

CHAPTER 40

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 00-1226

BY REPRESENTATIVES Fairbank, Spence, Stengel, Chavez, Clapp, Hoppe, Kester, King, and Sinclair;
also SENATORS Hillman, Blickensderfer, and Chlouber.

AN ACT

CONCERNING THE CONVERSION OF A LIQUOR-LICENSED DRUGSTORE LICENSE TO A RETAIL LIQUOR STORE
LICENSE UNDER THE "COLORADO LIQUOR CODE".

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

SECTION 1. 12-47-407, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-47-407. Retail liquor store license. (5) A LICENSEE UNDER THE PROVISIONS OF SECTION 12-47-408 WITH A VALID LICENSE IN EFFECT ON JULY 1, 2000, MAY APPLY TO A LOCAL LICENSING AUTHORITY TO CONVERT OR TRANSFER SUCH LICENSE TO A RETAIL LIQUOR STORE LICENSE ISSUED UNDER THE PROVISIONS OF THIS SECTION AND MAY CONTINUE TO OPERATE AS A RETAIL LIQUOR STORE LICENSEE NOTWITHSTANDING THE LIMITATIONS WITH RESPECT TO LOCATION WITHIN FIVE HUNDRED FEET FROM ANY PUBLIC OR PAROCHIAL SCHOOL OR THE PRINCIPAL CAMPUS OF ANY COLLEGE, UNIVERSITY, OR SEMINARY PURSUANT TO THE PROVISIONS OF SECTION 12-47-313 (1) (d) (I). THE LOCAL LICENSING AUTHORITY MAY, BUT SHALL NOT BE REQUIRED TO, CONSIDER THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD PURSUANT TO SECTION 12-47-312 IN MAKING A DETERMINATION ON THE CONVERSION OR TRANSFER TO A RETAIL LIQUOR STORE LICENSE.

SECTION 2. 12-47-408, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-47-408. Liquor-licensed drugstore license. (5) A LICENSEE UNDER THE PROVISIONS OF THIS SECTION WITH A VALID LICENSE IN EFFECT ON JULY 1, 2000, MAY APPLY TO A LOCAL LICENSING AUTHORITY TO CONVERT OR TRANSFER SUCH LICENSE TO A RETAIL LIQUOR STORE LICENSE ISSUED UNDER THE PROVISIONS OF SECTION 12-47-407 AND MAY CONTINUE TO OPERATE AS A RETAIL LIQUOR STORE LICENSEE

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

NOTWITHSTANDING THE LIMITATIONS WITH RESPECT TO LOCATION WITHIN FIVE HUNDRED FEET FROM ANY PUBLIC OR PAROCHIAL SCHOOL OR THE PRINCIPAL CAMPUS OF ANY COLLEGE, UNIVERSITY, OR SEMINARY PURSUANT TO THE PROVISIONS OF SECTION 12-47-313 (1) (d) (I). THE LOCAL LICENSING AUTHORITY MAY, BUT SHALL NOT BE REQUIRED TO, CONSIDER THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD PURSUANT TO SECTION 12-47-312 IN MAKING A DETERMINATION ON THE CONVERSION OR TRANSFER TO A RETAIL LIQUOR STORE LICENSE.

SECTION 3. 12-47-312 (2) (a), Colorado Revised Statutes, is amended to read:

12-47-312. Results of investigation - decision of authorities. (2) (a) Before entering any decision approving or denying the application, the local licensing authority shall consider, except where this article specifically provides otherwise, the facts and evidence adduced as a result of its investigation, as well as any other facts, the reasonable requirements of the neighborhood for the type of license for which application has been made, the desires of the adult inhabitants, the number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration, and any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed; except that the reasonable requirements of the neighborhood shall not be considered in the issuance of a club liquor license. THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD MAY, BUT ARE NOT REQUIRED TO BE, CONSIDERED IN THE CONVERSION OR TRANSFER OF A LIQUOR-LICENSED DRUGSTORE LICENSE TO A RETAIL LIQUOR STORE LICENSE.

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.

Approved: March 16, 2000