVENT IF THE EVENT IS HELD AT A LICENSED PREMISES LOCATED OFF CAMPUS.

SECTION 2. In Colorado Revised Statutes, 12-47-103, **add** (7.6), (24.7), and (24.8) as follows:

12-47-103. Definitions. As used in this article and article 46 of this title, unless the context otherwise requires:

(7.6) "EXPERT TASTER" MEANS AN INDIVIDUAL, OTHER THAN A QUALIFIED STUDENT OR QUALIFIED EMPLOYEE, WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO IS EMPLOYED IN THE BREWING INDUSTRY OR HAS DEMONSTRATED EXPERTISE OR EXPERIENCE IN BREWING.

(24.7) "QUALIFIED EMPLOYEE" MEANS AN INDIVIDUAL WHO:

(a) IS EMPLOYED BY A STATE INSTITUTION OF HIGHER EDUCATION;

(b) IS ENGAGED IN MANUFACTURING AND TASTING FERMENTED MALT BEVERAGES OR MALT LIQUORS FOR TEACHING OR RESEARCH PURPOSES; AND

(c) IS AT LEAST TWENTY-ONE YEARS OF AGE.

(24.8) "QUALIFIED STUDENT" MEANS A STUDENT WHO:

(a) IS ENROLLED IN A BREWING CLASS OR PROGRAM OFFERED AT OR BY A STATE INSTITUTION OF HIGHER EDUCATION; AND

(b) IS AT LEAST TWENTY-ONE YEARS OF AGE.

SECTION 3. In Colorado Revised Statutes, 12-47-106, **add** (6) as follows:

12-47-106. Exemptions. (6) THIS ARTICLE DOES NOT APPLY TO A STATE INSTITUTION OF HIGHER EDUCATION WHEN THE INSTITUTION IS ENGAGED IN THE MANUFACTURE AND TASTING, AT THE PLACE OF MANUFACTURE OR AT A LICENSED PREMISES, OF MALT LIQUORS FOR

TEACHING OR RESEARCH PURPOSES SO LONG AS THE MALT LIQUOR IS NOT SOLD OR OFFERED FOR SALE AND IS ONLY TASTED BY A QUALIFIED STUDENT, QUALIFIED EMPLOYEE, OR EXPERT TASTER. ANY UNUSED MALT LIQUOR PRODUCT THAT IS PRODUCED BY A STATE INSTITUTION OF HIGHER EDUCATION IN ACCORDANCE WITH THIS SUBSECTION (6) MUST BE REMOVED FROM A LICENSED PREMISES AT THE END OF AN EVENT IF THE EVENT IS HELD AT A LICENSED PREMISES LOCATED OFF CAMPUS.

SECTION 4. 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 10, 2016, if adjournment sine die is on May 11, 2016); 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 2016

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO