

CHAPTER 68

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 96-1123

BY REPRESENTATIVES Schauer and Taylor;
also SENATORS Wattenberg and Johnson.**AN ACT****CONCERNING THE LEGAL AGE FOR A PERSON TO SERVE SPIRITUOUS LIQUORS.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 12-47-128 (5) (a) (I), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:**12-47-128. Unlawful acts - gambling - exceptions.** (5) It is unlawful for any person licensed to sell at retail pursuant to this article:

(a) (I) To sell malt, vinous, or spirituous liquors to any person under the age of twenty-one years, to a habitual drunkard, or to a visibly intoxicated person, or to permit any malt, ~~or~~ vinous, OR SPIRITUOUS liquors to be sold or dispensed by a person under eighteen years of age, ~~or spirituous liquors to be sold or dispensed by a person under twenty-one years of age,~~ or to permit any such person to participate in the sale or dispensing thereof. If a person who, in fact, is not twenty-one years of age exhibits a fraudulent proof of age, any action relying on such fraudulent proof of age shall not constitute grounds for the revocation or suspension of any license issued under this article. NOTWITHSTANDING ANY PROVISION IN THIS SUBPARAGRAPH (I) TO THE CONTRARY, NO PERSON UNDER TWENTY-ONE YEARS OF AGE SHALL BE EMPLOYED TO SELL OR DISPENSE MALT, VINOUS, OR SPIRITUOUS LIQUORS UNLESS HE OR SHE IS SUPERVISED BY ANOTHER PERSON WHO IS ON PREMISE AND HAS ATTAINED TWENTY-ONE YEARS OF AGE. NO EMPLOYEE OF A TAVERN LICENSED PURSUANT TO SECTION 12-47-119.5, THAT DOES NOT REGULARLY SERVE MEALS, OR A RETAIL LIQUOR STORE SHALL SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS UNLESS SUCH PERSON IS AT LEAST TWENTY-ONE YEARS OF AGE. FOR PURPOSES OF THIS SUBPARAGRAPH (I), "MEAL" MEANS A QUANTITY OF FOOD OF SUCH NATURE AS IS ORDINARILY CONSUMED BY AN INDIVIDUAL AT REGULAR INTERVALS FOR THE PURPOSE OF SUSTENANCE.

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

SECTION 2. 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.

Approved: April 11, 1996