

## CHAPTER 45

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 02-1154**

BY REPRESENTATIVE(S) Scott, Mace, Snook, and Spradley;  
also SENATOR(S) Fitz-Gerald.

**AN ACT**

**CONCERNING A PROHIBITION ON ANY RETAIL GAMING LICENSEE WHO HOLDS A LICENSE ISSUED BY THE LIMITED GAMING COMMISSION TO KNOWINGLY PERMIT THE REMOVAL OF AN ALCOHOL BEVERAGE FROM LICENSED PREMISES WHERE THE LIQUOR LICENSE IS FOR ON-PREMISES CONSUMPTION OF ALCOHOL BEVERAGES ONLY.**

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

**SECTION 1.** 12-47-901 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**12-47-901. Unlawful acts - exceptions.** (1) Except as provided in section 18-13-122, C.R.S., it is unlawful for any person:

(m) TO REMOVE AN ALCOHOL BEVERAGE FROM A LICENSED RETAIL GAMING FACILITY WHERE THE LIQUOR LICENSE FOR SUCH FACILITY ALLOWS ONLY ON-PREMISES CONSUMPTION OF ALCOHOL BEVERAGES.

**SECTION 2.** 12-47-901 (9), Colorado Revised Statutes, is amended to read:

**12-47-901. Unlawful acts - exceptions.** (9) It is unlawful for a retail gaming ~~tavern~~ licensee WHO HOLDS A LICENSE ISSUED BY THE LIMITED GAMING COMMISSION to knowingly permit the removal of an alcohol beverage from a licensed premises that is licensed only for on-premises consumption of alcohol beverages. A retail gaming ~~tavern~~ licensee WHO HOLDS A LICENSE ISSUED BY THE LIMITED GAMING COMMISSION shall not be charged with permitting the removal of an alcohol beverage from the licensed premises when the licensee has either:

(a) Stationed personnel at each exit used by the public in order to prevent the removal of an alcohol beverage from the premises; or

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

(b) Posted a sign at least twelve inches wide and eighteen inches high by each exit used by the public that contains the following notice in type that is at least one-half inch in height:

"WARNING

DO NOT LEAVE THE PREMISES OF THIS ESTABLISHMENT WITH AN ALCOHOL BEVERAGE.

IT IS ILLEGAL TO CONSUME AN ALCOHOL BEVERAGE IN A PUBLIC PLACE.

A FINE OF UP TO \$250 MAY BE IMPOSED BY THE COURTS FOR A VIOLATION OF THIS PROVISION."

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 26, 2002