

CHAPTER 30

**PROFESSIONS AND OCCUPATIONS**

**HOUSE BILL 95-1198**

BY REPRESENTATIVES Taylor, Armstrong, Chlouber, George, and Reeser;  
also SENATOR Wattenberg.

**AN ACT**

**CONCERNING LIMITATIONS ON THE SALES TERRITORIES OF BEER WHOLESALERS.**

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

**SECTION 1.** 12-46-109 (1) (d), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**12-46-109. Licenses - state license fees - requirements.** (1) The licenses to be granted and issued by the state licensing authority pursuant to this article for the manufacture, importation, and sale of fermented malt beverages shall be as follows:

(d) (V) A MANUFACTURER, NONRESIDENT MANUFACTURER, OR IMPORTER LICENSED TO SELL FERMENTED MALT BEVERAGES UNDER THIS ARTICLE SHALL NOT CONTRACT WITH MORE THAN ONE WHOLESALER TO SELL THE PRODUCTS OF SUCH MANUFACTURER, NONRESIDENT MANUFACTURER, OR IMPORTER IN THE SAME TERRITORY.

**SECTION 2.** 12-47-115 (1) (d), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-47-115. Wholesaler's license.** (1) (d) ~~The provisions of this section shall not apply to any brewer licensed pursuant to this article.~~ (I) A BREWER OR IMPORTER LICENSED PURSUANT TO THIS ARTICLE SHALL NOT SELL MALT LIQUORS TO A WHOLESALER WITHOUT HAVING A WRITTEN CONTRACT WITH SUCH WHOLESALER THAT DESIGNATES THE SPECIFIC PRODUCTS OF SUCH BREWER OR IMPORTER TO BE SOLD BY THE WHOLESALER AND THAT ESTABLISHES THE TERRITORY WITHIN WHICH THE WHOLESALER MAY SELL THE DESIGNATED PRODUCTS.

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(II) A BREWER OR IMPORTER SHALL NOT CONTRACT WITH MORE THAN ONE WHOLESALER TO SELL THE PRODUCTS OF SUCH BREWER OR IMPORTER WITHIN THE SAME TERRITORY.

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 1995, and shall apply to contracts entered into on or after said date.

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

Became Law Without Governor's Signature: March 24, 1995