

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 25, 2018

Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB18-243 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 10, line 5, strike "MUST:" and substitute "MUST
- 2 DERIVE".
- 3 Page 10, line 6, strike "(I) DERIVE".
- 4 Page 10, line 8, strike "PREMISES; AND" and substitute "PREMISES."
- 5 Page 10, strike lines 9 through 16.
- 6 Page 11, line 8, after "(a)" insert "(I)".
- 7 Page 11, line 11, strike "BEVERAGES" and substitute "BEVERAGES."
- 8 Page 11, strike lines 12 and 13 and substitute:
- 9 "(II) THIS SUBSECTION (4)(a) DOES NOT PROHIBIT A FERMENTED
- 10 MALT BEVERAGE RETAILER FROM OPERATING A BONA FIDE LOYALTY OR
- 11 REWARDS PROGRAM FOR FERMENTED MALT BEVERAGES SO LONG AS THE
- 12 PRICE FOR THE PRODUCT IS NOT BELOW THE RETAILER'S COSTS AS LISTED
- 13 ON THE INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO
- 14 IMPLEMENT THIS SUBSECTION (4)(a)."
- 15 Page 25, line 23, after "(II)" insert "(A)".
- 16 Page 25, line 27, strike "LIQUORS OR PART OF A BONA" and substitute

1 "LIQUORS.  
2 (B) THIS SUBSECTION (2)(a)(II) DOES NOT PROHIBIT A RETAIL  
3 LIQUOR STORE FROM OPERATING A BONA FIDE LOYALTY OR REWARDS  
4 PROGRAM FOR MALT, VINOUS, OR SPIRITUOUS LIQUORS SO LONG AS THE  
5 PRICE FOR THE PRODUCT IS NOT BELOW THE RETAIL LIQUOR STORE'S COSTS  
6 AS LISTED ON THE INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT  
7 RULES TO IMPLEMENT THIS SUBSECTION (2)(a)(II)."

8 Page 26, strike lines 1 and 2.

9 Page 28, line 21, after "(II)" insert "(A)".

10 Page 28, strike lines 25 and 26 and substitute "LIQUORS.

11 (B) THIS SUBSECTION (2)(a)(II) DOES NOT PROHIBIT A  
12 LIQUOR-LICENSED DRUGSTORE FROM OPERATING A BONA FIDE LOYALTY  
13 OR REWARDS PROGRAM FOR MALT, VINOUS, OR SPIRITUOUS LIQUORS SO  
14 LONG AS THE PRICE FOR THE PRODUCT IS NOT BELOW THE  
15 LIQUOR-LICENSED DRUGSTORE'S COSTS AS LISTED ON THE INVOICE. THE  
16 STATE LICENSING AUTHORITY MAY ADOPT RULES TO IMPLEMENT THIS  
17 SUBSECTION (2)(a)(II)."

18 Page 32, line 21, strike "(10)" and substitute "(10); and **add** (1)(h)(VII)".

19 Page 33, lines 4 and 5, strike "~~malt, vinous, or spirituous liquors~~ ALCOHOL  
20 BEVERAGES:" and substitute "ANY FERMENTED MALT BEVERAGE OR malt,  
21 vinous, or spirituous liquor:".

22 Page 33, line 6, strike "place, except: On" and substitute "place except  
23 on".

24 Page 33, line 8, strike "ALCOHOL BEVERAGES" and substitute "ANY  
25 FERMENTED MALT BEVERAGES OR MALT, VINOUS, OR SPIRITUOUS  
26 LIQUORS".

27 Page 33, line 9, strike "AS".

28 Page 33, strike lines 10 through 16.

29 Page 34, after line 9 insert:

30 "(VII) NOTWITHSTANDING SUBSECTION (1)(h)(I) OF THIS SECTION,

1 IT IS NOT UNLAWFUL FOR A PERSON WHO IS AT LEAST TWENTY-ONE YEARS  
2 OF AGE TO CONSUME ANY FERMENTED MALT BEVERAGE OR MALT, VINOUS,  
3 OR SPIRITUOUS LIQUOR IN ANY PUBLIC PLACE WHERE CONSUMPTION OF THE  
4 FERMENTED MALT BEVERAGE OR MALT, VINOUS, OR SPIRITUOUS LIQUOR  
5 HAS BEEN SPECIFICALLY AUTHORIZED BY ORDINANCE, RESOLUTION, OR  
6 RULE ADOPTED BY A STATE OR LOCAL GOVERNMENT ENTITY."

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