A BILL FOR AN ACT

CONCERNING AN EXCEPTION TO THE PROHIBITION ON REMOVING AN ALCOHOL BEVERAGE FROM A PREMISES LICENSED TO SERVE ALCOHOL BEVERAGES AT THE NATIONAL WESTERN CENTER.

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.)

Although it is illegal to remove an alcohol beverage from a premises licensed to serve alcohol beverages, current law allows a patron of the state fair or of an establishment within a common consumption area to leave the licensed premises with an alcohol beverage so long as the person does not leave the fairgrounds or common consumption area.
bill expands this exception to cover the national western stock show within the national western center when and where approved by the city and county of Denver.

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

SECTION 1. In Colorado Revised Statutes, 44-3-901, add (1)(i)(VIII) as follows:

44-3-901. Unlawful acts - exceptions - definitions. (1) Except as provided in section 18-13-122, it is unlawful for any person:

(i) (VIII) NOTWITHSTANDING SUBSECTION (1)(i)(I) OF THIS SECTION AND WHEN AND WHERE CONSUMPTION IS SPECIFICALLY AUTHORIZED BY AN ORDINANCE ADOPTED BY THE CITY AND COUNTY OF DENVER, IT IS NOT UNLAWFUL FOR ADULT PATRONS OF THE NATIONAL WESTERN CENTER TO CONSUME MALT, VINOUS, OR SPIRITUOUS LIQUORS IN UNLICENSED AREAS OF THE NATIONAL WESTERN CENTER OR AT A LICENSED PREMISES IN THE NATIONAL WESTERN CENTER WHEN NOT PURCHASED AT THE LICENSED PREMISES. THIS SUBSECTION (1)(i)(VIII) DOES NOT AUTHORIZE A PATRON TO REMOVE AN ALCOHOL BEVERAGE FROM THE NATIONAL WESTERN CENTER.

SECTION 2. In Colorado Revised Statutes, amend 44-3-909 as follows:

44-3-909. Colorado state fair - common consumption area - national western center - consumption on premises. (1) Notwithstanding any other provision of this article 3, a person who purchases an alcohol beverage for consumption from a vendor licensed under this article 3 that is either attached to a common consumption area or licensed for the fairgrounds of the Colorado state fair authority may leave the licensed premises with the alcohol beverage and possess and
consume the alcohol beverage at any place within the common
consumption area or fairgrounds if the person does not remove the
alcohol beverage from the common consumption area or fairgrounds.
This section SUBSECTION (1) does not authorize a person to bring into the
common consumption area or fairgrounds an alcohol beverage purchased
outside of the common consumption area or fairgrounds.

(2) WHEN AND WHERE SPECIFICALLY AUTHORIZED BY AN
ORDINANCE ADOPTED BY THE CITY AND COUNTY OF DENVER AND
NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 3, A PERSON
WHO PURCHASES AN ALCOHOL BEVERAGE FOR CONSUMPTION FROM A
VENDOR LICENSED UNDER THIS ARTICLE 3 FOR THE NATIONAL WESTERN
CENTER MAY LEAVE THE LICENSED PREMISES WITH THE ALCOHOL
BEVERAGE AND POSSESS AND CONSUME THE ALCOHOL BEVERAGE AT ANY
PLACE WITHIN THE NATIONAL WESTERN CENTER IF THE PERSON DOES NOT
REMOVE THE ALCOHOL BEVERAGE FROM THE NATIONAL WESTERN CENTER.
THIS SUBSECTION (2) DOES NOT AUTHORIZE A PERSON TO BRING INTO THE
NATIONAL WESTER CENTER AN ALCOHOL BEVERAGE PURCHASED OUTSIDE
THE NATIONAL WESTERN CENTER.

SECTION 3. Act subject to petition - effective date -
applicability. (1) 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 2, 2019, if adjournment sine die is on May 3,
2019); 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 2020 and, in such case, will take effect on the
date of the official declaration of the vote thereon by the governor.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.