

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 24-0652.03 Yelana Love x2295

**SENATE BILL 24-181**

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**SENATE SPONSORSHIP**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE COLORADO ALCOHOL IMPACT**  
102 **AND RECOVERY ENTERPRISE.**

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**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>.)*

The bill creates the Colorado alcohol impact and recovery enterprise (enterprise) in the department of revenue to:

- Collect a fee from manufacturers and wholesalers that distribute alcohol within Colorado; and
- Use the fee for alcohol and related substance use disorder prevention, early intervention, treatment, harm reduction,

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

and recovery services and programs in communities throughout the state.

The bill exempts small manufacturers and wholesale distributors of alcohol based on production and distribution level amounts for which a manufacturer or distributor may pay reduced tax or claim an exemption under federal law.

The bill also:

- Creates the alcohol impact enterprise board and specifies membership and duties of the board; and
- Requires the state auditor to conduct an audit of the enterprise in the 2030-31 state fiscal year and every fourth state fiscal year thereafter.

The bill also exempts the enterprise from the prohibition on an enterprise receiving more than \$100,000,000 in revenue in fees in the enterprise's first 5 fiscal years without first receiving voter approval.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 2 to title  
3 44 as follows:

4 **ARTICLE 2**

5 **Colorado Alcohol Impact and Recovery Enterprise**

6 **44-2-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 2 IS THE  
7 "COLORADO ALCOHOL USE IMPACT AND RECOVERY FEE ACT".

8 **44-2-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
9 FINDS AND DECLARES THAT:

10 (a) THE EXCESSIVE USE AND RELATED HARMS OF ALCOHOL  
11 CONTRIBUTE DETRIMENTALLY TO PUBLIC HEALTH AND IMPOSE HIGH  
12 FINANCIAL COSTS TO THE STATE SYSTEMS FOR PHYSICAL HEALTH,  
13 BEHAVIORAL HEALTH, SOCIAL SERVICES, PUBLIC SAFETY, AND EDUCATION;

14 (b) ANNUALLY, AN AVERAGE OF TWO THOUSAND SIX HUNDRED  
15 TWENTY-THREE DEATHS IN COLORADO ARE ATTRIBUTABLE TO EXCESSIVE  
16 ALCOHOL USE;

17 (c) COLORADO TAXPAYERS SPENT OVER FIVE BILLION DOLLARS AS

1 A RESULT OF EXCESSIVE ALCOHOL USE IN 2010; ADJUSTED FOR INFLATION,  
2 THIS IS EQUIVALENT TO SIX BILLION NINE HUNDRED MILLION DOLLARS IN  
3 2023 OR TWO DOLLARS AND EIGHTY-NINE CENTS PER DRINK CONSUMED;

4 (d) IN 2021, BOTH THE PER CAPITA ALCOHOL CONSUMPTION AND  
5 THE PERCENTAGE OF ADULTS WHO REPORTED BINGE DRINKING IN THE PAST  
6 THIRTY DAYS IN COLORADO WERE HIGHER THAN THE NATIONAL AVERAGE;

7 (e) IN 2019, PROSECUTORS IN COLORADO FILED OVER TWENTY-SIX  
8 THOUSAND CASES WITH AT LEAST ONE CHARGE OF DRIVING UNDER THE  
9 INFLUENCE. OF CASES WITH A CONVICTION FOR DRIVING UNDER THE  
10 INFLUENCE, THIRTY-SEVEN PERCENT OF THE DEFENDANTS HAD AT LEAST  
11 ONE PRIOR ARREST FOR DRIVING UNDER THE INFLUENCE.

12 (f) IN 2021, THE NATIONAL HIGHWAY TRAFFIC SAFETY  
13 ADMINISTRATION REPORTED THAT TWO HUNDRED SIXTEEN PEOPLE WERE  
14 KILLED ON COLORADO ROADS BY ALCOHOL-IMPAIRED DRIVERS, AN  
15 INCREASE OF THIRTY TWO PERCENT FROM 2019;

16 (g) DATA FROM THE 2021 HEALTHY KIDS COLORADO SURVEY  
17 FOUND THAT:

18 (I) OVER TWENTY-THREE PERCENT OF YOUTH REPORTED USING  
19 ALCOHOL IN THE PREVIOUS MONTH;

20 (II) OVER FOURTEEN PERCENT OF YOUTH REPORTED BINGE  
21 DRINKING ONE OR MORE TIMES IN THE PREVIOUS MONTH; AND

22 (III) OVER FIFTY-THREE PERCENT OF YOUTH FELT IT WOULD BE  
23 EASY TO OBTAIN ALCOHOL IF THEY WANTED TO;

24 (h) IT IS ESTIMATED THAT ONE IN TWENTY SCHOOL CHILDREN IN  
25 THE UNITED STATES HAVE FETAL ALCOHOL SPECTRUM DISORDERS, WHICH  
26 CAN LEAD TO:

27 (I) PROBLEMS WITH THE HEART, KIDNEYS, AND OTHER ORGANS;

1 (II) BEHAVIORAL HEALTH AND INTELLECTUAL DISABILITIES; AND

2 (III) INCREASED RISK OF DEVELOPING A SUBSTANCE USE  
3 DISORDER;

4 (i) ALCOHOL IS THE MOST PREVALENT POTENTIALLY DAMAGING  
5 SUBSTANCE USED BY PREGNANT WOMEN, INCREASING THE RISK FOR FETAL  
6 ALCOHOL SPECTRUM DISORDER AND ASSOCIATED HEALTH IMPACTS ON  
7 INFANTS;

8 (j) THE HIGHEST NUMBER OF SUBSTANCE USE TREATMENT  
9 ADMISSIONS IN COLORADO FROM 2022 AND 2023 WERE FOR ALCOHOL USE  
10 DISORDER, WITH OVER SIXTY-FIVE PERCENT OF ALL ADMISSIONS  
11 INCLUDING ALCOHOL USE DISORDER;

12 (k) THERE IS A STRONG LINK BETWEEN ALCOHOL USE AND  
13 SUBSTANCE USE DISORDERS. IN 2016, ABOUT ONE IN FIVE EMERGENCY  
14 DEPARTMENT VISITS ASSOCIATED WITH THE MISUSE OF PRESCRIPTION  
15 MEDICINES ALSO INVOLVED ALCOHOL. IN 2017, ABOUT ONE IN SEVEN  
16 OPIOID-RELATED DEATHS INVOLVED DRINKING ALCOHOL WITHIN A FEW  
17 HOURS OF USING AN OPIOID, AND THE PROPORTION OF OPIOID OVERDOSE  
18 DEATHS INVOLVING ALCOHOL RANGED FROM SEVEN TO TWENTY-NINE  
19 PERCENT, VARYING ACROSS THE STATES. ADDITIONALLY, OPIOID  
20 OVERDOSE DEATHS WHERE ALCOHOL CONTRIBUTED TO THE DEATH  
21 INCREASED FORTY-ONE PERCENT FROM 2019 TO 2020.

22 (l) BECAUSE OF THE LINK BETWEEN ALCOHOL USE AND THE USE OF  
23 OTHER SUBSTANCES, IT IS DIFFICULT TO TREAT AN ALCOHOL USE DISORDER  
24 WITHOUT ALSO ADDRESSING THE USE OF OTHER SUBSTANCES;

25 (m) EXCISE TAXES ON ALCOHOL IN COLORADO ARE AMONG THE  
26 LOWEST IN THE NATION, WITH THE TAX ON:

27 (I) BEER, THE FORTY-SEVENTH LOWEST;

1 (II) WINE, THE FORTY-FOURTH LOWEST; AND  
2 (III) DISTILLED SPIRITS, THE FORTY-SIXTH LOWEST; AND  
3 (n) AS OF 2024, EXCISE TAXES IN COLORADO IMPOSED PURSUANT  
4 TO SECTION 44-3-503 PAY ONLY AN ESTIMATED FIFTEEN PERCENT OF  
5 GOVERNMENTAL COSTS TO ADDRESS ALCOHOL-RELATED PROBLEMS,  
6 WHICH IS UNSURPRISING CONSIDERING COLORADO'S EXCISE TAX ON  
7 ALCOHOL BEVERAGES HAS NOT BEEN INCREASED SINCE 1981.  
8 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:  
9 (a) THE INTENT OF THIS ARTICLE 2 IS TO ESTABLISH AN ENTERPRISE  
10 TO COLLECT FEES FROM THE MANUFACTURERS AND DISTRIBUTORS OF  
11 ALCOHOL TO PAY FOR ALCOHOL AND RELATED SUBSTANCE USE DISORDER  
12 PREVENTION, EARLY INTERVENTION, TREATMENT, RECOVERY, OR HARM  
13 REDUCTION PROGRAMS AND SERVICES;  
14 (b) CONSISTENT WITH THE DETERMINATION OF THE COLORADO  
15 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896  
16 P.2d 859 (COLO. 1995), THE POWER TO IMPOSE TAXES IS INCONSISTENT  
17 WITH ENTERPRISE STATUS PURSUANT TO SECTION 20 OF ARTICLE X OF THE  
18 STATE CONSTITUTION, AND IT IS THE CONCLUSION OF THE GENERAL  
19 ASSEMBLY THAT THE REVENUE COLLECTED BY THE ENTERPRISE IS A FEE,  
20 NOT A TAX, BECAUSE THE FEES ARE IMPOSED FOR THE SPECIFIC PURPOSE  
21 OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING  
22 ALCOHOL AND RELATED SUBSTANCE USE DISORDER PREVENTION, EARLY  
23 INTERVENTION, TREATMENT, RECOVERY, OR HARM REDUCTION PROGRAMS  
24 AND SERVICES RELATED TO THE MANUFACTURING AND DISTRIBUTION OF  
25 ALCOHOL; AND  
26 (c) MANUFACTURERS AND WHOLESALE DISTRIBUTORS OF ALCOHOL  
27 SHOULD BEAR SOME OF THE INCREASED COSTS FOR ALCOHOL AND

1 RELATED SUBSTANCE USE DISORDER PREVENTION, EARLY INTERVENTION,  
2 TREATMENT, RECOVERY, OR HARM REDUCTION SERVICES.

3 **44-2-103. Definitions.** AS USED IN THIS ARTICLE 2, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "ALCOHOL" MEANS FERMENTED MALT BEVERAGES OR MALT,  
6 VINOUS, OR SPIRITUOUS LIQUORS; EXCEPT THAT "ALCOHOL" DOES NOT  
7 INCLUDE CONFECTIONERY CONTAINING ALCOHOL WITHIN THE LIMITS  
8 PRESCRIBED BY SECTION 25-5-410 (1)(i)(II).

9 (2) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS  
10 THE BEHAVIORAL HEALTH ADMINISTRATION IN THE STATE DEPARTMENT  
11 OF HUMAN SERVICES ESTABLISHED PURSUANT TO SECTION 27-50-102.

12 (3) "BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES  
13 ORGANIZATION" OR "BHASO" MEANS AN ORGANIZATION SELECTED BY  
14 AND CONTRACTED WITH THE BEHAVIORAL HEALTH ADMINISTRATION  
15 PURSUANT TO SECTION 27-50-401 TO MANAGE A NETWORK OF PROVIDERS  
16 TO DELIVER A CONTINUUM OF BEHAVIORAL HEALTH SERVICES AND CARE  
17 COORDINATION IN THE BHASO'S REGION.

18 (4) "BOARD" OR "ENTERPRISE BOARD" MEANS THE ALCOHOL  
19 IMPACT ENTERPRISE BOARD CREATED PURSUANT TO SECTION 44-2-110.

20 (5) "ELIGIBLE ENTITY" MEANS:

21 (a) ANY NONPROFIT OR FOR-PROFIT ORGANIZATION THAT PROVIDES  
22 PREVENTION, EARLY INTERVENTION, TREATMENT, RECOVERY, OR HARM  
23 REDUCTION SERVICES FOR MILD, MODERATE, OR SEVERE ALCOHOL OR  
24 RELATED SUBSTANCE USE DISORDERS, SUCH AS FETAL ALCOHOL SPECTRUM  
25 DISORDERS; AND

26 (b) ANY STATE OR LOCAL GOVERNMENTAL ENTITY, INSTITUTION  
27 OF HIGHER EDUCATION, AND QUASI-GOVERNMENTAL ORGANIZATION,

1 INCLUDING A MUNICIPALITY, COUNTY, SCHOOL, LAW ENFORCEMENT  
2 AGENCY, AND DISTRICT COURT, THAT PROVIDES PREVENTION, EARLY  
3 INTERVENTION, TREATMENT, RECOVERY, OR HARM REDUCTION SERVICES  
4 FOR MILD, MODERATE, OR SEVERE ALCOHOL OR RELATED SUBSTANCE USE  
5 DISORDERS, SUCH AS FETAL ALCOHOL SPECTRUM DISORDERS.

6 (6) "ENTERPRISE" MEANS THE COLORADO ALCOHOL IMPACT AND  
7 RECOVERY ENTERPRISE CREATED IN SECTION 44-2-104.

8 (7) "FEE" MEANS THE ALCOHOL IMPACT FEE DESCRIBED IN SECTION  
9 44-2-105.

10 (8) "FUND" MEANS THE COLORADO ALCOHOL IMPACT ENTERPRISE  
11 FUND CREATED IN SECTION 44-2-106.

12 (9) "MANUFACTURER OR WHOLESALE ALCOHOL DISTRIBUTOR"  
13 MEANS ANY PERSON:

14 (a) HOLDING ANY OF THE FOLLOWING LICENSES ISSUED BY THE  
15 DEPARTMENT PURSUANT TO ARTICLE 3 OF THIS TITLE 44:

16 (I) MANUFACTURER'S LICENSE;

17 (II) LIMITED WINERY LICENSE;

18 (III) WHOLESALER'S LIQUOR LICENSE;

19 (IV) WHOLESALER'S BEER LICENSE;

20 (V) BREW PUB LICENSE;

21 (VI) DISTILLERY PUB LICENSE; OR

22 (VII) VINTNER'S RESTAURANT LICENSE; AND

23 (b) THAT MANUFACTURED OR DISTRIBUTED ALCOHOL BEVERAGES  
24 IN AN AMOUNT IN EXCESS OF THE AMOUNTS FOR WHICH REDUCED TAX  
25 APPLIES OR A CREDIT AGAINST TAX MAY BE CLAIMED PURSUANT TO 26  
26 U.S.C. SEC. 5001 (c)(1)(A), 26 U.S.C. SEC. 5041 (c)(1)(A)(i), OR 26  
27 U.S.C. SEC. 5051 (a)(2)(A) FOR THE PREVIOUS OR CURRENT CALENDAR

1 YEAR.

2 (10) "PRIORITY POPULATIONS" MEANS CHILDREN, YOUTH, PEOPLE  
3 FROM UNDERSERVED COMMUNITIES, AND POPULATIONS THAT HAVE BEEN  
4 DISPROPORTIONATELY AFFECTED BY ALCOHOL AND RELATED SUBSTANCE  
5 USE DISORDERS AND AS FURTHER DEFINED BY THE ENTERPRISE BOARD.

6 (11) "RECOVERY PROVIDER" MEANS A RECOVERY COMMUNITY  
7 ORGANIZATION, AS DEFINED IN SECTION 27-80-126, OR A RECOVERY  
8 SUPPORT SERVICES ORGANIZATION, AS DEFINED IN SECTION 27-60-108,  
9 WHEN SUCH ORGANIZATION IS UNDER CONTRACT WITH A BHASO TO  
10 PROVIDE RECOVERY SERVICES.

11 (12) "SUBSTANCE USE DISORDER" MEANS THE RECURRENT USE OF  
12 ALCOHOL, DRUGS, OR MULTIPLE SUBSTANCES CONCURRENTLY CAUSES  
13 CLINICALLY AND FUNCTIONALLY SIGNIFICANT IMPAIRMENT, SUCH AS  
14 HEALTH PROBLEMS, DISABILITY, AND FAILURE TO MEET MAJOR  
15 RESPONSIBILITIES AT WORK, SCHOOL, OR HOME.

16 (13) "TREATMENT PROVIDER" MEANS A SUBSTANCE USE  
17 TREATMENT PROVIDER LICENSED BY THE BHA AND UNDER CONTRACT  
18 WITH A BHASO.

19 **44-2-104. Colorado alcohol impact and recovery enterprise -**  
20 **creation - powers and duties.** (1) (a) THE COLORADO ALCOHOL IMPACT  
21 AND RECOVERY ENTERPRISE IS CREATED IN THE DEPARTMENT. THE  
22 PRIMARY BUSINESS PURPOSE OF THE ENTERPRISE IS TO REDUCE AND  
23 MITIGATE THE ADVERSE IMPACTS OF ALCOHOL BEVERAGES  
24 MANUFACTURED OR DISTRIBUTED IN THE STATE. TO ALLOW THE  
25 ENTERPRISE TO ACCOMPLISH THIS BUSINESS PURPOSE, THE ENTERPRISE  
26 SHALL PROVIDE:

27 (I) BUSINESS-RELATED SERVICES FOR ALCOHOL AND RELATED



1 SUBSTANCE USE DISORDER PREVENTION, EARLY INTERVENTION,  
2 TREATMENT, RECOVERY, AND HARM REDUCTION; AND

3 (II) A SUSTAINABLE SOURCE OF MONEY TO PAY FOR THE  
4 PROGRAMS AND SERVICES DESCRIBED IN SUBSECTION (1)(a)(I) OF THIS  
5 SECTION THAT ARE NOT OTHERWISE COVERED BY PUBLIC OR PRIVATE  
6 INSURANCE OR ANOTHER GOVERNMENTAL PROGRAM OR SERVICE.

7 (b) THE ENTERPRISE IS AND OPERATES AS A GOVERNMENT-OWNED  
8 BUSINESS WITHIN THE DEPARTMENT FOR THE PURPOSES OF:

9 (I) CHARGING, COLLECTING, AND EXPENDING MONEY FROM THE  
10 ALCOHOL IMPACT FEE PURSUANT TO SECTION 44-2-105; AND

11 (II) UTILIZING THE MONEY COLLECTED FROM THE FEE TO  
12 EQUITABLY DISTRIBUTE THE MONEY TO:

13 (A) SUPPORT TREATMENT, RECOVERY, AND HARM REDUCTION  
14 PROGRAMS AND SERVICES FOR ALCOHOL AND RELATED SUBSTANCE USE  
15 DISORDERS IN COMMUNITIES THROUGHOUT THE STATE BASED ON THE  
16 IDENTIFIED NEEDS OF EACH COMMUNITY;

17 (B) INCREASE THE ENFORCEMENT OF LAWS PROHIBITING DRIVING  
18 WHILE UNDER THE INFLUENCE, DRIVING WHILE ABILITY IMPAIRED, AND  
19 UNDERAGE DRUNK DRIVING; AND

20 (C) SUPPORT PROGRAMS THAT HELP PREVENT ALCOHOL AND  
21 RELATED SUBSTANCE USE DISORDERS.

22 (2) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES  
23 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION WHILE IT  
24 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS  
25 THAN TEN PERCENT OF ITS TOTAL REVENUE IN GRANTS FROM ALL  
26 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. AS LONG AS IT  
27 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (2), THE

1 ENTERPRISE IS NOT SUBJECT TO ANY PROVISIONS OF SECTION 20 OF  
2 ARTICLE X OF THE STATE CONSTITUTION.

3 (3) THE ENTERPRISE'S PRIMARY POWERS AND DUTIES ARE:

4 (a) TO CHARGE AND COLLECT THE FEE;

5 (b) TO EXPEND FEE REVENUE, MATCHING FEDERAL MONEY, AND  
6 ANY OTHER MONEY FROM THE FUND;

7 (c) BY RESOLUTION OF THE BOARD, TO AUTHORIZE AND ISSUE  
8 REVENUE BONDS THAT ARE PAYABLE ONLY FROM THE MONEY IN THE  
9 FUND, WHICH REVENUE BONDS MAY BE ISSUED TO PAY FOR SERVICES  
10 PROVIDED BY OR TO ELIGIBLE ENTITIES OR FOR THE EXPENSES OF THE  
11 ENTERPRISE;

12 (d) TO HIRE STAFF AND ENGAGE THE SERVICES OF PRIVATE  
13 INDIVIDUALS OR ENTITIES SERVING AS CONTRACTORS, CONSULTANTS, AND  
14 LEGAL COUNSEL FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND  
15 ADVICE AND TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF  
16 THE AFFAIRS OF THE ENTERPRISE; AND

17 (e) TO ADOPT, AMEND, OR REPEAL POLICIES FOR THE REGULATION  
18 OF THE ENTERPRISE'S AFFAIRS AND THE CONDUCT OF ITS BUSINESS  
19 CONSISTENT WITH THIS SECTION.

20 (4) THE ENTERPRISE IS A **TYPE 2** ENTITY AS DEFINED IN SECTION  
21 24-1-105 AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES UNDER  
22 THE DEPARTMENT.

23 **44-2-105. Alcohol impact fee - alcohol impact enterprise**  
24 **collection fund - rules.** (1) FOR THE STATE FISCAL YEAR COMMENCING  
25 JULY 1, 2025, AND FOR EACH STATE FISCAL YEAR THEREAFTER, UNLESS  
26 ADJUSTED PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE  
27 ENTERPRISE IS AUTHORIZED TO CHARGE AND COLLECT AN ALCOHOL

1 IMPACT FEE FROM EVERY SELF-DISTRIBUTING MANUFACTURER OR  
2 WHOLESALE ALCOHOL DISTRIBUTOR OF:

3 (a) \$0.16 ON EVERY GALLON OF MALT LIQUOR AND HARD CIDER  
4 DISTRIBUTED IN COLORADO;

5 (b) \$0.1466 ON EVERY LITER OF WINE EXCEPT HARD CIDER  
6 DISTRIBUTED IN COLORADO; AND

7 (c) \$1.2052 ON EVERY LITER OF SPIRITUOUS LIQUOR DISTRIBUTED  
8 IN COLORADO.

9 (2) (a) THE EXECUTIVE DIRECTOR SHALL COLLECT, ADMINISTER,  
10 AND ENFORCE THE FEE IMPOSED BY SUBSECTION (1) OF THIS SECTION IN  
11 THE SAME MANNER AS THE COLLECTION, ADMINISTRATION, AND  
12 ENFORCEMENT OF STATE ALCOHOL EXCISE TAXES PURSUANT TO SECTION  
13 44-3-503. A MANUFACTURER OR WHOLESALE ALCOHOL DISTRIBUTOR THAT  
14 PAYS THE FEE AS REQUIRED BY SUBSECTION (1) OF THIS SECTION SHALL  
15 REMIT THE FEE TO THE DEPARTMENT AT THE SAME TIME AND IN THE SAME  
16 MANNER IN WHICH THE MANUFACTURER OR WHOLESALE ALCOHOL  
17 DISTRIBUTOR REMITS THE STATE ALCOHOL EXCISE TAXES COLLECTED BY  
18 THE MANUFACTURER OR WHOLESALE ALCOHOL DISTRIBUTOR AS REQUIRED  
19 BY SECTION 44-3-503. THE DEPARTMENT MAY PROMULGATE RULES TO  
20 IMPLEMENT THIS SECTION.

21 (b) THE ENTERPRISE MAY INCREASE OR DECREASE THE FEE AS  
22 PROVIDED IN SUBSECTION (5) OF THIS SECTION. IF THE ENTERPRISE  
23 ADJUSTS THE FEE, THE ENTERPRISE SHALL NOTIFY THE DEPARTMENT OF  
24 THE AMOUNT OF THE FEE TO BE COLLECTED DURING EACH STATE FISCAL  
25 YEAR NO LATER THAN MARCH 15 OF THE CALENDAR YEAR IN WHICH THE  
26 STATE FISCAL YEAR BEGINS, AND THE DEPARTMENT SHALL PUBLISH THE  
27 AMOUNT NO LATER THAN APRIL 15 OF THE CALENDAR YEAR IN WHICH THE

1 STATE FISCAL YEAR BEGINS.

2 (c) WHEN COLLECTING THE FEE, THE DEPARTMENT SHALL RETAIN  
3 AN AMOUNT THAT DOES NOT EXCEED THE TOTAL COST OF COLLECTING,  
4 ADMINISTERING, AND ENFORCING THE FEE AND SHALL TRANSMIT THE  
5 AMOUNT RETAINED TO THE STATE TREASURER, WHO SHALL CREDIT IT TO  
6 THE ALCOHOL IMPACT ENTERPRISE COLLECTION FUND, WHICH IS CREATED  
7 IN THE STATE TREASURY. ALL MONEY IN THE ALCOHOL IMPACT  
8 ENTERPRISE COLLECTION FUND IS CONTINUOUSLY APPROPRIATED TO THE  
9 DEPARTMENT TO DEFRAY THE COSTS INCURRED BY THE DEPARTMENT IN  
10 COLLECTING, ENFORCING, AND ADMINISTERING THE FEE.

11 (d) THE DEPARTMENT SHALL TRANSMIT ALL FEE REVENUE, LESS  
12 ANY AMOUNT RETAINED PURSUANT TO SUBSECTION (2)(c) OF THIS  
13 SECTION, TO THE STATE TREASURER, WHO SHALL CREDIT THE NET  
14 REVENUE TO THE COLORADO ALCOHOL IMPACT ENTERPRISE FUND.

15 (3) ON OR BEFORE JULY 1, 2026, EACH SELF-DISTRIBUTING  
16 MANUFACTURER OR WHOLESALE ALCOHOL DISTRIBUTOR SHALL:

17 (a) PAY THE FEE ON ALL ALCOHOL DISTRIBUTED IN COLORADO FOR  
18 THE PERIOD BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026; AND

19 (b) REPORT TO THE ENTERPRISE, IN A FORM AND MANNER  
20 DETERMINED BY THE ENTERPRISE, THE AMOUNT OF ALCOHOL DISTRIBUTED  
21 IN COLORADO FOR THE PERIOD BEGINNING JULY 1, 2025, AND ENDING  
22 JUNE 30, 2026.

23 (4) ON OR BEFORE JULY 1, 2027, AND ON OR BEFORE JULY 1 OF  
24 EACH YEAR THEREAFTER, EACH MANUFACTURER OR WHOLESALE ALCOHOL  
25 DISTRIBUTOR SHALL:

26 (a) PAY THE FEE ON ALL ALCOHOL DISTRIBUTED IN COLORADO FOR  
27 THE PREVIOUS STATE FISCAL YEAR; AND

1 (b) REPORT TO THE ENTERPRISE THE AMOUNT OF ALCOHOL  
2 DISTRIBUTED IN COLORADO FOR THE PREVIOUS STATE FISCAL YEAR.

3 (5) (a) THE ENTERPRISE MAY INCREASE OR DECREASE THE FEE AND  
4 SHALL GIVE MANUFACTURERS AND WHOLESALE ALCOHOL DISTRIBUTORS  
5 NOTICE BY DECEMBER 15 PRIOR TO THE ADJUSTMENT.

6 (b) THE ENTERPRISE SHALL NOT INCREASE THE FEE MORE  
7 FREQUENTLY THAN ONCE EVERY TWO YEARS, AND THE ENTERPRISE SHALL  
8 BASE ANY INCREASE ON THE FOLLOWING FACTORS SINCE THE LAST  
9 INCREASE:

10 (I) THE CUMULATIVE RATE OF INFLATION;

11 (II) ANY INCREASE IN THE STATE'S POPULATION; AND

12 (III) ANY INCREASE IN THE RATE OF ALCOHOL USE.

13 **44-2-106. Colorado alcohol impact enterprise fund - creation.**

14 (1) THERE IS CREATED IN THE STATE TREASURY THE COLORADO ALCOHOL  
15 IMPACT ENTERPRISE FUND. THE FUND CONSISTS OF MONEY CREDITED TO  
16 THE FUND PURSUANT TO SECTION 44-2-105 AND ANY GIFTS, GRANTS, OR  
17 DONATIONS RECEIVED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

18 (2) THE MONEY IN THE FUND MUST NOT BE DEPOSITED INTO OR  
19 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. THE STATE  
20 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE  
21 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. ANY  
22 UNENCUMBERED MONEY IN THE FUND REMAINS IN THE FUND AND MUST  
23 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER  
24 FUND.

25 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
26 ENTERPRISE FOR THE PURPOSES OF:

27 (a) PAYING FOR ANY DIRECT AND INDIRECT ADMINISTRATIVE

1 EXPENSES INCURRED BY THE ENTERPRISE, NOT TO EXCEED FIVE PERCENT  
2 OF THE AMOUNT OF MONEY IN THE FUND; AND

3 (b) CARRYING OUT TO THE PURPOSES OF THIS ARTICLE 2.

4 (4) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,  
5 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
6 THIS SECTION, AS LONG AS THE COMBINATION OF GRANTS FROM STATE AND  
7 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S  
8 TOTAL REVENUE. ANY MONEY RECEIVED PURSUANT TO THIS SUBSECTION  
9 (4) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT  
10 THE MONEY TO THE FUND.

11 **44-2-107. Colorado alcohol treatment and recovery**  
12 **affordability grant program - creation - reporting.** (1) THERE IS  
13 CREATED IN THE ENTERPRISE THE COLORADO ALCOHOL TREATMENT AND  
14 RECOVERY AFFORDABILITY GRANT PROGRAM FOR WHICH APPROXIMATELY  
15 EIGHTY PERCENT OF THE MONEY IN THE FUND MAY BE USED TO AWARD  
16 GRANTS TO BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES  
17 ORGANIZATIONS THROUGHOUT THE STATE THAT PROVIDE MONEY TO  
18 RECOVERY PROVIDERS AND TREATMENT PROVIDERS. OF THE EIGHTY  
19 PERCENT OF THE MONEY IN THE FUND ALLOCATED FOR THE GRANT  
20 PROGRAM, THE ENTERPRISE SHALL AWARD APPROXIMATELY THIRTY  
21 PERCENT FOR RECOVERY SERVICES AND SEVENTY PERCENT FOR  
22 TREATMENT.

23 (2) (a) THE ENTERPRISE SHALL AWARD GRANTS TO BHASOs IN  
24 THE STATE TO ENSURE THAT TREATMENT PROVIDERS AND RECOVERY  
25 PROVIDERS FROM ACROSS THE STATE, INCLUDING RURAL, FRONTIER, AND  
26 URBAN REGIONS, HAVE EQUITABLE ACCESS TO MONEY FROM THE GRANT  
27 PROGRAM.

1 (b) BHASOs THAT RECEIVE GRANTS SHALL PRIORITIZE FUNDING  
2 FOR PRIORITY POPULATIONS. IN COLLABORATION WITH THE BHA, THE  
3 ENTERPRISE BOARD SHALL FURTHER DEFINE PRIORITY POPULATIONS,  
4 WHICH MAY INCLUDE POPULATIONS BY REGION IF COMMUNITY NEEDS  
5 DIFFER, AND SHALL ANNUALLY UPDATE THE PRIORITY POPULATION  
6 DEFINITION, IF NEEDED.

7 (3)(a) BHASOs THAT RECEIVE GRANTS SHALL ENSURE THAT EACH  
8 TREATMENT PROVIDER AND RECOVERY PROVIDER ESTABLISHES A SLIDING  
9 FEE SCALE TO PROVIDE SUBSTANCE USE DISORDER TREATMENT OR  
10 RECOVERY SERVICES TO AN INDIVIDUAL WITH A SUBSTANCE USE  
11 DISORDER, REGARDLESS OF THE INDIVIDUAL'S ABILITY TO PAY.

12 (b) A BHASO THAT RECEIVES A GRANT THROUGH THE PROGRAM  
13 SHALL NOT REFUSE TO PROVIDE FINANCIAL SUPPORT TO A RECOVERY  
14 PROVIDER OR TREATMENT PROVIDER BASED SOLELY ON:

15 (I) THE PROVIDER'S TREATMENT OF AN INDIVIDUAL'S  
16 CO-OCCURRING SUBSTANCE USE DISORDER OR MENTAL HEALTH  
17 CONDITION; OR

18 (II) WHERE THE INDIVIDUAL WHO NEEDS TREATMENT LIVES OR THE  
19 INDIVIDUAL'S REFERRAL TYPE, INCLUDING A REFERRAL FROM THE  
20 CRIMINAL JUSTICE SYSTEM.

21 (4) EACH BHASO SHALL REPORT ANNUALLY TO THE BHA AND  
22 THE ENTERPRISE BOARD ON THE USE OF THE MONEY, IN A MANNER THAT  
23 COMPLIES WITH PROTECTING PATIENT HEALTH INFORMATION, INCLUDING:

24 (a) THE AMOUNT OF MONEY DISTRIBUTED TO EACH TREATMENT  
25 PROVIDER AND RECOVERY PROVIDER;

26 (b) THE NUMBER OF INDIVIDUALS SERVED AND THEIR  
27 DEMOGRAPHIC DATA;

1 (c) THE NUMBER OF INDIVIDUALS SERVED IN EACH PRIORITY  
2 POPULATION CATEGORY, AS DEFINED BY THE ENTERPRISE BOARD  
3 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION; AND

4 (d) FOR EACH INDIVIDUAL SERVED:

5 (I) WHETHER THE MONEY WAS USED FOR A COPAYMENT,  
6 DEDUCTIBLE, OR OTHER COST NOT OTHERWISE COVERED BY INSURANCE;

7 (II) IF THE INDIVIDUAL WITH A SUBSTANCE USE DISORDER  
8 REQUIRED MONEY BECAUSE OF LACK OF INSURANCE COVERAGE,  
9 INFORMATION ON THE INDIVIDUAL'S TYPE OF INSURANCE AND THE LEVEL  
10 AND TYPE OF CARE NEEDED; AND

11 (III) THE REFERRAL SOURCE.

12 **44-2-108. Colorado alcohol use prevention and early**  
13 **intervention grant program - creation - reporting - definition.**

14 (1) THERE IS CREATED IN THE ENTERPRISE THE COLORADO ALCOHOL USE  
15 PREVENTION AND EARLY INTERVENTION GRANT PROGRAM TO BEGIN  
16 PROVIDING GRANTS NO LATER THAN JANUARY 1, 2026, FOR PURPOSES  
17 RELATED TO THE PREVENTION AND EARLY INTERVENTION OF ALCOHOL  
18 AND RELATED SUBSTANCE USE DISORDERS. THE ENTERPRISE SHALL USE  
19 APPROXIMATELY TEN PERCENT OF THE MONEY IN THE FUND FOR THE  
20 PURPOSE OF AWARDING GRANTS TO:

21 (a) ELIGIBLE ENTITIES THAT INCREASE THE AVAILABILITY AND USE  
22 OF SCREENING, BRIEF INTERVENTION, AND REFERRAL TO TREATMENT  
23 PROGRAMS;

24 (b) ELIGIBLE ENTITIES THAT WORK TO PREVENT YOUTH SUBSTANCE  
25 ABUSE; AND

26 (c) ELIGIBLE ENTITIES THAT PROVIDE ALCOHOL AND RELATED  
27 SUBSTANCE USE DISORDER PREVENTION SERVICES IN AREAS OF HIGHEST



1 NEED, INCLUDING COMMUNITY-ORIENTED, CHILDREN-ORIENTED,  
2 YOUTH-ORIENTED, AND FAMILY-ORIENTED PREVENTION SERVICES.

3 (2) EACH ELIGIBLE ENTITY THAT RECEIVES A GRANT THROUGH THE  
4 GRANT PROGRAM SHALL REPORT TO THE ENTERPRISE, IN A FORM AND  
5 MANNER DETERMINED BY THE ENTERPRISE, ON THE USE OF AND OUTCOMES  
6 ASSOCIATED WITH THE USE OF THE GRANT PROGRAM MONEY.

7 **44-2-109. Colorado alcohol-related impaired driving**  
8 **enforcement grant program - creation.** (1) THERE IS CREATED IN THE  
9 ENTERPRISE THE COLORADO ALCOHOL-RELATED IMPAIRED DRIVING  
10 ENFORCEMENT GRANT PROGRAM. THE ENTERPRISE SHALL DISTRIBUTE  
11 APPROXIMATELY FIVE PERCENT OF THE MONEY IN THE FUND FOR THE  
12 PURPOSE OF PROVIDING GRANTS TO LOCAL GOVERNMENTS TO ASSIST IN  
13 THE EDUCATION, ENFORCEMENT, AND DETERRENCE OF ALCOHOL-RELATED  
14 IMPAIRED DRIVING.

15 (2) NO LATER THAN JANUARY 1, 2026, THE ENTERPRISE SHALL  
16 CREATE A GRANT APPLICATION PROCESS AND BEGIN ADMINISTERING THE  
17 GRANT PROGRAM.

18 (3) A LOCAL GOVERNMENT THAT RECEIVES A GRANT THROUGH THE  
19 GRANT PROGRAM SHALL REPORT TO THE ENTERPRISE, IN A FORM AND  
20 MANNER DETERMINED BY THE ENTERPRISE, ON THE USE OF AND OUTCOMES  
21 ASSOCIATED WITH THE USE OF THE GRANT PROGRAM MONEY.

22 **44-2-110. Alcohol impact enterprise board - creation - duties**  
23 **- report.** (1) THERE IS CREATED IN THE ENTERPRISE THE ALCOHOL IMPACT  
24 ENTERPRISE BOARD THAT CONSISTS OF:

25 (a) THE FOLLOWING NONVOTING, EX OFFICIO MEMBERS:

26 (I) THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
27 ADMINISTRATION, OR THE COMMISSIONER'S DESIGNEE;

1 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
2 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

3 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE,  
4 OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

5 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH  
6 CARE PLANNING AND FINANCING, OR THE EXECUTIVE DIRECTOR'S  
7 DESIGNEE; AND

8 (b) THE FOLLOWING VOTING MEMBERS APPOINTED BY THE  
9 GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE:

10 (I) AN INDIVIDUAL REPRESENTING THE ALCOHOL OR SUBSTANCE  
11 USE PREVENTION COMMUNITY;

12 (II) AN INDIVIDUAL REPRESENTING THE ALCOHOL OR SUBSTANCE  
13 USE TREATMENT COMMUNITY;

14 (III) AN INDIVIDUAL REPRESENTING THE ALCOHOL OR SUBSTANCE  
15 USE RECOVERY COMMUNITY;

16 (IV) AN INDIVIDUAL REPRESENTING YOUTH MENTAL HEALTH  
17 PROFESSIONALS, SUCH AS A SOCIAL WORKER, A CHILD AND ADOLESCENT  
18 PSYCHIATRIST, OR OTHER PROFESSIONAL SPECIALIZING IN CARING FOR  
19 YOUTH;

20 (V) AN INDIVIDUAL REPRESENTING THE PUBLIC SAFETY FIELD;

21 (VI) A REPRESENTATIVE FROM THE COLORADO COMMISSION OF  
22 INDIAN AFFAIRS;

23 (VII) AN INDIVIDUAL WHO HAS EXPERIENCED AN ALCOHOL OR  
24 RELATED SUBSTANCE USE DISORDER;

25 (VIII) AN INDIVIDUAL WHOSE FAMILY HAS BEEN AFFECTED BY A  
26 FAMILY MEMBER WITH AN ALCOHOL OR RELATED SUBSTANCE USE  
27 DISORDER OR FETAL ALCOHOL SPECTRUM DISORDERS;

1 (IX) A YOUNG INDIVIDUAL, UNDER TWENTY-FOUR YEARS OF AGE  
2 AT THE TIME OF APPOINTMENT, WITH EXPERIENCE OR INTEREST IN THE  
3 PREVENTION OF, THE TREATMENT OF, OR RECOVERY FROM SUBSTANCE USE  
4 DISORDERS;

5 (X) AN INDIVIDUAL REPRESENTING AN ADVOCACY ORGANIZATION  
6 FOR PEOPLE WITH MENTAL HEALTH CONDITIONS AND ALCOHOL AND  
7 RELATED SUBSTANCE USE DISORDERS; AND

8 (XI) AN INDIVIDUAL REPRESENTING THE ALCOHOL INDUSTRY.

9 (2) IN MAKING THE APPOINTMENTS DESCRIBED IN SUBSECTION  
10 (1)(b) OF THIS SECTION, THE GOVERNOR SHOULD ATTEMPT TO INCLUDE  
11 INDIVIDUALS WHO:

12 (a) HAVE EXPERIENCE PROVIDING SERVICES ACROSS THE  
13 CONTINUUM OF CARE FOR ALCOHOL AND RELATED SUBSTANCE USE  
14 DISORDERS;

15 (b) REFLECT THE ETHNIC, RACIAL, CULTURAL, GENDER,  
16 IMMIGRATION STATUS, WEALTH, ABILITY, AND GEOGRAPHIC DIVERSITY OF  
17 THE STATE; AND

18 (c) TO THE EXTENT PRACTICABLE, HAVE LIVED EXPERIENCE WITH  
19 AND HAVE RECEIVED SERVICES ACROSS THE CONTINUUM OF CARE FOR  
20 ALCOHOL AND RELATED SUBSTANCE USE DISORDERS.

21 (3) VOTING MEMBERS OF THE ENTERPRISE BOARD SERVE AT THE  
22 PLEASURE OF THE GOVERNOR. ALL TERMS ARE FOR FOUR YEARS; EXCEPT  
23 THAT, OF THE MEMBERS INITIALLY APPOINTED BY THE GOVERNOR, SIX  
24 SHALL SERVE AN INITIAL TERM OF TWO YEARS AS DESIGNATED BY THE  
25 GOVERNOR. A MEMBER WHO IS APPOINTED TO FILL A VACANCY SERVES  
26 THE REMAINDER OF THE UNEXPIRED TERM OF THE FORMER MEMBER.

27 (4) THE MEMBERS OF THE ENTERPRISE BOARD SHALL ELECT A

1 CHAIR AND VICE-CHAIR FROM AMONG THE MEMBERS OF THE ENTERPRISE  
2 BOARD APPOINTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

3 (5) MEMBERS OF THE ENTERPRISE BOARD SERVING IN A  
4 PROFESSIONAL CAPACITY SERVE WITHOUT COMPENSATION BUT MUST BE  
5 REIMBURSED FROM MONEY IN THE FUND FOR ACTUAL AND NECESSARY  
6 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO  
7 THIS SECTION. A MEMBER OF THE ENTERPRISE BOARD SERVING DUE TO THE  
8 MEMBER'S LIVED EXPERIENCE MUST BE OFFERED A PER DIEM AS  
9 ESTABLISHED BY THE ENTERPRISE BOARD AND DISTRIBUTED FROM MONEY  
10 IN THE FUND AND MUST BE REIMBURSED FROM MONEY IN THE FUND FOR  
11 ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF  
12 THEIR DUTIES PURSUANT TO THIS SECTION.

13 (6) THE ENTERPRISE BOARD SHALL, AT A MINIMUM:

14 (a) REVIEW CURRENT STATE PLANS RELATED TO ALCOHOL AND  
15 RELATED SUBSTANCE USE DISORDER PREVENTION, EARLY INTERVENTION,  
16 TREATMENT, RECOVERY, AND HARM REDUCTION SUPPORT SERVICES IN  
17 ORDER TO FORMULATE RECOMMENDATIONS FOR USES OF THE FEE;

18 (b) REVIEW AND APPROVE AN ANNUAL BUDGET FOR THE  
19 ENTERPRISE;

20 (c) ESTABLISH FUNDING ALLOCATION MODELS FOR BHASOs AND  
21 DETERMINE PRIORITY POPULATIONS FOR PURPOSES OF THE COLORADO  
22 ALCOHOL TREATMENT AND RECOVERY AFFORDABILITY GRANT PROGRAM  
23 CREATED IN SECTION 44-2-107.

24 (d) REVIEW AND APPROVE RECOMMENDATIONS FOR ALLOCATION  
25 OF MONEY IN THE FUND;

26 (e) REVIEW THE OUTCOMES OF THE MONEY AWARDED;

27 (f) REVIEW AND APPROVE AN ANNUAL REPORT OF EXPENDITURES

1 AND SERVICES PROVIDED PURSUANT TO THIS SECTION; AND

2 (g) ADMINISTER THE GRANT PROGRAMS CREATED IN THIS ARTICLE  
3 2, INCLUDING CREATING A GRANT APPLICATION PROCESS FOR EACH GRANT  
4 PROGRAM, MAKING THE GRANT APPLICATION PROCESS PUBLICLY  
5 AVAILABLE PRIOR TO ACCEPTING APPLICATIONS, AND BEGINNING TO  
6 ACCEPT GRANT APPLICATIONS NO LATER THAN JANUARY 1, 2026.

7 (7) (a) ON OR BEFORE JUNE 15, 2027, AND ON OR BEFORE JUNE 15  
8 EACH YEAR THEREAFTER, THE ENTERPRISE BOARD SHALL SUBMIT A  
9 WRITTEN REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF  
10 THE SENATE, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE  
11 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; THE JOINT  
12 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE OFFICE OF THE  
13 ATTORNEY GENERAL; AND THE GOVERNOR. THE REPORT MUST INCLUDE,  
14 BUT NEED NOT BE LIMITED TO:

15 (I) THE RECOMMENDATIONS FORMULATED PURSUANT TO  
16 SUBSECTION (6)(a) OF THIS SECTION;

17 (II) A DESCRIPTION OF HOW THE FEE IS CALCULATED AND THE  
18 PROCESS BY WHICH THE FEE IS ASSESSED AND COLLECTED;

19 (III) AN ITEMIZATION OF THE TOTAL AMOUNT OF THE FEE PAID BY  
20 EACH MANUFACTURER OR WHOLESALE ALCOHOL DISTRIBUTOR BY SPECIFIC  
21 ALCOHOL BEVERAGE SOLD;

22 (IV) AN ITEMIZATION OF THE COSTS INCURRED BY THE ENTERPRISE  
23 IN IMPLEMENTING AND ADMINISTERING THE FEE;

24 (V) THE PERCENTAGE OF MONEY THAT WAS ALLOCATED PURSUANT  
25 TO SECTION 44-2-107 (1) TO (3);

26 (VI) FOR MONEY DISTRIBUTED PURSUANT TO SUBSECTION  
27 44-2-107 (1), AN ITEMIZATION OF SERVICES AND PROJECTS FUNDED

1 THROUGH THE ENTERPRISE, INCLUDING:

2 (A) DATA REPORTED FROM BHASOs;

3 (B) THE AMOUNT OF MONEY DISTRIBUTED TO EACH PROVIDER, AS  
4 DESCRIBED IN SECTION 44-2-107 (1), BY AMOUNT AND PROVIDER;

5 (C) THE NUMBER OF INDIVIDUALS SERVED, INCLUDING THEIR  
6 DEMOGRAPHIC DATA;

7 (D) FOR EACH INDIVIDUAL SERVED, IF THE MONEY WAS USED FOR  
8 A COPAYMENT, DEDUCTIBLE, OR OTHER COST NOT OTHERWISE COVERED  
9 BY INSURANCE;

10 (E) FOR EACH INDIVIDUAL SERVED, IF THE INDIVIDUAL WITH AN  
11 ALCOHOL OR RELATED SUBSTANCE USE DISORDER REQUIRED MONEY  
12 BECAUSE OF LACK OF INSURANCE COVERAGE, INFORMATION ON THE  
13 INDIVIDUAL'S TYPE OF INSURANCE AND THE LEVEL AND TYPE OF CARE  
14 NEEDED;

15 (F) THE NUMBER OF INDIVIDUALS SERVED IN EACH PRIORITY  
16 POPULATION CATEGORY, AS DEFINED BY THE ENTERPRISE BOARD  
17 PURSUANT TO SECTION 44-2-107 (2)(b); AND

18 (G) FOR EACH INDIVIDUAL SERVED, THE REFERRAL SOURCE; AND

19 (VII) FOR ALL GRANT PROGRAMS ADMINISTERED THROUGH THE  
20 ENTERPRISE, THE NAME OF EACH ENTITY THAT RECEIVED A GRANT  
21 THROUGH EACH GRANT PROGRAM, THE AMOUNT OF MONEY AWARDED TO  
22 EACH ENTITY, AND THE USE OF AND OUTCOMES ASSOCIATED WITH THE USE  
23 OF THE MONEY.

24 (b) THIS SUBSECTION (7) IS EXEMPT FROM SECTION 24-1-136  
25 (11)(a)(I), AND THE PERIODIC REPORTING REQUIREMENT OF THIS  
26 SUBSECTION (7) REMAINS IN EFFECT UNTIL CHANGED BY THE GENERAL  
27 ASSEMBLY ACTING BY BILL.

1           **44-2-111. Audit of Colorado alcohol impact and recovery**  
2           **enterprise - notice to revisor of statutes - repeal.** (1) DURING THE  
3           2030-31 STATE FISCAL YEAR, AND DURING EVERY FOURTH STATE FISCAL  
4           YEAR THEREAFTER, THE STATE AUDITOR SHALL CONDUCT AN AUDIT OF  
5           THE ENTERPRISE ESTABLISHED PURSUANT TO THIS ARTICLE 2. THE  
6           ENTERPRISE SHALL PAY THE COSTS OF THE AUDIT OF THE ENTERPRISE. THE  
7           STATE AUDITOR SHALL REPORT THE FINDINGS FROM THE AUDITS, ALONG  
8           WITH ANY COMMENTS AND RECOMMENDATIONS, TO THE GOVERNOR AND  
9           TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND  
10          THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF  
11          REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES. THE STATE AUDITOR  
12          HAS CONTINUING AUTHORITY TO CONDUCT AUDITS OF THE ENTERPRISE AS  
13          THE STATE AUDITOR DEEMS APPROPRIATE. THE ENTERPRISE SHALL PAY  
14          THE COSTS OF ANY SUBSEQUENT AUDIT OF THE ENTERPRISE.

15           (2) (a) AS PART OF THE AUDIT CONDUCTED DURING THE 2042-43  
16          STATE FISCAL YEAR, THE STATE AUDITOR SHALL ALSO CONSIDER WHETHER  
17          IT IS NECESSARY TO CONTINUE TO CONDUCT THE AUDITS REQUIRED BY  
18          SUBSECTION (1) OF THIS SECTION. IF THE STATE AUDITOR DETERMINES  
19          THAT IT IS NO LONGER NECESSARY TO CONDUCT THE AUDITS, THE STATE  
20          AUDITOR MUST PROVIDE WRITTEN NOTICE TO THE REVISOR OF STATUTES  
21          OF SUCH A DETERMINATION BY E-MAILING THE NOTICE TO  
22          REVISOROFSTATUTES.GA@COLEG.GOV.

23           (b) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30 FOLLOWING  
24          THE RECEIPT OF THE NOTICE AUTHORIZED BY SUBSECTION (2)(a) OF THIS  
25          SECTION.

26           **SECTION 2.** In Colorado Revised Statutes, 24-1-117, **add** (4.5)  
27          as follows:

1           **24-1-117. Department of revenue - creation.** (4.5) THE  
2 DEPARTMENT OF REVENUE INCLUDES THE COLORADO ALCOHOL IMPACT  
3 AND RECOVERY ENTERPRISE CREATED IN SECTION 44-2-104 (1)(a), WHICH  
4 IS A **TYPE 2** ENTITY.

5           **SECTION 3.** In Colorado Revised Statutes, 24-77-108, **amend**  
6 (1); and **add** (4) as follows:

7           **24-77-108. Creation of a new fee-based enterprise.** In order to  
8 provide transparency and oversight to government mandated fees the  
9 People of the State of Colorado find and declare that:

10           (1) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, a  
11 state enterprise qualified or created after January 1, 2021, as defined  
12 under Colo. Const. Art. X, section 20(2)(d), shall not receive more than  
13 \$100,000,000 in revenue from fees and surcharges in its first five fiscal  
14 years unless approved at a statewide general election. If a state enterprise  
15 has collected one hundred million dollars (\$100,000,000) in fees and  
16 surcharges within its first five fiscal years prior to receiving voter  
17 approval, the state enterprise shall stop collecting fees and surcharges.  
18 Ballot titles for enterprises shall begin, "SHALL AN ENTERPRISE BE  
19 CREATED TO COLLECT REVENUE TOTALING (full dollar  
20 collection for first five fiscal years) IN ITS FIRST FIVE YEARS...?"

21           (4) FOR HEALTH AND SAFETY PURPOSES, THIS SECTION DOES NOT  
22 APPLY TO THE COLORADO ALCOHOL IMPACT AND RECOVERY ENTERPRISE  
23 CREATED IN SECTION 44-2-104 (1)(a).

24           **SECTION 4. Safety clause.** The general assembly finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, or safety or for appropriations for



- 1 the support and maintenance of the departments of the state and state
- 2 institutions.