

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0941.04 Yelana Love x2295

HOUSE BILL 22-1417

HOUSE SPONSORSHIP

Roberts and Larson,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REGULATION OF ALCOHOL BEVERAGES, AND, IN
102 CONNECTION THEREWITH, CREATING AN ALCOHOL BEVERAGE
103 REGULATION TASK FORCE, INCREASING THE NUMBER OF STORES
104 A RETAIL LIQUOR STORE LICENSEE IS ALLOWED TO OWN,
105 CREATING THE BEER-AND-WINE-LICENSED GROCERY STORE
106 LICENSE, AND CONVERTING LIQUOR-LICENSED DRUGSTORE
107 LICENSES TO BEER-AND-WINE-LICENSED GROCERY STORE
108 LICENSES.

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

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

<http://leg.colorado.gov>.)

The bill creates a task force in the department of revenue to study the regulation of alcohol beverages. The task force is required to review the current statutes regulating alcohol beverages and make recommendations concerning how to modernize, clarify, and harmonize the statutes. The task force is required to report its findings to the general assembly by December 1, 2023.

The bill modifies laws governing the licensure of retail liquor stores and liquor-licensed drugstores and creates the new beer-and-wine-licensed grocery store license.

With regard to retail liquor store licenses, the bill:

- Removes the requirement that a new retail liquor store must be located a certain distance from an existing liquor-licensed drugstore;
- Expands the minimum distance between a new retail liquor store and other existing retail liquor stores from 1,500 feet to 3,000 feet;
- Effective January 1, 2024, removes the requirement that only an employee of the retail liquor store may deliver alcohol beverages and instead allows delivery by any person who is authorized by the retail liquor store, subject to specified requirements including that the licensee or the authorized deliverer obtain a delivery permit from the state licensing authority and other requirements specified in state licensing authority rules; and
- Increases the maximum number of retail liquor store licenses that a person may own.

With regard to liquor-licensed drugstore licenses, the bill:

- Prohibits the state and local licensing authorities from issuing new liquor-licensed drugstore licenses after the date the bill takes effect and repeals provisions related to the ability of liquor-licensed drugstore licensees to obtain additional licenses;
- Allows a liquor-licensed drugstore licensed before January 1, 2022, to continue to renew the licensee's license, unless the license has converted to a beer-and-wine-licensed grocery store license;
- On January 1, 2026, converts every liquor-licensed drugstore license in effect on that date to a beer-and-wine-licensed grocery store license, unless the licensee chooses to remain a liquor-licensed drugstore, and eliminates the ability of those licensees that convert to a beer-and-wine-licensed grocery store license to sell spirituous liquors; and

- Effective January 1, 2024, removes the requirement that only an employee of the liquor-licensed drugstore may deliver alcohol beverages and instead allows delivery by any person who is authorized by the liquor-licensed drugstore, subject to specified requirements including that the licensee or the authorized deliverer obtain a delivery permit from the state licensing authority and other requirements specified in state licensing authority rules.

With regard to beer-and-wine-licensed grocery store licenses, the bill:

- Creates the new license, available on or after January 1, 2026, with requirements similar to the requirements applicable to liquor-licensed drugstores, to permit a grocery store that obtains the license to sell beer and wine only;
- Specifies that a beer-and-wine-licensed grocery store cannot be located within 1,500 feet of a retail liquor store;
- Allows a beer-and-wine-licensed grocery store to deliver beer and wine to its customers under the same requirements applicable to retail liquor stores and liquor-licensed drugstores;
- Allows a beer-and-wine grocery store to own multiple stores as follows: On and after January 1, 2026, and before January 1, 2027, a maximum of 8 stores; on and after January 1, 2027, and before January 1, 2032, a maximum of 13 stores; on and after January 1, 2032, and before January 1, 2037, a maximum of 20 stores; and on and after January 1, 2037, an unlimited number of additional stores;
- Allows a licensee licensed as a liquor-licensed drugstore on December 31, 2025, whose license converted to a beer-and-wine-licensed grocery store license on January 1, 2026, to transfer any spirituous liquors in its possession to a licensee authorized to sell spirituous liquors but prohibits the licensee from selling spirituous liquors;
- Permits a beer-and-wine-licensed grocery store to offer tastings on the licensed premises if authorized by the local licensing authority; and
- Defines "grocery store" as an establishment that generates at least 20% of its gross annual income from the sale of food items.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 44-3-108 as

1 follows:

2 **44-3-108. Alcohol beverage regulation task force - legislative**
3 **declaration - creation - membership - duties - report - definitions -**
4 **repeal.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

5 (I) THERE HAS NOT BEEN A BROAD REVIEW OF THE "COLORADO
6 LIQUOR CODE", THE "COLORADO BEER CODE", ARTICLE 4 OF THIS TITLE
7 44, OR THE OTHER STATUTES REGULATING ALCOHOL BEVERAGES IN
8 RECENT HISTORY;

9 (II) GROWTH IN THE INDUSTRY AND CHANGES IN CONSUMER
10 BEHAVIOR, MUCH OF WHICH WAS ACCELERATED BY THE COVID-19
11 PANDEMIC, HAVE CREATED AN OPPORTUNITY FOR ENHANCED STATUTORY
12 CLARITY IN ORDER TO ALLEVIATE CHALLENGES ASSOCIATED WITH
13 INTERPRETING AND ENFORCING THE LAWS;

14 (III) ADDITIONALLY, THE STATUTES REGULATING ALCOHOL
15 BEVERAGES HAVE UNDERGONE LEGISLATIVE CHANGES IN RECENT YEARS
16 TO ADDRESS SPECIFIC NICHE ISSUES, WHICH CHANGES OFTEN DO NOT TAKE
17 INTO ACCOUNT A HOLISTIC VIEW OF THE CODES, AND SIGNIFICANT
18 CHANGES ARE CURRENTLY UNDER CONSIDERATION, EITHER THROUGH
19 LEGISLATION OR BALLOT INITIATIVE, THAT COULD FURTHER COMPLICATE
20 THE STATUTES;

21 (IV) THE DEPARTMENT HAS NOTED CONSIDERABLE CHALLENGES
22 IN STATUTORY APPLICATION GIVEN THE COMPLEXITY, PERCEIVED
23 CONTRADICTIONS, AND RAPIDLY EVOLVING MARKETPLACE INNOVATIONS
24 THAT HAVE OCCURRED WITHIN THE ALCOHOL BEVERAGE INDUSTRY; AND

25 (V) IN ORDER TO FACILITATE STATUTORY COMPLIANCE BY
26 LICENSEES, IT IS ESSENTIAL THAT THE DEPARTMENT AND THE ALCOHOL
27 BEVERAGE INDUSTRY HAVE A CLEAR, LOGICAL, AND TRANSPARENT

1 REGULATORY FRAMEWORK THAT ALLOWS FOR UNDERSTANDABLE
2 REGULATIONS AND ENFORCEMENT, FOSTERS A STRONG INDUSTRY, AND
3 SUPPORTS THE DEPARTMENT'S GOAL OF PUBLIC SAFETY.

4 (b) THEREFORE, THE GENERAL ASSEMBLY FINDS THAT A TASK
5 FORCE COMPRISED OF A BROAD REPRESENTATION OF INTERESTS WILL
6 PROVIDE A FORUM TO CRAFT LEGISLATIVE RECOMMENDATIONS FOCUSED
7 ON CLARIFYING AND MODERNIZING THE STATUTES REGULATING ALCOHOL
8 BEVERAGES IN A WAY THAT POSITIONS THE STATE OF COLORADO, THE
9 DEPARTMENT, AND THE ALCOHOL BEVERAGE INDUSTRY FOR SUCCESS FOR
10 DECADES TO COME.

11 (2) THERE IS HEREBY CREATED IN THE DEPARTMENT THE ALCOHOL
12 BEVERAGE REGULATION TASK FORCE, REFERRED TO IN THIS SECTION AS
13 THE "TASK FORCE".

14 (3) (a) THE TASK FORCE CONSISTS OF TWENTY-SIX MEMBERS, ONE
15 OF WHOM SHALL BE THE STATE LICENSING AUTHORITY OR THE STATE
16 LICENSING AUTHORITY'S DESIGNEE, AND TWENTY-FIVE OF WHOM SHALL BE
17 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AS
18 FOLLOWS:

19 (I) ONE MEMBER REPRESENTING A LARGE BREWERY, AS
20 DETERMINED BY THE EXECUTIVE DIRECTOR;

21 (II) ONE MEMBER REPRESENTING A SMALL BREWERY, AS
22 DETERMINED BY THE EXECUTIVE DIRECTOR;

23 (III) ONE MEMBER REPRESENTING A LOCAL MANUFACTURER OF
24 SPIRITUOUS LIQUORS;

25 (IV) ONE MEMBER REPRESENTING A NATIONAL MANUFACTURER OF
26 SPIRITUOUS LIQUORS;

27 (V) ONE MEMBER REPRESENTING A LOCAL MANUFACTURER OF

- 1 VINOUS LIQUORS;
- 2 (VI) ONE MEMBER REPRESENTING A NATIONAL MANUFACTURER OF
- 3 VINOUS LIQUORS;
- 4 (VII) TWO MEMBERS REPRESENTING LARGE OFF-PREMISES
- 5 RETAILERS;
- 6 (VIII) TWO MEMBERS REPRESENTING MEDIUM OFF-PREMISES
- 7 RETAILERS;
- 8 (IX) TWO MEMBERS REPRESENTING SMALL OFF-PREMISES
- 9 RETAILERS;
- 10 (X) ONE MEMBER REPRESENTING A WHOLESALER OF MALT
- 11 LIQUORS;
- 12 (XI) ONE MEMBER REPRESENTING A WHOLESALER OF VINOUS AND
- 13 SPIRITUOUS LIQUORS;
- 14 (XII) ONE MEMBER REPRESENTING A WHOLESALER OF ANY TYPE
- 15 OF ALCOHOL BEVERAGE WHO HAS NATIONAL WHOLESALING EXPERIENCE;
- 16 (XIII) ONE MEMBER REPRESENTING THE HARD CIDER INDUSTRY;
- 17 (XIV) ONE MEMBER REPRESENTING A RESTAURANT;
- 18 (XV) ONE MEMBER REPRESENTING A TAVERN;
- 19 (XVI) ONE MEMBER REPRESENTING A LODGING AND
- 20 ENTERTAINMENT LICENSEE;
- 21 (XVII) ONE REPRESENTATIVE FROM MOTHERS AGAINST DRUNK
- 22 DRIVING, OR ITS SUCCESSOR ORGANIZATION;
- 23 (XVIII) ONE REPRESENTATIVE FROM COLORADO COUNTIES, INC.,
- 24 OR ITS SUCCESSOR ORGANIZATION;
- 25 (XIX) ONE REPRESENTATIVE FROM THE COLORADO MUNICIPAL
- 26 LEAGUE, OR ITS SUCCESSOR ORGANIZATION;
- 27 (XX) ONE REPRESENTATIVE FROM THE COLORADO STATE PATROL;

1 (XXI) ONE REPRESENTATIVE FROM THE COLORADO ASSOCIATION
2 OF CHIEFS OF POLICE; AND

3 (XXII) ONE REPRESENTATIVE FROM COUNTY SHERIFFS OF
4 COLORADO.

5 (b) AS USED IN THIS SUBSECTION (3), FOR THE PURPOSES OF
6 MAKING APPOINTMENTS PURSUANT TO THIS SUBSECTION (3):

7 (I) "LARGE" MEANS A LICENSEE THAT HAS THREE OR MORE
8 LICENSED PREMISES IN THE STATE OR THAT EMPLOYS ONE HUNDRED OR
9 MORE EMPLOYEES;

10 (II) "MEDIUM" MEANS A LICENSEE THAT HAS AT LEAST TWO
11 LICENSED PREMISES IN THE STATE OR THAT EMPLOYS AT LEAST FIFTY AND
12 NO MORE THAN NINETY-NINE EMPLOYEES;

13 (III) "OFF-PREMISES RETAILER" MEANS A PERSON LICENSED UNDER
14 SECTION 44-3-409, 44-3-410, 44-4-107 (1)(a), OR ANY OTHER PROVISION
15 OF THIS ARTICLE 3 OR ARTICLE 4 OF THIS TITLE 44 THAT AUTHORIZES A
16 LICENSEE TO SELL ALCOHOL BEVERAGES ONLY TO CONSUMERS FOR
17 CONSUMPTION OFF THE LICENSED PREMISES; AND

18 (IV) "SMALL" MEANS A LICENSEE THAT HAS NO MORE THAN ONE
19 LICENSED PREMISES IN THE STATE OR THAT EMPLOYEES FEWER THAN FIFTY
20 EMPLOYEES.

21 (4) ALL MEMBERS APPOINTED PURSUANT TO SUBSECTION (3)(a)(I)
22 TO (3)(a)(XVI) OF THIS SECTION ARE PREFERRED TO HAVE DEMONSTRABLE
23 EXPERIENCE WORKING WITHIN THE SPECIFIC INDUSTRY INTERESTS THEY
24 REPRESENT, WHICH EXPERIENCE MUST NOT BE SOLELY IN AN ADVOCACY
25 POSITION FOR THOSE INDUSTRY INTERESTS.

26 (5) (a) EACH MEMBER OF THE TASK FORCE APPOINTED PURSUANT
27 TO SUBSECTION (3)(a) OF THIS SECTION SERVES:

1 (I) AT THE PLEASURE OF THE OFFICIAL WHO APPOINTED THE
2 MEMBER; AND

3 (II) WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR
4 EXPENSES.

5 (b) AN APPOINTED TASK FORCE MEMBER MAY DESIGNATE ONE
6 OTHER PERSON AUTHORIZED TO ACT IN THE MEMBER'S ABSENCE BY PROXY,
7 AND THE PROXY MAY PERFORM ALL DUTIES IN THE TASK FORCE MEMBER'S
8 ABSENCE, INCLUDING ATTENDING MEETINGS AND VOTING.

9 (6) (a) THE STATE LICENSING AUTHORITY SHALL ORGANIZE AND
10 CALL THE FIRST MEETING OF THE TASK FORCE, TO BE HELD NO LATER THAN
11 JULY 31, 2022.

12 (b) THE TASK FORCE SHALL ELECT A CHAIR FROM AMONG ITS
13 MEMBERS.

14 (c) THE TASK FORCE SHALL MEET AT LEAST ONCE EVERY MONTH.
15 THE CHAIR MAY CALL ADDITIONAL MEETINGS AS NECESSARY FOR THE
16 TASK FORCE TO COMPLETE ITS DUTIES.

17 (7) THE STATE LICENSING AUTHORITY MAY SUBMIT A REQUEST FOR
18 PROPOSALS AND HIRE AN OUTSIDE FACILITATOR FOR THE PURPOSE OF
19 PROVIDING SUPPORT FOR THE TASK FORCE, GENERATING THE REPORT
20 REQUIRED IN SUBSECTION (9) OF THIS SECTION, AND ANY OTHER DUTIES
21 ASSIGNED BY THE EXECUTIVE DIRECTOR.

22 (8) (a) FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO THE
23 GENERAL ASSEMBLY CONCERNING HOW TO MODERNIZE, CLARIFY, AND
24 HARMONIZE THE "COLORADO LIQUOR CODE", THE "COLORADO BEER
25 CODE", ARTICLE 4 OF THIS TITLE 44, AND OTHER STATUTES REGULATING
26 ALCOHOL BEVERAGES, THE TASK FORCE SHALL REVIEW:

27 (I) THE STATUTES REGULATING ALCOHOL BEVERAGES, CURRENT

1 MARKET TRENDS, AND LAWS AND REGULATIONS FROM OTHER
2 JURISDICTIONS;

3 (II) REPORTS AND RECOMMENDATIONS FROM GOVERNING BODIES,
4 INCLUDING THE UNITED STATES DEPARTMENT OF TREASURY REPORT
5 ENTITLED "COMPETITION IN THE MARKETS FOR BEER, WINE, AND
6 SPIRITS", DATED FEBRUARY 9, 2022; AND

7 (III) ANY OTHER MATERIALS DEEMED APPROPRIATE BY THE TASK
8 FORCE TO CONSIDER.

9 (b) AS THE TASK FORCE MAKES ITS RECOMMENDATIONS, IT SHALL
10 CONSIDER THE FOLLOWING GUIDING PRINCIPLES:

11 (I) SAFEGUARDING THE INTERESTS AND RIGHTS OF CONSUMERS
12 THROUGH CONSUMER PROTECTION MEASURES;

13 (II) PROTECTING THE GENERAL PUBLIC THROUGH PUBLIC SAFETY
14 MEASURES;

15 (III) PROMOTING A FAIR AND OPEN MARKETPLACE:

16 (A) IN WHICH PRICE IS REFLECTIVE OF SUPPLY AND DEMAND
17 TRENDS AND ESTABLISHED ECONOMIC PRINCIPLES; AND

18 (B) THAT LIMITS BARRIERS TO ENTRY INTO AND EXIT FROM THE
19 ALCOHOL BEVERAGE MARKETPLACE; AND

20 (IV) HOW ANY RECOMMENDATIONS MAY INTERACT WITH OR
21 AFFECT OTHER JURISDICTIONS THAT HAVE RESPONSIBILITY FOR THE
22 REGULATION OF ALCOHOL BEVERAGES.

23 (c) THE TASK FORCE MAY CREATE SUBCOMMITTEES TO CARRY OUT
24 ITS DUTIES UNDER THIS SUBSECTION (8).

25 (9) (a) ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL
26 REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE BUSINESS AFFAIRS
27 AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE

1 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY
2 SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE:

3 (I) ANY AGREED-UPON LEGISLATIVE OR ADMINISTRATIVE
4 RECOMMENDATIONS; AND

5 (II) A SYNOPSIS OF DISSENTING VOTES, IF ANY, AND REASONS FOR
6 THE DISSENTING VOTES, IF AVAILABLE, REGARDING ANY REPORT
7 RECOMMENDATIONS THAT ARE NOT UNANIMOUS.

8 (b) AS USED IN SUBSECTION (9)(a)(I) OF THIS SECTION,
9 "AGREED-UPON" MEANS A SIMPLE MAJORITY OF TASK FORCE MEMBERS
10 PRESENT, UNLESS THE TASK FORCE, AT ITS INITIAL MEETING, DETERMINES
11 DIFFERENT PARAMETERS FOR WHAT CONSTITUTES AN "AGREED-UPON"
12 RECOMMENDATION.

13 (10) THIS SECTION IS REPEALED, EFFECTIVE MAY 1, 2024.

14 **SECTION 2.** In Colorado Revised Statutes, 44-3-409, **amend**
15 (1)(a)(II), (3), (4)(b)(III), and (4)(b)(IV); **repeal** (5); and **add** (4)(b)(V)
16 as follows:

17 **44-3-409. Retail liquor store license - rules - repeal.**

18 (1) (a) (II) On and after ~~July 1, 2016~~ THE EFFECTIVE DATE OF THIS
19 SUBSECTION (1)(a)(II), AS AMENDED, the state and local licensing
20 authorities shall not issue a new retail liquor store license if the premises
21 for which the retail liquor store license is sought is located WITHIN THREE
22 THOUSAND FEET OF ANOTHER RETAIL LIQUOR STORE LICENSED UNDER THIS
23 SECTION.

24 ~~(A) Within one thousand five hundred feet of another retail liquor~~
25 ~~store licensed under this section or a liquor-licensed drugstore licensed~~
26 ~~under section 44-3-410;~~

27 ~~(B) For a premises located in a municipality with a population of~~

1 ~~ten thousand or fewer, within three thousand feet of another retail liquor~~
2 ~~store licensed under this section or a liquor-licensed drugstore licensed~~
3 ~~under section 44-3-410; or~~

4 ~~(C) For a premises located in a municipality with a population of~~
5 ~~ten thousand or fewer that is contiguous to the city and county of Denver,~~
6 ~~within one thousand five hundred feet of another retail liquor store~~
7 ~~licensed under this section or a liquor-licensed drugstore licensed under~~
8 ~~section 44-3-410.~~

9 (3) (a) (I) A person licensed to sell at retail ~~who~~ THAT complies
10 with this subsection (3) and rules promulgated pursuant to this subsection
11 (3) may deliver malt, vinous, and spirituous liquors to a person of legal
12 age if:

13 ~~(H)~~ (A) The person receiving the delivery of malt, vinous, or
14 spirituous liquors is located at a place that is not licensed pursuant to this
15 section;

16 ~~(HH)~~ (B) The delivery is made by an employee of the licensed retail
17 liquor store who is at least twenty-one years of age and who is using a
18 vehicle owned or leased by the licensee to make the delivery;

19 ~~(HH)~~ (C) The person making the delivery verifies, in accordance
20 with section 44-3-901 (11), that the person receiving the delivery of malt,
21 vinous, or spirituous liquors is at least twenty-one years of age; and

22 ~~(HV)~~ (D) The retail liquor store derives no more than fifty percent
23 of its gross annual revenues from total sales of malt, vinous, and
24 spirituous liquors from the sale of malt, vinous, and spirituous liquors that
25 the retail liquor store delivers.

26 (II) THIS SUBSECTION (3)(a) IS REPEALED, EFFECTIVE JANUARY 1,
27 2024.

1 (a.5) ON AND AFTER JANUARY 1, 2024, A RETAIL LIQUOR STORE
2 LICENSEE THAT COMPLIES WITH THIS SUBSECTION (3) AND RULES
3 PROMULGATED PURSUANT TO THIS SUBSECTION (3) MAY DELIVER MALT,
4 VINOUS, AND SPIRITUOUS LIQUORS TO A PERSON OF LEGAL AGE IF:

5 (I) THE LICENSEE OR A PERSON AUTHORIZED BY THE LICENSEE TO
6 MAKE DELIVERIES FOR THE LICENSEE HAS OBTAINED A PERMIT FROM THE
7 STATE LICENSING AUTHORITY;

8 (II) THE PERSON RECEIVING THE DELIVERY OF MALT, VINOUS, OR
9 SPIRITUOUS LIQUORS IS LOCATED AT A PLACE THAT IS NOT LICENSED
10 PURSUANT TO THIS SECTION;

11 (III) THE DELIVERY IS MADE BY A PERSON WHO IS AT LEAST
12 TWENTY-ONE YEARS OF AGE AND WHO IS AUTHORIZED BY THE LICENSEE
13 TO MAKE THE DELIVERY;

14 (IV) THE PERSON MAKING THE DELIVERY VERIFIES, IN
15 ACCORDANCE WITH SECTION 44-3-901 (11), THAT THE PERSON RECEIVING
16 THE DELIVERY OF MALT, VINOUS, OR SPIRITUOUS LIQUORS IS AT LEAST
17 TWENTY-ONE YEARS OF AGE; AND

18 (V) THE RETAIL LIQUOR STORE DERIVES NO MORE THAN FIFTY
19 PERCENT OF ITS GROSS ANNUAL REVENUES FROM TOTAL SALES OF MALT,
20 VINOUS, AND SPIRITUOUS LIQUORS FROM THE SALE OF MALT, VINOUS, AND
21 SPIRITUOUS LIQUORS THAT THE RETAIL LIQUOR STORE DELIVERS.

22 (b) (I) The state licensing authority shall promulgate rules as
23 necessary for the proper delivery of malt, vinous, and spirituous liquors
24 and is authorized to issue a permit to any person who is licensed under
25 this section to sell at retail and delivers the liquors pursuant to this
26 subsection (3) AND TO ANY OTHER PERSON WHO INTENDS TO DELIVER
27 MALT, VINOUS, AND SPIRITUOUS LIQUORS ON BEHALF OF THE LICENSEE. A

1 permit issued under this subsection (3) is subject to the same suspension
2 and revocation provisions as are set forth in section 44-3-601 for other
3 licenses granted pursuant to this article 3.

4 (II) BY JANUARY 1, 2024, THE STATE LICENSING AUTHORITY, BY
5 RULE, SHALL ESTABLISH THE REQUIREMENTS FOR OBTAINING A PERMIT TO
6 DELIVER ALCOHOL BEVERAGES PURSUANT TO SUBSECTION (3)(a.5) OF THIS
7 SECTION. SUCH REQUIREMENTS MUST INCLUDE AN ANNUAL
8 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, CERTIFICATION
9 AS A RESPONSIBLE ALCOHOL BEVERAGE VENDOR IN ACCORDANCE WITH
10 PART 10 OF THIS ARTICLE 3, PERMIT FEES, AND ANY OTHER REQUIREMENTS
11 THE STATE LICENSING AUTHORITY FINDS APPROPRIATE.

12 (4) (b) An owner, part owner, shareholder, or person interested
13 directly or indirectly in a retail liquor store may have an interest in:

14 (III) For a retail liquor store licensed on or before January 1,
15 2016, ~~and whose license holder is a Colorado resident,~~ additional retail
16 liquor store licenses as follows, but only if the premises for which a
17 license is sought satisfies the distance requirements specified in
18 subsection (1)(a)(II) of this section:

19 (A) On or after January 1, 2017, and before January 1, 2022, ~~one~~
20 ~~additional retail liquor store license,~~ for a maximum of up to two total
21 retail liquor store licenses;

22 (B) On or after January 1, 2022, and before January 1, 2027, ~~up~~
23 ~~to two additional retail liquor store licenses,~~ for a maximum of three total
24 retail liquor store licenses; ~~and~~

25 (C) On or after January 1, 2027, ~~up to three additional retail liquor~~
26 ~~store licenses,~~ for AND BEFORE JANUARY 1, 2032, a maximum of four total
27 retail liquor store licenses; ~~or~~ AND

1 (D) ON OR AFTER JANUARY 1, 2032, A MAXIMUM OF SIX TOTAL
2 RETAIL LIQUOR STORE LICENSES;

3 (IV) A financial institution referred to in section 44-3-308 (4); OR

4 (V) ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
5 (4)(b)(V), AN UNLIMITED NUMBER OF ADDITIONAL RETAIL LIQUOR STORE
6 LICENSES SO LONG AS EACH ADDITIONAL RETAIL LIQUOR STORE LICENSE
7 IS OBTAINED THROUGH A TRANSFER OF OWNERSHIP.

8 ~~(5) A liquor-licensed drugstore may apply to the state and local
9 licensing authorities, as part of a single application, for a merger and
10 conversion of retail liquor store licenses to a single liquor-licensed
11 drugstore license as provided in section 44-3-410 (1)(b).~~

12 **SECTION 3.** In Colorado Revised Statutes, 44-3-410, **amend**
13 (1)(a)(I), (1)(a)(II)(A), (1)(b), (3), (4)(b)(IV), and (4)(b)(V); and **add** (8)
14 as follows:

15 **44-3-410. Liquor-licensed drugstore license - multiple licenses**
16 **permitted - requirements - delivery - rules - repeal.** (1) (a) (I) A
17 liquor-licensed drugstore license shall be issued to persons selling malt,
18 vinous, and spirituous liquors in sealed containers not to be consumed at
19 the place where sold; ~~On and after July 1, 2016, except as permitted under~~
20 ~~subsection (1)(b) of this section, the state and local licensing authorities~~
21 ~~shall not issue a new liquor-licensed drugstore license if the licensed~~
22 ~~premises for which a liquor-licensed drugstore license is sought is located~~
23 EXCEPT THAT, ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
24 (1)(a)(I), AS AMENDED, THE STATE OR A LOCAL LICENSING AUTHORITY
25 SHALL NOT ISSUE ANY NEW LIQUOR-LICENSED DRUGSTORE LICENSES
26 UNDER THIS SECTION.

27 ~~(A) Within one thousand five hundred feet of a retail liquor store~~

1 licensed under section ~~44-3-409~~;

2 (B) ~~For a drugstore premises located in a municipality with a~~
3 ~~population of ten thousand or fewer, within three thousand feet of a retail~~
4 ~~liquor store licensed under section 44-3-409; or~~

5 (C) ~~For a drugstore premises located in a municipality with a~~
6 ~~population of ten thousand or fewer that is contiguous to the city and~~
7 ~~county of Denver, within one thousand five hundred feet of a retail liquor~~
8 ~~store licensed under section 44-3-409.~~

9 (II) Nothing in this subsection (1) prohibits:

10 (A) The renewal ~~or transfer of ownership~~ of a liquor-licensed
11 drugstore license initially issued prior to ~~July 1, 2016~~ THE EFFECTIVE
12 DATE OF THIS SUBSECTION (1)(a)(II)(A), AS AMENDED.

13 (b) (I) ~~On or after January 1, 2017, to qualify for an additional~~
14 ~~liquor-licensed drugstore license under this section, a liquor-licensed~~
15 ~~drugstore licensee, or a retail liquor store licensee that was licensed as a~~
16 ~~liquor-licensed drugstore on February 21, 2016, must apply to the state~~
17 ~~and local licensing authorities, as part of a single application, for a~~
18 ~~transfer of ownership of at least two licensed retail liquor stores that were~~
19 ~~licensed or had applied for a license on or before May 1, 2016, a change~~
20 ~~of location of one of the retail liquor stores, and a merger and conversion~~
21 ~~of the retail liquor store licenses into a single liquor-licensed drugstore~~
22 ~~license. The applicant may apply for a transfer, change of location, and~~
23 ~~merger and conversion only if all of the following requirements are met:~~

24 (A) ~~The retail liquor stores that are the subject of the transfer of~~
25 ~~ownership are located within the same local licensing authority~~
26 ~~jurisdiction as the drugstore premises for which the applicant is seeking~~
27 ~~a liquor-licensed drugstore license, and, if any retail liquor stores are~~

1 ~~located within one thousand five hundred feet of the drugstore premises~~
2 ~~or, for a drugstore premises located in a municipality with a population~~
3 ~~of ten thousand or fewer, within three thousand feet of the drugstore~~
4 ~~premises, the applicant applies to transfer ownership of all retail liquor~~
5 ~~stores located within that distance. If there are no licensed retail liquor~~
6 ~~stores or only one licensed retail liquor store within the same local~~
7 ~~licensing authority jurisdiction as the drugstore premises for which a~~
8 ~~liquor-licensed drugstore license is sought, the applicant shall apply to~~
9 ~~transfer ownership of one or two retail liquor stores, as necessary, that are~~
10 ~~located in the local licensing authority jurisdiction that is nearest to the~~
11 ~~jurisdiction in which the drugstore premises is located.~~

12 (B) ~~Upon transfer and conversion of the retail liquor store licenses~~
13 ~~to a single liquor-licensed drugstore license, the drugstore premises for~~
14 ~~which the liquor-licensed drugstore license is sought will be located at~~
15 ~~least one thousand five hundred feet from all licensed retail liquor stores~~
16 ~~that are within the same local licensing authority jurisdiction as the~~
17 ~~drugstore premises or, for a drugstore premises located in a municipality~~
18 ~~with a population of ten thousand or fewer, at least three thousand feet~~
19 ~~from all licensed retail liquor stores that are within the same local~~
20 ~~licensing authority jurisdiction as the drugstore premises.~~

21 (II) ~~For purposes of determining whether the distance~~
22 ~~requirements specified in subsection (1)(b)(I) of this section are satisfied,~~
23 ~~the distance shall be determined by a radius measurement that begins at~~
24 ~~the principal doorway of the drugstore premises for which the application~~
25 ~~is made and ends at the principal doorway of the licensed retail liquor~~
26 ~~store.~~

27 (III) ~~In making its determination on the transfer of ownership,~~

1 ~~change of location, and license merger and conversion application, the~~
2 ~~local licensing authority shall consider the reasonable requirements of the~~
3 ~~neighborhood and the desires of the adult inhabitants in accordance with~~
4 ~~section 44-3-312.~~

5 (IV) In addition to any other requirements for licensure under this
6 section or this article 3, a person applying ~~for a new liquor-licensed~~
7 ~~drugstore license in accordance with this subsection (1)(b) on or after~~
8 ~~January 1, 2017, or to renew a liquor-licensed drugstore license issued on~~
9 ~~or after January 1, 2017~~ PRIOR TO THE EFFECTIVE DATE OF THIS
10 SUBSECTION (1)(b)(IV), AS AMENDED, under this ~~subsection (1)(b)~~
11 SECTION must:

12 (A) Provide evidence to the state and local licensing authorities
13 that at least twenty percent of the licensee's gross annual income derived
14 from total sales during the prior twelve months at the drugstore premises
15 for which a ~~new or renewal licenses~~ LICENSE is sought is from the sale of
16 food items, as defined by the state licensing authority by rule; and

17 (B) Make and keep its premises open to the public.

18 (3) (a) (I) A liquor-licensed drugstore licensee ~~who~~ THAT
19 complies with this subsection (3) and rules promulgated pursuant to this
20 subsection (3) may deliver malt, vinous, and spirituous liquors to a person
21 of legal age if:

22 (H) (A) The person receiving the delivery of malt, vinous, or
23 spirituous liquors is located at a place that is not licensed pursuant to this
24 section;

25 (H) (B) The delivery is made by an employee of the
26 liquor-licensed drugstore who is at least twenty-one years of age and who
27 is using a vehicle owned or leased by the licensee to make the delivery;

1 ~~(HH)~~ (C) The person making the delivery verifies, in accordance
2 with section 44-3-901 (11), that the person receiving the delivery of malt,
3 vinous, or spirituous liquors is at least twenty-one years of age; and

4 ~~(IV)~~ (D) The liquor-licensed drugstore derives no more than fifty
5 percent of its gross annual revenues from total sales of malt, vinous, and
6 spirituous liquors from the sale of malt, vinous, and spirituous liquors that
7 the liquor-licensed drugstore delivers.

8 (II) THIS SUBSECTION (3)(a) IS REPEALED, EFFECTIVE JANUARY 1,
9 2024.

10 (a.5) ON AND AFTER JANUARY 1, 2024, A LIQUOR-LICENSED
11 DRUGSTORE LICENSEE THAT COMPLIES WITH THIS SUBSECTION (3) AND
12 RULES PROMULGATED PURSUANT TO THIS SUBSECTION (3) MAY DELIVER
13 MALT, VINOUS, AND SPIRITUOUS LIQUORS TO A PERSON OF LEGAL AGE IF:

14 (I) THE LICENSEE OR A PERSON AUTHORIZED BY THE LICENSEE TO
15 MAKE DELIVERIES FOR THE LICENSEE HAS OBTAINED A PERMIT FROM THE
16 STATE LICENSING AUTHORITY;

17 (II) THE PERSON RECEIVING THE DELIVERY OF MALT, VINOUS, OR
18 SPIRITUOUS LIQUORS IS LOCATED AT A PLACE THAT IS NOT LICENSED
19 PURSUANT TO THIS SECTION;

20 (III) THE DELIVERY IS MADE BY A PERSON WHO IS AT LEAST
21 TWENTY-ONE YEARS OF AGE AND WHO IS AUTHORIZED BY THE LICENSEE
22 TO MAKE THE DELIVERY;

23 (IV) THE PERSON MAKING THE DELIVERY VERIFIES, IN
24 ACCORDANCE WITH SECTION 44-3-901 (11), THAT THE PERSON RECEIVING
25 THE DELIVERY OF MALT, VINOUS, OR SPIRITUOUS LIQUORS IS AT LEAST
26 TWENTY-ONE YEARS OF AGE; AND

27 (V) THE LIQUOR-LICENSED DRUGSTORE DERIVES NO MORE THAN

1 FIFTY PERCENT OF ITS GROSS ANNUAL REVENUES FROM TOTAL SALES OF
2 MALT, VINOUS, AND SPIRITUOUS LIQUORS FROM THE SALE OF MALT,
3 VINOUS, AND SPIRITUOUS LIQUORS THAT THE LIQUOR-LICENSED
4 DRUGSTORE DELIVERS.

5 (b) (I) The state licensing authority shall promulgate rules as
6 necessary for the proper delivery of malt, vinous, and spirituous liquors
7 and is authorized to issue a permit to any ~~liquor-licensed drugstore~~
8 ~~licensee that will allow the licensee to deliver~~ PERSON WHO IS LICENSED
9 UNDER THIS SECTION TO SELL AT RETAIL AND DELIVER the MALT, VINOUS,
10 AND SPIRITUOUS liquors pursuant to ~~the rules and~~ this subsection (3) AND
11 TO ANY OTHER PERSON WHO INTENDS TO DELIVER MALT, VINOUS, AND
12 SPIRITUOUS LIQUORS ON BEHALF OF THE LICENSEE. A permit issued under
13 this subsection (3) is subject to the same suspension and revocation
14 provisions as are set forth in ~~sections 44-3-306 and~~ SECTION 44-3-601 for
15 other licenses granted pursuant to this article 3.

16 (II) BY JANUARY 1, 2024, THE STATE LICENSING AUTHORITY, BY
17 RULE, SHALL ESTABLISH THE REQUIREMENTS FOR OBTAINING A PERMIT TO
18 DELIVER ALCOHOL BEVERAGES PURSUANT TO SUBSECTION (3)(a.5) OF THIS
19 SECTION. SUCH REQUIREMENTS MUST INCLUDE AN ANNUAL
20 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, CERTIFICATION
21 AS A RESPONSIBLE ALCOHOL BEVERAGE VENDOR IN ACCORDANCE WITH
22 PART 10 OF THIS ARTICLE 3, PERMIT FEES, AND ANY OTHER REQUIREMENTS
23 THE STATE LICENSING AUTHORITY FINDS APPROPRIATE.

24 (4) (b) An owner, part owner, shareholder, or person interested
25 directly or indirectly in a liquor-licensed drugstore may have an interest
26 in:

27 (IV) For a liquor-licensed drugstore licensed on or before January

1 1, 2016, or a liquor-licensed drugstore licensee that was licensed as a
2 liquor-licensed drugstore on February 21, 2016, that converted its license
3 to a retail liquor store license after February 21, 2016, and that applied on
4 or before May 1, 2017, to convert its retail liquor store license back to a
5 liquor-licensed drugstore license, additional liquor-licensed drugstore
6 licenses as follows, but only if obtained in accordance with subsection
7 (1)(b) of this section, AS SUBSECTION (1)(b) EXISTED PRIOR TO THE
8 EFFECTIVE DATE OF THIS SUBSECTION (4)(b)(IV), AS AMENDED:

9 (A) On or after January 1, 2017, and before January 1, 2022, four
10 additional liquor-licensed drugstore licenses, for a maximum of five total
11 liquor-licensed drugstore licenses; AND

12 (B) On or after January 1, 2022, ~~and before January 1, 2027, up~~
13 ~~to seven additional liquor-licensed drugstore licenses, for a maximum of~~
14 ~~eight total liquor-licensed drugstore licenses.~~

15 (C) ~~On or after January 1, 2027, and before January 1, 2032, up~~
16 ~~to twelve additional liquor-licensed drugstore licenses, for a maximum of~~
17 ~~thirteen total liquor-licensed drugstore licenses;~~

18 (D) ~~On or after January 1, 2032, and before January 1, 2037, up~~
19 ~~to nineteen additional liquor-licensed drugstore licenses, for a maximum~~
20 ~~of twenty total liquor-licensed drugstore licenses; and~~

21 (E) ~~On or after January 1, 2037, an unlimited number of additional~~
22 ~~liquor-licensed drugstore licenses.~~

23 (V) For a liquor-licensed drugstore that submitted an application
24 for a new liquor-licensed drugstore license before October 1, 2016,
25 additional liquor-licensed drugstore licenses as follows, but only if
26 obtained in accordance with subsection (1)(b) of this section, AS
27 SUBSECTION (1)(b) EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS

1 SUBSECTION (4)(b)(V), AS AMENDED:

2 (A) On or after January 1, 2019, and before January 1, 2022, four
3 additional liquor-licensed drugstore licenses, for a maximum of five total
4 liquor-licensed drugstore licenses; AND

5 (B) On or after January 1, 2022, ~~and before January 1, 2027, up~~
6 ~~to seven additional liquor-licensed drugstore licenses,~~ for a maximum of
7 eight total liquor-licensed drugstore licenses.

8 (C) ~~On or after January 1, 2027, and before January 1, 2032, up~~
9 ~~to twelve additional liquor-licensed drugstore licenses, for a maximum of~~
10 ~~thirteen total liquor-licensed drugstore licenses;~~

11 (D) ~~On or after January 1, 2032, and before January 1, 2037, up~~
12 ~~to nineteen additional liquor-licensed drugstore licenses, for a maximum~~
13 ~~of twenty total liquor-licensed drugstore licenses; and~~

14 (E) ~~On or after January 1, 2037, an unlimited number of additional~~
15 ~~liquor-licensed drugstore licenses.~~

16 (8) (a) EXCEPT AS PROVIDED IN SUBSECTION (8)(b) OF THIS
17 SECTION, EFFECTIVE JANUARY 1, 2026, EACH LIQUOR-LICENSED
18 DRUGSTORE LICENSE ISSUED UNDER THIS SECTION AUTOMATICALLY
19 CONVERTS TO A BEER-AND-WINE-LICENSED GROCERY STORE LICENSE
20 UNDER SECTION 44-3-410.5, AND, UPON CONVERSION, THE LICENSEE IS
21 PERMITTED TO SELL MALT AND VINOUS LIQUORS ONLY AND IS SUBJECT TO
22 THE REQUIREMENTS OF THE LICENSE AS SPECIFIED IN SECTION 44-3-410.5.

23 (b) A LIQUOR-LICENSED DRUGSTORE INITIALLY LICENSED BEFORE
24 JANUARY 1, 2022, MAY CONTINUE TO OPERATE AS A LIQUOR-LICENSED
25 DRUGSTORE IF THE LICENSEE NOTIFIES THE STATE LICENSING AUTHORITY
26 BY APRIL 1, 2026, IN THE FORM AND MANNER DETERMINED BY THE STATE
27 LICENSING AUTHORITY, THAT THE LICENSEE WILL CONTINUE OPERATING

1 A LIQUOR-LICENSED DRUGSTORE. A LIQUOR-LICENSED DRUGSTORE THAT
2 DOES NOT CONVERT TO A BEER-AND-WINE-LICENSED GROCERY STORE
3 LICENSED PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION MAY
4 CONTINUE TO OPERATE UNDER A LIQUOR-LICENSED DRUGSTORE LICENSE,
5 SUBJECT TO THE REQUIREMENTS OF THIS SECTION AND ALL OTHER
6 APPLICABLE REQUIREMENTS OF THIS ARTICLE 3.

7 **SECTION 4.** In Colorado Revised Statutes, **add 44-3-410.5** as
8 follows:

9 **44-3-410.5. Beer-and-wine-licensed grocery store license -**
10 **multiple licenses permitted - requirements - delivery - rules - repeal.**

11 (1) (a) ON AND AFTER JANUARY 1, 2026, A BEER-AND-WINE-LICENSED
12 GROCERY STORE LICENSE SHALL BE ISSUED TO PERSONS SELLING MALT
13 AND VINOUS LIQUORS IN SEALED CONTAINERS NOT TO BE CONSUMED AT
14 THE PLACE WHERE SOLD.

15 (b) THE STATE AND LOCAL LICENSING AUTHORITIES SHALL NOT
16 ISSUE A NEW BEER-AND-WINE-LICENSED GROCERY STORE LICENSE IF THE
17 PREMISES FOR WHICH A BEER-AND-WINE-LICENSED GROCERY STORE
18 LICENSE IS SOUGHT IS LOCATED WITHIN ONE THOUSAND FIVE HUNDRED
19 FEET OF A RETAIL LIQUOR STORE LICENSED UNDER SECTION 44-3-409.

20 (2) NOTHING IN SUBSECTION (1) OF THIS SECTION PROHIBITS:

21 (a) THE RENEWAL OR TRANSFER OF OWNERSHIP OF A
22 BEER-AND-WINE-LICENSED GROCERY STORE LICENSE INITIALLY LICENSED
23 AS A LIQUOR-LICENSED DRUGSTORE; OR

24 (b) A BEER-AND-WINE-LICENSED GROCERY STORE FROM ALLOWING
25 TASTINGS ON THE LICENSED PREMISES IF THE APPLICABLE LOCAL
26 LICENSING AUTHORITY HAS AUTHORIZED THE BEER-AND-WINE-LICENSED
27 GROCERY STORE TO CONDUCT TASTINGS ON ITS LICENSED PREMISES IN

1 ACCORDANCE WITH SECTION 44-3-301 (10).

2 (3) IN ADDITION TO ANY OTHER REQUIREMENTS FOR LICENSURE
3 UNDER THIS SECTION OR THIS ARTICLE 3, A PERSON APPLYING FOR A NEW
4 OR TO RENEW A BEER-AND-WINE-LICENSED GROCERY STORE LICENSE IN
5 ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION MUST:

6 (a) PROVIDE EVIDENCE TO THE STATE AND LOCAL LICENSING
7 AUTHORITIES THAT AT LEAST TWENTY PERCENT OF THE LICENSEE'S GROSS
8 ANNUAL INCOME DERIVED FROM TOTAL SALES DURING THE PRIOR TWELVE
9 MONTHS AT THE LICENSED PREMISES FOR WHICH A NEW OR RENEWAL
10 LICENSE IS SOUGHT IS FROM THE SALE OF FOOD ITEMS, AS DEFINED BY THE
11 STATE LICENSING AUTHORITY BY RULE; AND

12 (b) MAKE AND KEEP ITS PREMISES OPEN TO THE PUBLIC.

13 (4) (a) A PERSON LICENSED TO SELL MALT AND VINOUS LIQUORS AS
14 PROVIDED IN THIS SECTION SHALL:

15 (I) PURCHASE MALT AND VINOUS LIQUORS ONLY FROM A
16 WHOLESALER LICENSED UNDER THIS ARTICLE 3;

17 (II) (A) NOT SELL MALT OR VINOUS LIQUORS TO CONSUMERS AT A
18 PRICE THAT IS BELOW THE BEER-AND-WINE-LICENSED GROCERY STORE'S
19 COST, AS LISTED ON THE INVOICE, TO PURCHASE THE MALT OR VINOUS
20 LIQUORS, UNLESS THE SALE IS OF DISCONTINUED OR CLOSE-OUT MALT OR
21 VINOUS LIQUORS.

22 (B) THIS SUBSECTION (4)(a)(II) DOES NOT PROHIBIT A
23 BEER-AND-WINE-LICENSED GROCERY STORE FROM OPERATING A BONA
24 FIDE LOYALTY OR REWARDS PROGRAM FOR MALT OR VINOUS LIQUORS SO
25 LONG AS THE PRICE FOR THE PRODUCT IS NOT BELOW THE
26 BEER-AND-WINE-LICENSED GROCERY STORE'S COSTS AS LISTED ON THE
27 INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO

1 IMPLEMENT THIS SUBSECTION (4)(a)(II).

2 (III) NOT ALLOW CONSUMERS TO PURCHASE MALT OR VINOUS
3 LIQUORS AT A SELF-CHECKOUT OR OTHER MECHANISM THAT ALLOWS THE
4 CONSUMER TO COMPLETE THE ALCOHOL BEVERAGE PURCHASE WITHOUT
5 ASSISTANCE FROM AND COMPLETION OF THE ENTIRE TRANSACTION BY AN
6 EMPLOYEE OF THE BEER-AND-WINE-LICENSED GROCERY STORE;

7 (IV) REQUIRE, IN ACCORDANCE WITH SECTION 44-3-901 (11),
8 CONSUMERS ATTEMPTING TO PURCHASE MALT OR VINOUS LIQUORS TO
9 PRESENT A VALID IDENTIFICATION, AS DETERMINED BY THE STATE
10 LICENSING AUTHORITY BY RULE; AND

11 (V) NOT SELL CLOTHING OR ACCESSORIES IMPRINTED WITH
12 ADVERTISING, LOGOS, SLOGANS, TRADEMARKS, OR MESSAGES RELATED TO
13 ALCOHOL BEVERAGES.

14 (b) A PERSON LICENSED UNDER THIS SECTION SHALL NOT
15 PURCHASE MALT OR VINOUS LIQUORS FROM A WHOLESALER ON CREDIT
16 AND SHALL EFFECT PAYMENT UPON DELIVERY OF THE ALCOHOL
17 BEVERAGES.

18 (5) (a) ON AND AFTER JANUARY 1, 2026, A
19 BEER-AND-WINE-LICENSED GROCERY STORE LICENSEE THAT COMPLIES
20 WITH THIS SUBSECTION (5) AND RULES PROMULGATED PURSUANT TO THIS
21 SUBSECTION (5) MAY DELIVER MALT AND VINOUS LIQUORS TO A PERSON
22 OF LEGAL AGE IF:

23 (I) THE LICENSEE OR A PERSON AUTHORIZED BY THE LICENSEE TO
24 MAKE DELIVERIES FOR THE LICENSEE HAS OBTAINED A PERMIT FROM THE
25 STATE LICENSING AUTHORITY;

26 (II) THE PERSON RECEIVING THE DELIVERY OF MALT OR VINOUS
27 LIQUORS IS LOCATED AT A PLACE THAT IS NOT LICENSED PURSUANT TO

1 THIS SECTION;

2 (III) THE DELIVERY IS MADE BY A PERSON WHO IS AT LEAST
3 TWENTY-ONE YEARS OF AGE AND WHO IS AUTHORIZED BY THE LICENSEE
4 TO MAKE THE DELIVERY;

5 (IV) THE PERSON MAKING THE DELIVERY VERIFIES, IN
6 ACCORDANCE WITH SECTION 44-3-901 (11), THAT THE PERSON RECEIVING
7 THE DELIVERY OF MALT OR VINOUS LIQUORS IS AT LEAST TWENTY-ONE
8 YEARS OF AGE; AND

9 (V) THE BEER-AND-WINE-LICENSED GROCERY STORE DERIVES NO
10 MORE THAN FIFTY PERCENT OF ITS GROSS ANNUAL REVENUES FROM TOTAL
11 SALES OF MALT AND VINOUS LIQUORS FROM THE SALE OF MALT AND
12 VINOUS LIQUORS THAT THE BEER-AND-WINE-LICENSED GROCERY STORE
13 DELIVERS.

14 (b) (I) THE STATE LICENSING AUTHORITY SHALL PROMULGATE
15 RULES AS NECESSARY FOR THE PROPER DELIVERY OF MALT AND VINOUS
16 LIQUORS AND IS AUTHORIZED TO ISSUE A PERMIT TO ANY PERSON WHO IS
17 LICENSED UNDER THIS SECTION TO SELL AT RETAIL AND DELIVER THE MALT
18 AND VINOUS LIQUORS PURSUANT TO THIS SUBSECTION (5) AND TO ANY
19 OTHER PERSON WHO INTENDS TO DELIVER MALT AND VINOUS LIQUORS ON
20 BEHALF OF THE LICENSEE. A PERMIT ISSUED UNDER THIS SUBSECTION (5)
21 IS SUBJECT TO THE SAME SUSPENSION AND REVOCATION PROVISIONS AS
22 ARE SET FORTH IN SECTION 44-3-601 FOR OTHER LICENSES GRANTED
23 PURSUANT TO THIS ARTICLE 3.

24 (II) BY JANUARY 1, 2026, THE STATE LICENSING AUTHORITY, BY
25 RULE, SHALL ESTABLISH THE REQUIREMENTS FOR OBTAINING A PERMIT TO
26 DELIVER ALCOHOL BEVERAGES PURSUANT TO THIS SUBSECTION (5)(b).
27 SUCH REQUIREMENTS MUST INCLUDE AN ANNUAL FINGERPRINT-BASED

1 CRIMINAL HISTORY RECORD CHECK, CERTIFICATION AS A RESPONSIBLE
2 ALCOHOL BEVERAGE VENDOR IN ACCORDANCE WITH PART 10 OF THIS
3 ARTICLE 3, PERMIT FEES, AND ANY OTHER REQUIREMENTS THE STATE
4 LICENSING AUTHORITY FINDS APPROPRIATE.

5 (6) (a) EXCEPT AS PROVIDED IN SUBSECTION (6)(b) OF THIS
6 SECTION, IT IS UNLAWFUL FOR ANY OWNER, PART OWNER, SHAREHOLDER,
7 OR PERSON INTERESTED DIRECTLY OR INDIRECTLY IN A
8 BEER-AND-WINE-LICENSED GROCERY STORE TO CONDUCT, OWN EITHER IN
9 WHOLE OR IN PART, OR BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY
10 OTHER BUSINESS LICENSED PURSUANT TO THIS ARTICLE 3.

11 (b) AN OWNER, PART OWNER, SHAREHOLDER, OR PERSON
12 INTERESTED DIRECTLY OR INDIRECTLY IN A BEER-AND-WINE-LICENSED
13 GROCERY STORE MAY HAVE AN INTEREST IN:

14 (I) AN ARTS LICENSE GRANTED UNDER THIS ARTICLE 3;

15 (II) AN AIRLINE PUBLIC TRANSPORTATION SYSTEM LICENSE
16 GRANTED UNDER THIS ARTICLE 3;

17 (III) A FINANCIAL INSTITUTION REFERRED TO IN SECTION 44-3-308
18 (4);

19 (IV) ADDITIONAL BEER-AND-WINE-LICENSED GROCERY STORE
20 LICENSES AS FOLLOWS:

21 (A) ON OR AFTER JANUARY 1, 2026, AND BEFORE JANUARY 1,
22 2027, A MAXIMUM OF EIGHT TOTAL BEER-AND-WINE-LICENSED GROCERY
23 STORE LICENSES;

24 (B) ON OR AFTER JANUARY 1, 2027, AND BEFORE JANUARY 1,
25 2032, A MAXIMUM OF THIRTEEN TOTAL BEER-AND-WINE-LICENSED
26 GROCERY STORE LICENSES;

27 (C) ON OR AFTER JANUARY 1, 2032, AND BEFORE JANUARY 1,

1 2037, A MAXIMUM OF TWENTY TOTAL BEER-AND-WINE-LICENSED
2 GROCERY STORE LICENSES; AND

3 (D) ON OR AFTER JANUARY 1, 2037, AN UNLIMITED NUMBER OF
4 BEER-AND-WINE-LICENSED GROCERY STORE LICENSES.

5 (7) (a) A BEER-AND-WINE-LICENSED GROCERY STORE LICENSED
6 UNDER THIS SECTION SHALL NOT STORE MALT AND VINOUS LIQUORS OFF
7 THE LICENSED PREMISES.

8 (b) A LICENSED WHOLESALER SHALL MAKE ALL DELIVERIES OF
9 MALT AND VINOUS LIQUORS TO A BEER-AND-WINE-LICENSED GROCERY
10 STORE:

11 (I) THROUGH A COMMON CARRIER, THROUGH A CONTRACT
12 CARRIER, OR ON VEHICLES OWNED BY THE WHOLESALER; AND

13 (II) ONLY TO THE BUSINESS ADDRESS OF THE
14 BEER-AND-WINE-LICENSED GROCERY STORE.

15 (8) (a) A BEER-AND-WINE-LICENSED GROCERY STORE LICENSED
16 UNDER THIS SECTION SHALL HAVE AT LEAST ONE MANAGER PERMITTED
17 UNDER SECTION 44-3-427 WHO WORKS ON THE LICENSED PREMISES. THE
18 BEER-AND-WINE-LICENSED GROCERY STORE SHALL DESIGNATE AT LEAST
19 ONE PERMITTED MANAGER ON THE LICENSED PREMISES TO CONDUCT THE
20 BEER-AND-WINE-LICENSED GROCERY STORE'S PURCHASES OF ALCOHOL
21 BEVERAGES FROM A LICENSED WHOLESALER. A LICENSED WHOLESALER
22 SHALL TAKE ORDERS FOR ALCOHOL BEVERAGES ONLY FROM A PERMITTED
23 MANAGER DESIGNATED BY THE BEER-AND-WINE-LICENSED GROCERY
24 STORE.

25 (b) A BEER-AND-WINE-LICENSED GROCERY STORE MUST OBTAIN
26 AND MAINTAIN A CERTIFICATION AS A RESPONSIBLE ALCOHOL BEVERAGE
27 VENDOR IN ACCORDANCE WITH PART 10 OF THIS ARTICLE 3.

1 (c) AN EMPLOYEE OF A BEER-AND-WINE-LICENSED GROCERY STORE
2 WHO IS UNDER TWENTY-ONE YEARS OF AGE SHALL NOT DELIVER MALT OR
3 VINOUS LIQUORS OFFERED FOR SALE ON, OR SOLD AND REMOVED FROM,
4 THE LICENSED PREMISES.

5 (9) A PERSON LICENSED UNDER THIS SECTION THAT OBTAINS
6 ADDITIONAL BEER-AND-WINE-LICENSED GROCERY STORE LICENSES IN
7 ACCORDANCE WITH SUBSECTION (6)(b)(IV) OF THIS SECTION MAY
8 OPERATE UNDER A SINGLE OR CONSOLIDATED CORPORATE ENTITY BUT
9 SHALL NOT COMMINGLE PURCHASES OF OR CREDIT EXTENSIONS FOR
10 PURCHASES OF MALT OR VINOUS LIQUORS FROM A WHOLESALER LICENSED
11 UNDER THIS ARTICLE 3 FOR MORE THAN ONE LICENSED PREMISES. A
12 WHOLESALER LICENSED UNDER THIS ARTICLE 3 SHALL NOT BASE THE PRICE
13 FOR THE MALT OR VINOUS LIQUORS IT SELLS TO A
14 BEER-AND-WINE-LICENSED GROCERY STORE LICENSED UNDER THIS
15 SECTION ON THE TOTAL VOLUME OF MALT OR VINOUS LIQUORS THAT THE
16 LICENSEE PURCHASES FOR MULTIPLE LICENSED PREMISES.

17 (10) (a) EFFECTIVE JANUARY 1, 2026, EXCEPT AS PROVIDED IN
18 SECTION 44-3-410 (8)(b), EACH LIQUOR-LICENSED DRUGSTORE LICENSE
19 INITIALLY ISSUED UNDER SECTION 44-3-410 BEFORE JANUARY 1, 2022,
20 AUTOMATICALLY CONVERTS TO A BEER-AND-WINE-LICENSED GROCERY
21 STORE LICENSE.

22 (b) (I) NOT LATER THAN APRIL 1, 2026, A LICENSEE LICENSED AS
23 A LIQUOR-LICENSED DRUGSTORE ON DECEMBER 31, 2025, WHICH LICENSE
24 CONVERTED TO A BEER-AND-WINE-LICENSED GROCERY STORE LICENSE ON
25 JANUARY 1, 2026, MAY TRANSFER SPIRITUOUS LIQUORS IN THE LICENSEE'S
26 POSSESSION TO A LICENSEE AUTHORIZED BY THIS ARTICLE 3 TO SELL
27 SPIRITUOUS LIQUORS AT RETAIL FOR CONSUMPTION OFF THE PREMISES.

1 THIS SUBSECTION (10)(b) DOES NOT AUTHORIZE A
2 BEER-AND-WINE-LICENSED GROCERY STORE TO SELL SPIRITUOUS LIQUORS.

3 (II) FROM JANUARY 1, 2026, THROUGH APRIL 1, 2026, IT IS NOT A
4 VIOLATION OF SECTION 44-3-901 FOR A BEER-AND-WINE-LICENSED
5 GROCERY STORE TO HAVE SPIRITUOUS LIQUORS IN ITS POSSESSION OR TO
6 TRANSFER SPIRITUOUS LIQUORS AS PROVIDED IN THIS SUBSECTION (10)(b).

7 (III) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE OCTOBER
8 1, 2026.

9 **SECTION 5.** In Colorado Revised Statutes, 44-3-103, **amend**
10 (56); and **add** (19.5) as follows:

11 **44-3-103. Definitions.** As used in this article 3 and article 4 of
12 this title 44, unless the context otherwise requires:

13 (19.5) "GROCERY STORE" MEANS AN ESTABLISHMENT THAT
14 GENERATES AT LEAST TWENTY PERCENT OF GROSS ANNUAL INCOME FROM
15 THE SALE OF FOOD ITEMS.

16 (56) "Tastings" means the sampling, BY ADULT PATRONS OF A
17 LICENSEE PURSUANT TO SECTION 44-3-301 (10), of malt, vinous, or
18 spiritous liquors that may occur on the premises of a retail liquor store
19 ~~licensee or liquor-licensed drugstore licensee by adult patrons of the~~
20 ~~licensee pursuant to the provisions of section 44-3-301 (10)~~ OR THE
21 SAMPLING OF MALT AND VINOUS LIQUORS THAT MAY OCCUR ON THE
22 PREMISES OF A BEER-AND-WINE-LICENSED GROCERY STORE LICENSEE.

23 **SECTION 6.** In Colorado Revised Statutes, 44-3-104, **amend**
24 (2)(c) as follows:

25 **44-3-104. Wine shipments - permits.** (2) A winery direct
26 shipper's permit may be issued to only a person who applies for such
27 permit to the state licensing authority and who:

1 (c) Except as provided in sections 44-3-402 (1) and 44-3-407 (3),
2 does not directly or indirectly have any financial interest in a Colorado
3 wholesaler or retailer licensed pursuant to section 44-3-407, 44-3-409, ~~or~~
4 44-3-410, OR 44-3-410.5.

5 **SECTION 7.** In Colorado Revised Statutes, 44-3-107, **amend**
6 (2)(c) as follows:

7 **44-3-107. Permitted acts - auctions at special events -**
8 **definition.** (2) (c) The retail value of alcohol beverages donated to an
9 organization pursuant to this section by a retailer licensed under section
10 44-3-409, 44-3-410, ~~44-3-410.5~~, or 44-4-104 (1)(c) to sell alcohol
11 beverages at retail for consumption off the licensed premises does not
12 count against the annual limit on purchases from those retailers specified
13 in section 44-3-411 (2), 44-3-413 (7)(b), 44-3-414 (2), 44-3-416 (2),
14 44-3-417 (3), 44-3-418 (2), 44-3-419 (4), 44-3-420 (2), 44-3-422 (3),
15 44-3-426 (4)(b), or 44-3-428 (2).

16 **SECTION 8.** In Colorado Revised Statutes, 44-3-301, **amend**
17 (9)(a)(I)(C), (10)(b), (10)(c)(I)(A), (10)(c)(XII), (10)(d), (10)(e), and
18 (12)(a) as follows:

19 **44-3-301. Licensing in general.** (9) (a) (I) (C) The state and local
20 licensing authorities shall not grant permission under this subsection
21 (9)(a)(I) to a retail liquor store licensed under section 44-3-409 to move
22 its permanent location if the new location is ~~Within one thousand five~~
23 ~~hundred~~ WITHIN THREE THOUSAND feet of another retail liquor store
24 licensed under section 44-3-409. ~~for a premises located in a municipality~~
25 ~~with a population of ten thousand or fewer, within three thousand feet of~~
26 ~~another retail liquor store licensed under section 44-3-409; or, for a~~
27 ~~premises located in a municipality with a population of ten thousand or~~

1 ~~fewer that is contiguous to the city and county of Denver, within one~~
2 ~~thousand five hundred feet of another retail liquor store licensed under~~
3 ~~section 44-3-409.~~

4 (10) (b) A retail liquor store, ~~or~~ liquor-licensed drugstore, OR
5 BEER-AND-WINE-LICENSED GROCERY STORE licensee ~~who~~ THAT wishes to
6 conduct tastings may submit an application or application renewal to the
7 local licensing authority. The local licensing authority may reject the
8 application if the applicant fails to establish that ~~he or she~~ THE APPLICANT
9 is able to conduct tastings without violating ~~the provisions of~~ this section
10 or creating a public safety risk to the neighborhood. A local licensing
11 authority may establish its own application procedure and may charge a
12 reasonable application fee.

13 (c) Tastings are subject to the following limitations:

14 (I) Tastings shall be conducted only:

15 (A) By a person who: Has completed a server training program
16 that meets the standards established by the liquor enforcement division in
17 the department and is a retail liquor store, ~~or~~ liquor-licensed drugstore, or
18 BEER-AND-WINE-LICENSED GROCERY STORE licensee, an employee of a
19 retail liquor store, ~~or~~ liquor-licensed drugstore, OR
20 BEER-AND-WINE-LICENSED GROCERY STORE licensee, or a representative,
21 employee, or agent of the licensed wholesaler, brew pub, distillery pub,
22 manufacturer, limited winery, importer, or vintner's restaurant promoting
23 the alcohol beverages for the tasting; and

24 (XII) No manufacturer of spirituous or vinous liquors shall induce
25 a licensee through free goods or financial or in-kind assistance to favor
26 the manufacturer's products being sampled at a tasting. The retail liquor
27 store, ~~or~~ liquor-licensed drugstore, OR BEER-AND-WINE-LICENSED

1 GROCERY STORE licensee bears the financial and all other responsibility
2 for a tasting conducted on its licensed premises.

3 (d) A violation of a limitation specified in this subsection (10) by
4 a retail liquor store, ~~or~~ liquor-licensed drugstore, OR
5 BEER-AND-WINE-LICENSED GROCERY STORE licensee, whether by the
6 licensee's employees, agents, or otherwise or by a representative,
7 employee, or agent of the licensed wholesaler, brew pub, distillery pub,
8 manufacturer, limited winery, importer, or vintner's restaurant that
9 promoted the alcohol beverages for the tasting, is the responsibility of,
10 and section 44-3-801 applies to, the retail liquor store, ~~or~~ liquor-licensed
11 drugstore, OR BEER-AND-WINE-LICENSED GROCERY STORE licensee that
12 conducted the tasting.

13 (e) A retail liquor store, ~~or~~ liquor-licensed drugstore, OR
14 BEER-AND-WINE-LICENSED GROCERY STORE licensee conducting a tasting
15 ~~shall be~~ IS subject to the same revocation, suspension, and enforcement
16 provisions as otherwise apply to the licensee.

17 (12) (a) Notwithstanding any other provision of this article 3, on
18 and after July 1, 2016, the state and local licensing authorities shall not
19 issue a new license under this article 3 authorizing the sale at retail of
20 malt, vinous, or spirituous liquors in sealed containers for consumption
21 off the licensed premises if the premises for which the retail license is
22 sought is ~~located~~ NOT IN COMPLIANCE WITH SECTION 44-3-409 (1)(a) OR
23 44-3-410.5 (1)(b), AS APPLICABLE.

24 ~~(I) Within one thousand five hundred feet of another licensed~~
25 ~~premises licensed to sell malt, vinous, or spirituous liquors at retail for~~
26 ~~off-premises consumption;~~

27 ~~(II) For a premises located in a municipality with a population of~~

1 ~~ten thousand or fewer, within three thousand feet of another licensed~~
2 ~~premises licensed to sell malt, vinous, or spirituous liquors at retail for~~
3 ~~off-premises consumption; or~~

4 (HH) ~~For a premises located in a municipality with a population of~~
5 ~~ten thousand or fewer that is contiguous to the city and county of Denver,~~
6 ~~within one thousand five hundred feet of another licensed premises~~
7 ~~licensed to sell malt, vinous, or spirituous liquors at retail for off-premises~~
8 ~~consumption.~~

9 **SECTION 9.** In Colorado Revised Statutes, 44-3-309, **amend**
10 (1)(b); and **add** (1)(o) as follows:

11 **44-3-309. Local licensing authority - applications - optional**
12 **premises licenses.** (1) A local licensing authority may issue only the
13 following alcohol beverage licenses upon payment of the fee specified in
14 section 44-3-505:

15 (b) Liquor-licensed drugstore license; EXCEPT THAT, ON AND
16 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(b), AS AMENDED, A
17 LOCAL LICENSING AUTHORITY SHALL NOT ISSUE A NEW LIQUOR-LICENSED
18 DRUGSTORE LICENSE;

19 (o) BEER-AND-WINE-LICENSED GROCERY STORE LICENSE.

20 **SECTION 10.** In Colorado Revised Statutes, 44-3-312, **amend**
21 (2)(a) as follows:

22 **44-3-312. Results of investigation - decision of authorities.**

23 (2) (a) Before entering any decision approving or denying ~~the~~ AN
24 application FOR LICENSURE, the local licensing authority shall consider,
25 except where this article 3 specifically provides otherwise, the facts and
26 evidence adduced as a result of its investigation, as well as any other
27 facts; the reasonable requirements of the neighborhood for the type of

1 license for which application has been made; the desires of the adult
2 inhabitants; the number, type, and availability of alcohol beverage outlets
3 located in or near the neighborhood under consideration; and any other
4 pertinent matters affecting the qualifications of the applicant for the
5 conduct of the type of business proposed; except that the reasonable
6 requirements of the neighborhood shall not be considered in the issuance
7 of a club liquor license. ~~For the merger and conversion of retail liquor~~
8 ~~store licenses to a single liquor-licensed drugstore license in accordance~~
9 ~~with section 44-3-410 (1)(b), the local licensing authority shall consider~~
10 ~~the reasonable requirements of the neighborhood and the desires of the~~
11 ~~adult inhabitants of the neighborhood.~~

12 **SECTION 11.** In Colorado Revised Statutes, 44-3-401, **amend**
13 (1)(i); and **add** (1)(y) as follows:

14 **44-3-401. Classes of licenses and permits - rules.** (1) For the
15 purpose of regulating the manufacture, sale, and distribution of alcohol
16 beverages, the state licensing authority in its discretion, upon application
17 in the prescribed form made to it, may issue and grant to the applicant a
18 license or permit from any of the following classes, subject to the
19 provisions and restrictions provided by this article 3:

20 (i) Liquor-licensed drugstore license; EXCEPT THAT, ON AND
21 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(i), AS AMENDED, THE
22 STATE LICENSING AUTHORITY SHALL NOT ISSUE A NEW LIQUOR-LICENSED
23 DRUGSTORE LICENSE;

24 (y) BEER-AND-WINE-LICENSED GROCERY STORE LICENSE.

25 **SECTION 12.** In Colorado Revised Statutes, 44-3-425, **amend**
26 (2)(a) as follows:

27 **44-3-425. Wine packaging permit - limitations - rules.** (2) A

1 licensed winery or limited winery that obtains a wine packaging permit
2 pursuant to this section shall not sell or distribute tax-paid wine in
3 packages:

4 (a) To a person licensed to sell alcohol beverages at retail, for
5 consumption on or off the licensed premises, under section 44-3-409,
6 44-3-410, ~~44-3-410.5~~, 44-3-411, 44-3-412, 44-3-413, 44-3-414, 44-3-415,
7 44-3-416, 44-3-417, 44-3-418, 44-3-419, 44-3-420, 44-3-421, 44-3-422,
8 44-3-424, 44-3-426, or 44-3-428; or

9 **SECTION 13.** In Colorado Revised Statutes, 44-3-427, **amend**
10 (1), (2) introductory portion, and (4) as follows:

11 **44-3-427. Liquor-licensed drugstore manager's permit.**

12 (1) The state licensing authority may issue a manager's permit to an
13 individual who:

14 (a) Is employed by a liquor-licensed drugstore licensed under
15 section 44-3-410 OR A BEER-AND-WINE-LICENSED GROCERY STORE
16 LICENSED UNDER SECTION 44-3-410.5; and ~~who~~

17 (b) Will be in actual control of:

18 (I) ~~The~~ A liquor-licensed drugstore's alcohol beverage operations;

19 OR

20 (II) A BEER-AND-WINE-LICENSED GROCERY STORE'S MALT AND
21 VINOUS LIQUORS OPERATIONS.

22 (2) An individual seeking a manager's permit shall apply to the
23 state licensing authority in the form and manner required by the state
24 licensing authority. To obtain a manager's permit, the individual must
25 demonstrate that ~~he or she~~ THE INDIVIDUAL:

26 (4) In recognition of the state's flourishing local breweries,
27 wineries, and distilleries that locally produce high-quality malt, vinous,

1 and spirituous liquors, managers of liquor-licensed drugstores AND
2 BEER-AND-WINE-LICENSED GROCERY STORES are encouraged to purchase
3 and promote locally produced alcohol beverage products in their
4 liquor-licensed drugstores AND BEER-AND-WINE-LICENSED GROCERY
5 STORES.

6 **SECTION 14.** In Colorado Revised Statutes, 44-3-501, **add**
7 (1)(x) as follows:

8 **44-3-501. State fees - rules - one-time fee waiver - repeal.**

9 (1) The applicant shall pay the following license and permit fees to the
10 department annually in advance:

11 (x) FOR EACH BEER-AND-WINE-LICENSED GROCERY STORE
12 LICENSE, ONE HUNDRED DOLLARS.

13 **SECTION 15.** In Colorado Revised Statutes, 44-3-505, **add** (1)(r)
14 as follows:

15 **44-3-505. Local license fees.** (1) The applicant shall pay the
16 following license fees to the treasurer of the municipality, city and
17 county, or county where the licensed premises is located annually in
18 advance:

19 (r) (I) FOR EACH BEER-AND-WINE-LICENSED GROCERY STORE
20 LICENSE FOR PREMISES LOCATED WITHIN ANY MUNICIPALITY OR CITY AND
21 COUNTY, ONE HUNDRED FIFTY DOLLARS;

22 (II) FOREACH BEER-AND-WINE-LICENSED GROCERY STORE LICENSE
23 FOR PREMISES LOCATED OUTSIDE THE MUNICIPAL LIMITS OF ANY
24 MUNICIPALITY OR CITY AND COUNTY, TWO HUNDRED FIFTY DOLLARS.

25 **SECTION 16.** In Colorado Revised Statutes, 44-3-901, **amend**
26 (1)(g), (1)(i)(III), (6)(i)(II), (6)(k), (6)(p)(I)(B), (6)(p)(III), (8)(b), and
27 (11)(c) as follows:

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

3 (g) To sell at retail any malt, vinous, or spirituous liquors in sealed
4 containers without holding a retail liquor store or liquor-licensed
5 drugstore LICENSE OR TO SELL AT RETAIL ANY MALT OR VINOUS LIQUORS
6 IN SEALED CONTAINERS WITHOUT HOLDING A BEER-AND-WINE-LICENSED
7 GROCERY STORE license, except as permitted by section 44-3-107 (2) or
8 44-3-301 (6)(b) or any other provision of this article 3, or to sell at retail
9 any fermented malt beverages in sealed containers without holding a
10 fermented malt beverage retailer's license under sections 44-4-104 (1)(c)
11 and 44-4-107 (1)(a);

12 (i) (III) Notwithstanding subsection (1)(i)(I) of this section, it shall
13 not be unlawful for adult patrons of a retail liquor store or liquor-licensed
14 drugstore licensee to consume malt, vinous, or spirituous liquors, OR FOR
15 ADULT PATRONS OF A BEER-AND-WINE-LICENSED GROCERY STORE
16 LICENSEE TO CONSUME MALT OR VINOUS LIQUORS, on the licensed
17 premises when the consumption is conducted within the limitations of the
18 licensee's license and is part of a tasting if authorization for the tasting
19 has been granted pursuant to section 44-3-301.

20 (6) It is unlawful for any person licensed to sell at retail pursuant
21 to this article 3 or article 4 of this title 44:

22 (i) (II) Notwithstanding subsection (6)(i)(I) of this section, it shall
23 not be unlawful for a retail liquor store, ~~or~~ liquor-licensed drugstore, OR
24 BEER-AND-WINE-LICENSED GROCERY STORE licensee to allow tastings to
25 be conducted on ~~his or her~~ THE licensed premises if authorization for the
26 tastings has been granted pursuant to section 44-3-301.

27 (k) (I) Except as provided in subsections (6)(k)(II), ~~(6)(k)(III)~~,

1 6)(k)(IV), and (6)(k)(V) of this section, to have on the licensed premises,
2 if licensed as a retail liquor store, liquor-licensed drugstore,
3 BEER-AND-WINE-LICENSED GROCERY STORE, or fermented malt beverage
4 retailer, any container that shows evidence of having once been opened
5 or that contains a volume of liquor less than that specified on the label of
6 the container;

7 (II) (A) A person holding a retail liquor store or liquor-licensed
8 drugstore license under this article 3 may have upon the licensed premises
9 malt, vinous, or spirituous liquors, AND A PERSON HOLDING A
10 BEER-AND-WINE-LICENSED GROCERY STORE LICENSE UNDER THIS ARTICLE
11 3 MAY HAVE UPON THE LICENSED PREMISES MALT OR VINOUS LIQUORS, in
12 open containers when the open containers were brought on the licensed
13 premises by and remain solely in the possession of the sales personnel of
14 a person licensed to sell at wholesale pursuant to this article 3 for the
15 purpose of sampling malt, vinous, or spirituous liquors by the retail liquor
16 store or liquor-licensed drugstore LICENSEE ONLY OR FOR THE PURPOSE OF
17 SAMPLING MALT OR VINOUS LIQUORS BY THE BEER-AND-WINE-LICENSED
18 GROCERY STORE licensee only.

19 (B) A person holding a fermented malt beverage retailer's license
20 under section 44-4-107 (1)(a) may have upon the licensed premises
21 fermented malt beverages in open containers when the open containers
22 were brought onto the licensed premises by and remain solely in the
23 possession of the sales personnel of a person licensed to sell at wholesale
24 pursuant to article 4 of this title 44 for the purpose of sampling fermented
25 malt beverages by the fermented malt beverage retailer licensee only.

26 (III) Nothing in this subsection (6)(k) applies to any
27 liquor-licensed drugstore where the contents, or a portion of the contents,

1 have been used in compounding prescriptions.

2 (IV) It is not unlawful for a retail liquor store, ~~or~~ liquor-licensed
3 drugstore, OR BEER-AND-WINE-LICENSED GROCERY STORE licensee to
4 allow tastings to be conducted on the licensed premises if authorization
5 for the tastings has been granted pursuant to section 44-3-301.

6 (V) A person holding a retail liquor store, ~~or~~ liquor-licensed
7 drugstore, OR BEER-AND-WINE-LICENSED GROCERY STORE license under
8 this article 3 or a fermented malt beverage retailer's license under section
9 44-4-107 (1)(a) may have upon the licensed premises an open container
10 of an alcohol beverage product that the licensee discovers to be damaged
11 or defective so long as the licensee marks the product as damaged or for
12 return and stores the open container outside the sales area of the licensed
13 premises until the licensee is able to return the product to the wholesaler
14 from whom the product was purchased.

15 (p) (I) (B) Except as provided in subsection (6)(p)(II) of this
16 section, to employ a person who is at least eighteen years of age but under
17 twenty-one years of age to sell or dispense malt, vinous, or spirituous
18 liquors unless the employee is supervised by another person who is on the
19 licensed premises and is at least twenty-one years of age; except that this
20 subsection (6)(p)(I)(B) does not apply to a retail liquor store licensed
21 under section 44-3-409, ~~or~~ a liquor-licensed drugstore licensed under
22 section 44-3-410, OR A BEER-AND-WINE-LICENSED GROCERY STORE
23 LICENSED UNDER SECTION 44-3-410.5;

24 (III) If licensed as a retail liquor store under section 44-3-409, a
25 liquor-licensed drugstore under section 44-3-410, A
26 BEER-AND-WINE-LICENSED GROCERY STORE UNDER SECTION 44-3-410.5,
27 or a fermented malt beverage retailer under section 44-4-107 (1)(a), to

1 permit an employee who is under twenty-one years of age to deliver malt,
2 vinous, or spirituous liquors or fermented malt beverages offered for sale
3 on, or sold and removed from, the licensed premises of the retail liquor
4 store, liquor-licensed drugstore, BEER-AND-WINE-LICENSED GROCERY
5 STORE, or fermented malt beverage retailer.

6 (8) (b) Notwithstanding subsection (8)(a) of this section, it ~~shall~~
7 ~~not be~~ IS NOT unlawful for a retail liquor store, ~~or~~ liquor-licensed
8 drugstore, OR BEER-AND-WINE-LICENSED GROCERY STORE licensee to
9 allow tastings to be conducted on ~~his or her~~ THE licensed premises if
10 authorization for the tastings has been granted pursuant to section
11 44-3-301.

12 (11) (c) As used in this subsection (11), "retail licensee" means a
13 person licensed under section 44-3-409, 44-3-410, ~~44-3-410.5~~, 44-4-104
14 (1)(c), or 44-4-107 (1)(a).

15 **SECTION 17.** In Colorado Revised Statutes, 26-2-104, **amend**
16 (2)(a)(II)(C) and (2)(h)(I)(B) as follows:

17 **26-2-104. Public assistance programs - electronic benefits**
18 **transfer service - joint reports with department of revenue - signs -**
19 **rules.** (2) (a) (II) Only those businesses that offer products or services
20 related to the purpose of the public assistance benefits are allowed to
21 participate in the electronic benefits transfer service through the use of
22 point-of-sale terminals. Clients shall not be allowed to access cash
23 benefits through the electronic benefits transfer service from automated
24 teller machines in this state located in:

25 (C) Retail establishments licensed to sell malt, vinous, or
26 spirituous liquors pursuant to part 3 of article 3 of title 44; except that the
27 prohibition in this subsection (2)(a)(II)(C) does not apply to

1 establishments licensed as liquor-licensed drugstores under section
2 44-3-410 OR BEER-AND-WINE-LICENSED GROCERY STORES UNDER SECTION
3 44-3-410.5;

4 (h) (I) On or before January 1, 2016, the department of revenue
5 shall adopt rules pursuant to the "State Administrative Procedure Act",
6 article 4 of title 24, that relate to a client's use of automated teller
7 machines at locations where the use is prohibited. The rules must apply
8 to the following establishments:

9 (B) Retail establishments licensed to sell malt, vinous, or
10 spirituous liquors pursuant to part 3 of article 3 of title 44, excluding
11 establishments licensed as liquor-licensed drugstores under section
12 44-3-410 OR BEER-AND-WINE-LICENSED GROCERY STORES UNDER SECTION
13 44-3-410.5;

14 **SECTION 18. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.