

CHAPTER 290

PROFESSIONS AND OCCUPATIONS

SENATE BILL 04-254

BY SENATOR(S) Teck, Arnold, and Chlouber;
also REPRESENTATIVE(S) Rose, Berry, Hall, Salazar, and Smith.

AN ACT

CONCERNING THE CLARIFICATION OF THE REGULATORY RELATIONSHIP BETWEEN SPECIAL EVENTS AND WINE FESTIVALS, AND, IN CONNECTION THEREWITH, AUTHORIZING JOINT FINES.

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

SECTION 1. 12-48-103 (2), Colorado Revised Statutes, is amended to read:

12-48-103. Grounds for issuance of special permits. (2) (a) A special event permit may be issued under this section notwithstanding the fact that the special event is to be held on premises licensed under the provisions of section ~~12-47-416 or 12-47-417~~ 12-47-403, 12-47-403.5, 12-47-416, OR 12-47-417. The holder of a special event permit issued pursuant to this subsection (2) shall be responsible for any violation of article 47 of this title.

(b) IF A VIOLATION OF THIS ARTICLE OR OF ARTICLE 47 OF THIS TITLE OCCURS DURING A SPECIAL EVENT WINE FESTIVAL AND THE RESPONSIBLE LICENSEE CAN BE IDENTIFIED, SUCH LICENSEE MAY BE CHARGED AND THE APPROPRIATE PENALTIES MAY APPLY. IF THE RESPONSIBLE LICENSEE CANNOT BE IDENTIFIED, THE STATE LICENSING AUTHORITY MAY SEND WRITTEN NOTICE TO EVERY LICENSEE IDENTIFIED ON THE PERMIT APPLICATIONS AND MAY FINE EACH THE SAME DOLLAR AMOUNT. SUCH FINE SHALL NOT EXCEED TWENTY-FIVE DOLLARS PER LICENSEE OR TWO HUNDRED DOLLARS IN THE AGGREGATE. NO JOINT FINE LEVIED PURSUANT TO THIS PARAGRAPH (b) SHALL APPLY TO THE REVOCATION OF A LIMITED WINERIES LICENSE UNDER SECTION 12-47-601.

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: May 25, 2004