

## CHAPTER 263

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**REVENUE - ACTIVITIES REGULATION**

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## SENATE BILL 20-194

BY SENATOR(S) Bridges and Fenberg, Tate, Crowder, Gardner, Ginal, Gonzales, Hansen, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Scott, Sonnenberg, Story, Todd, Winter, Zenzinger, Garcia;  
also REPRESENTATIVE(S) Gray and Van Winkle, Arndt, Bird, Buentello, Caraveo, Duran, Holtorf, Hooton, Humphrey, Jackson, Jaquez Lewis, Kennedy, Kipp, McLachlan, Melton, Sandridge, Sirota, Snyder, Soper, Titone, Valdez A., Valdez D., Woodrow, Young.

## AN ACT

**CONCERNING THE ABILITY OF A LICENSED BREW PUB TO SELL AT RETAIL MALT LIQUORS THAT ARE MANUFACTURED AT A SEPARATE BREW PUB UNDER THE SAME OWNERSHIP AS THE BREW PUB AT WHICH THE SALE OCCURS.**

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

**SECTION 1.** In Colorado Revised Statutes, 44-3-417, **amend** (2)(a)(III); and **add** (2)(a.5) as follows:

**44-3-417. Brew pub license - definitions.** (2) (a) Except as provided in subsection (2)(b) of this section, during the hours established in section 44-3-901 (6)(b), malt liquors manufactured by a brew pub licensee on the licensed premises or alternating proprietor licensed premises may be:

(III) Sold to the public in sealed containers for off-premises consumption. EXCEPT AS PROVIDED IN SUBSECTION (2)(a.5) OF THIS SECTION, only malt liquors manufactured and packaged BY THE LICENSEE on the licensed premises or ON AN alternating proprietor licensed premises ~~by the licensee shall~~ MAY be sold TO THE PUBLIC in sealed containers.

(a.5) (I) FOR PURPOSES OF SALES TO THE PUBLIC IN SEALED CONTAINERS PURSUANT TO SUBSECTION (2)(a)(III) OF THIS SECTION, A BREW PUB LICENSEE MAY ALSO SELL ON THE LICENSED PREMISES MALT LIQUORS THAT ARE MANUFACTURED BY THE LICENSEE ON ANOTHER BREW PUB LICENSED PREMISES THAT IS UNDER THE SAME OWNERSHIP AS THE BREW PUB LICENSED PREMISES AT WHICH THE SALE OCCURS.

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*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.*

(II) AS USED IN THIS SUBSECTION (2)(a.5), "SAME OWNERSHIP" MEANS THAT A PERSON OR GROUP OF PERSONS HAS AT LEAST FIFTY PERCENT OWNERSHIP INTEREST IN THE LICENSED BREW PUB AT WHICH THE SALE TO THE PUBLIC OF MALT LIQUORS IN SEALED CONTAINERS OCCURS AND IN ANOTHER BREW PUB LICENSED PREMISES AT WHICH THE MALT LIQUORS BEING SOLD WERE MANUFACTURED.

**SECTION 2. 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 5, 2020, if adjournment sine die is on May 6, 2020); 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.

Approved: July 10, 2020