

CHAPTER 171

PROFESSIONS AND OCCUPATIONS

SENATE BILL 11-060

BY SENATOR(S) Boyd and White, Aguilar, Foster, Heath, Kopp, Schwartz, Williams S.;
 also REPRESENTATIVE(S) Gardner B. and Kerr A., Balmer, Duran, Fischer, Gerou, Hamner, Holbert, Kerr J., Labuda, Liston,
 McCann, Murray, Nikkel, Pace, Tyler, Vigil, Waller, Williams A., Wilson.

AN ACT

**CONCERNING THE ALCOHOL CONTENT OF ALCOHOL BEVERAGES THAT ARE AVAILABLE FOR
 CONSUMPTION ON A LICENSED PREMISES.**

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

SECTION 1. 12-47-409, Colorado Revised Statutes, is amended to read:

12-47-409. Beer and wine license. (1) A beer and wine license shall be issued to persons selling malt and vinous liquors AND FERMENTED MALT BEVERAGES for consumption on the premises. ~~and such~~ BEER AND WINE licensees shall have SANDWICHES AND LIGHT SNACKS available for consumption on the premises during business hours, ~~sandwiches and light snacks~~, but need not have meals available for consumption.

(2) (a) Every person selling malt and vinous liquors AND FERMENTED MALT BEVERAGES as provided in this section shall purchase ~~such~~ malt and vinous liquors AND FERMENTED MALT BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, DURING A CALENDAR YEAR, any person selling malt and vinous liquors AND FERMENTED MALT BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) Malt and vinous liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

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) A BEER AND WINE LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt and vinous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the malt or vinous liquor OR FERMENTED MALT BEVERAGES purchased, and the price paid for ~~such~~ THE purchase. ~~Such~~ THE BEER AND WINE LICENSEE SHALL RETAIN THE receipt ~~shall be retained~~ and shall ~~be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(3) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a beer and wine license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that such a person may have an interest in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 2. 12-47-410 (1) and (5), Colorado Revised Statutes, are amended to read:

12-47-410. Bed and breakfast permit. (1) In lieu of a hotel and restaurant license, a person operating a bed and breakfast with not more than twenty sleeping rooms that offers complimentary ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES for consumption only on the premises and only by overnight guests may be issued a bed and breakfast permit. A bed and breakfast permittee shall not sell alcohol beverages by the drink and shall not serve alcohol beverages for more than four hours in any one day.

(5) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a bed and breakfast permit to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that a person regulated under this section may have an interest in other bed and breakfast permits, in a license described in section 12-46-104 (1) (c) OR 12-47-401 (1) (j) to (1) (t), or in a financial institution referred to in section 12-47-308 (4).

SECTION 3. 12-47-411 (1), (3), (4), (6), (9), and (13), Colorado Revised Statutes, are amended to read:

12-47-411. Hotel and restaurant license - definition - rules. (1) Except as otherwise provided in subsection (2) of this section, a hotel and restaurant license shall be issued to persons selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES in the place where ~~such liquors~~ THE ALCOHOL BEVERAGES are to be consumed, subject to the following restrictions:

(a) Restaurants shall sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section only to customers of ~~such~~ THE restaurant and only if meals are actually and regularly served and provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the licensed premises.

(b) Hotels shall sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section only to customers of ~~said~~ THE hotel and, except in hotel rooms, only on the licensed premises where meals are actually and regularly served and provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the licensed premises.

(c) Any hotel and restaurant licensee who is open for business and selling ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by the drink shall serve meals between the hours of 8 a.m. and 8 p.m. and meals or light snacks and sandwiches after 8 p.m.; except that nothing in this paragraph (c) shall be construed to require a licensee to be open for business between the hours of 8 a.m. and 8 p.m.

(d) A hotel may be designated as a resort complex if it has at least fifty sleeping rooms and has related sports and recreational facilities located contiguous or adjacent to the hotel for the convenience of its guests or the general public. For purposes of a resort complex only, "contiguous or adjacent" means within the overall boundaries or scheme of development or regularly accessible from the hotel by its members and guests.

(3) Notwithstanding any provision of this article to the contrary, a hotel, licensed pursuant to this article, may:

(a) Furnish and deliver complimentary ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES in sealed containers for the convenience of its guests;

(b) Sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES provided by the hotel in sealed containers, at any time, by means of a minibar located in hotel guest rooms, to adult registered guests of the hotel for consumption in ~~such~~ guest rooms if the price of the ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES is clearly posted. For purposes of this section, "minibar" means a closed container, either nonrefrigerated or refrigerated in whole or in part, access to the interior of which is restricted by means of a locking device that requires the use of a key, magnetic card, or similar device or which is controlled at all times by the hotel.

(c) Enter into a contract with a lodging facility for the purpose of authorizing ~~such~~ THE lodging facility to sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES pursuant to paragraph (b) of this subsection (3) if ~~such~~ THE lodging facility and hotel share common ownership and are located within one thousand feet of one another. The ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES that may be sold pursuant to this paragraph (c) ~~shall~~ MUST be provided by and subject to the control of the licensed hotel. For purposes of this paragraph (c), "common ownership" means a controlling ownership interest that is held by the same person or persons, whether through separate corporations, partnerships, or other legal entities. To determine whether the distance limitation referred to in this paragraph (c) is met, the distance from the property line of the land used for the lodging facility to the portion of the hotel licensed under this article shall be measured using the nearest and most direct routes of pedestrian access.

(4) The state licensing authority shall promulgate rules that prohibit the placement of a container of ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES in a minibar if ~~such~~ THE container has a capacity of more than five hundred

milliliters.

(6) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (6), every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section shall purchase ~~such malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE.

(b) (I) ~~Any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than one thousand dollars' worth of: ~~such~~

(A) ~~Malt, vinous, and spirituous liquors during a calendar year from a retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(II) A HOTEL AND RESTAURANT LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase~~. ~~Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained and shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(9) The registered manager for each hotel and restaurant license or the hotel and restaurant licensee shall purchase ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES for one licensed premises only, and ~~such~~ THE purchases shall be separate and distinct from purchases for any other hotel and restaurant license.

(13) (a) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a hotel and restaurant license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE.

(b) Notwithstanding paragraph (a) of this subsection (13), an owner, part owner, shareholder, or person interested directly or indirectly in a hotel and restaurant license may conduct, own either in whole or in part, or be directly or indirectly interested in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 4. 12-47-412 (1), (2), (3), and (5), Colorado Revised Statutes, are amended to read:

12-47-412. Tavern license. (1) A tavern license shall be issued to persons

selling ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by the drink only to customers for consumption on the premises. ~~and such~~ A TAVERN licensee shall have SANDWICHES AND LIGHT SNACKS available for consumption on the premises during business hours, ~~sandwiches and light snacks~~, but need not have meals available for consumption.

(2) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section shall purchase ~~such malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, ~~any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) Malt, vinous, and spirituous liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) A TAVERN LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase. Such~~ THE ALCOHOL BEVERAGES. THE TAVERN LICENSEE SHALL RETAIN THE receipt ~~shall be retained~~ and ~~shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(3) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in tavern licenses to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that such a person may have an interest in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

(5) The registered manager for each tavern license or the tavern licensee shall purchase ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES for one licensed premises only, and ~~such~~ THE purchases shall be separate and distinct from purchases for any other tavern license.

SECTION 5. 12-47-413, Colorado Revised Statutes, is amended to read:

12-47-413. Optional premises license. (1) An optional premises license shall be granted for optional premises approved by the state and local licensing authorities to persons selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES by the drink only to customers for consumption on the optional premises and for storing ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES in a secure area on or off the optional premises for future use on the optional

premises.

(2) (a) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in an optional premises license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE.

(b) Notwithstanding paragraph (a) of this subsection (2), an owner, part owner, shareholder, or person interested directly or indirectly in an optional premises license may own, either in whole or in part, or be directly or indirectly interested in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 6. 12-47-414 (1), (2), and (4), Colorado Revised Statutes, are amended to read:

12-47-414. Retail gaming tavern license. (1) A retail gaming tavern license shall be issued to persons who are licensed pursuant to section 12-47.1-501 (1) (c), who sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by individual drink for consumption on the premises, and who sell sandwiches or light snacks or who contract with an establishment that provides such food services within the same building as the licensed premises. In no event shall any person hold more than three retail gaming tavern licenses.

(2) (a) Every person selling ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES as described in this section shall purchase ~~such liquors~~ THE ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, ~~any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) MALT, VINOUS, OR SPIRITUOUS liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) A RETAIL GAMING TAVERN LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors from a ~~retail liquor store as provided in this section shall be evidenced by~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase~~. ~~Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained~~ and ~~shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(4) It is unlawful for any owner, part owner, shareholder, or person interested

directly or indirectly in a retail gaming tavern license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that such a person may have an interest in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 7. 12-47-415 (1), the introductory portion to 12-47-415 (2) (a), and 12-47-415 (2) (a) (III), (2) (b), (3), (4), and (5), Colorado Revised Statutes, are amended to read:

12-47-415. Brew pub license. (1) (a) A brew pub license may be issued to any person operating a brew pub and also selling ~~malt, vinous, and spirituous liquors in the place where such liquors are to be consumed~~ ALCOHOL BEVERAGES FOR CONSUMPTION ON THE PREMISES.

(b) A brew pub licensed pursuant to this section to manufacture malt liquors OR FERMENTED MALT BEVERAGES upon its licensed premises may, upon approval of the state licensing authority, manufacture malt liquors OR FERMENTED MALT BEVERAGES upon alternating proprietor licensed premises within the restrictions specified in section 12-47-103 (4).

(2) (a) Except as provided in paragraph (b) of this subsection (2), during the hours established in section 12-47-901 (5) (b), malt liquors OR FERMENTED MALT BEVERAGES manufactured by a brew pub licensee on the licensed premises or alternating proprietor licensed premises may be:

(III) Sold to the public in sealed containers for off-premises consumption. Only malt liquors OR FERMENTED MALT BEVERAGES manufactured and packaged on the licensed premises or alternating proprietor licensed premises by the licensee shall be sold in sealed containers.

(b) A brew pub authorized to manufacture malt liquors OR FERMENTED MALT BEVERAGES upon alternating proprietor licensed premises shall not conduct retail sales of malt liquors OR FERMENTED MALT BEVERAGES from an area licensed or defined as an alternating proprietor licensed premises.

(3) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES pursuant to this section shall purchase ~~such malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES, other than those that are manufactured at the licensed brew pub, from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, DURING A CALENDAR YEAR, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE not more than five hundred dollars' worth of:

(I) Malt, vinous, and spirituous liquors ~~may be purchased during each calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) THE BREW PUB LICENSEE SHALL RETAIN EVIDENCE OF each ~~such~~ purchase of malt, vinous, and spirituous liquors ~~shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the liquor ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase~~. ~~Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained~~ and ~~made~~ MAKE IT available to state and local licensing authorities at all times during business hours.

(4) A brew pub licensee shall sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES for on-premises consumption only if at least fifteen percent of the gross on-premises food and drink income of the business of the licensed premises is from the sale of food. For purposes of this subsection (4), "food" means a quantity of foodstuffs of such nature as is ordinarily consumed by an individual at regular intervals for the purpose of sustenance.

(5) (a) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a brew pub license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE.

(b) Notwithstanding paragraph (a) of this subsection (5), a person interested directly or indirectly in a brew pub license may conduct, own either in whole or in part, or be directly or indirectly interested in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 8. 12-47-416 (1) and (2), the introductory portion to 12-47-416 (4), and 12-47-416 (4) (b), Colorado Revised Statutes, are amended to read:

12-47-416. Club license - legislative declaration. (1) A club license shall be issued to persons selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES by the drink only to members of ~~such~~ THE club and guests and only for consumption on the premises of ~~such~~ THE club.

(2) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section shall purchase ~~such malt, vinous, and spirituous liquors~~ THE ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, ~~any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) Malt, vinous, and spirituous liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) THE CLUB LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase. Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained and shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(4) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a club license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that:

(b) Any person who owns, in whole or in part, directly or indirectly, any other license issued pursuant to this article OR ARTICLE 46 OF THIS TITLE may be listed as an officer or director on a club license if ~~such~~ THE person does not individually manage or receive any direct financial benefit from the operation of ~~such~~ THE license.

SECTION 9. 12-47-417 (1)(a) and (4), Colorado Revised Statutes, are amended to read:

12-47-417. Arts license. (1) (a) An arts license may be issued to any nonprofit arts organization ~~which~~ THAT sponsors and presents productions or performances of an artistic or cultural nature, and ~~shall permit~~ THE ARTS LICENSE PERMITS the licensee to sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES only to patrons of ~~such~~ THE productions or performances for consumption on the licensed premises in connection with ~~such~~ THE productions ~~and~~ OR performances. No person licensed pursuant to this section shall permit any exterior or interior advertising concerning the sale of alcohol beverages on ~~such~~ THE LICENSED premises.

(4) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section shall purchase ~~such malt, vinous, and spirituous liquors~~ THE ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, ~~any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) Malt, vinous, and spirituous liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) AN ARTS LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH

PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase. Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained and shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

SECTION 10. 12-47-418, Colorado Revised Statutes, is amended to read:

12-47-418. Racetrack license. (1) A racetrack licensee may sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES by the drink for consumption on the licensed premises only to customers of ~~such~~ THE racetrack and shall serve food as well as ~~such liquors~~ ALCOHOL BEVERAGES.

(2) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section shall purchase ~~such malt, vinous, and spirituous liquors~~ THE ALCOHOL BEVERAGES only from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, ~~any~~ DURING A CALENDAR YEAR, A person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES as provided in this section may purchase not more than five hundred dollars' worth of: ~~such~~

(I) Malt, vinous, and spirituous liquors ~~during a calendar year~~ from a ~~retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) A RACETRACK LICENSEE SHALL RETAIN EVIDENCE OF each purchase of malt, vinous, or spirituous liquors ~~as provided in this section shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase. Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained and shall be~~ MAKE IT available to the state and local licensing authorities at all times during business hours.

(3) If any person holds a valid license pursuant to this article to sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES by the drink for consumption on the licensed premises, ~~such~~ THE person ~~shall~~ IS not ~~be~~ required to obtain a racetrack class license pursuant to this section if simulcast races with pari-mutuel wagering occur on ~~such~~ THE licensed premises.

(4) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a racetrack license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that a person licensed under this section may have an interest in a license described in section 12-46-104 (1) (c),

12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 11. 12-47-419, Colorado Revised Statutes, is amended to read:

12-47-419. Public transportation system license. (1) THE STATE LICENSING AUTHORITY SHALL ISSUE a public transportation system license ~~shall be issued by the state licensing authority~~ to every person operating a public transportation system ~~selling any malt, vinous, or spirituous liquors~~ THAT SELLS ALCOHOL BEVERAGES by the drink to be served and consumed in or upon any dining, club, or parlor car; plane; bus; or other conveyance of ~~such~~ THE public transportation system. A public transportation system license issued to a commercial airline ~~shall be deemed to authorize such~~ AUTHORIZES THE licensee to sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by the drink in an airport or airport concourse private club room that is in existence and operated by ~~such~~ THE licensee on or before April 1, 1995. A public transportation system license issued to a common carrier railroad ~~shall be deemed to authorize such~~ AUTHORIZES THE licensee to sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by the drink at any event not open to the public that is held in a museum owned and operated by the licensee ~~so long as~~ IF the licensee ~~has notified~~ NOTIFIES the appropriate local law enforcement agency of ~~such~~ THE event no later than fourteen days prior to the scheduled date of the event.

(2) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in a public transportation system license to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that a person licensed under this section may be interested in a ~~license described in section 12-47-401 (1) (j) to (1) (t) or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4), and a licensed public transportation system may be interested in~~ any other retail liquor license ISSUED PURSUANT TO THIS ARTICLE OR ARTICLE 46 OF THIS TITLE or in a financial institution referred to in section 12-47-308 (4).

SECTION 12. 12-47-420 (1), (3), (4), and (5), Colorado Revised Statutes, are amended to read:

12-47-420. Vintner's restaurant license. (1) A vintner's restaurant license may be issued to a person operating a vintner's restaurant and also selling ~~malt, vinous, and spirituous liquors in the place where such liquors are to be consumed~~ ALCOHOL BEVERAGES FOR CONSUMPTION ON THE PREMISES.

(3) (a) Every person selling ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES pursuant to this section shall purchase ~~such malt, vinous, and spirituous liquors~~ THE ALCOHOL BEVERAGES, other than those that are manufactured at the licensed vintner's restaurant, from a wholesaler licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that, DURING A CALENDAR YEAR, A PERSON MAY PURCHASE not more than five hundred dollars' worth of:

(I) Malt, vinous, and spirituous liquors ~~may be purchased during each calendar year from a retail liquor store~~ RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

(II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c).

(b) THE VINTNER'S RESTAURANT LICENSEE SHALL RETAIN EVIDENCE OF each ~~such~~ purchase of malt, vinous, and spirituous liquors ~~shall be evidenced by~~ FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE FORM OF a purchase receipt showing the name of the ~~retail liquor store~~ LICENSED RETAILER, the date of purchase, a description of the ~~liquor~~ ALCOHOL BEVERAGES purchased, and the price paid for ~~such purchase.~~ ~~Such~~ THE ALCOHOL BEVERAGES. THE LICENSEE SHALL RETAIN THE receipt ~~shall be retained~~ and ~~made~~ MAKE IT available to state and local licensing authorities at all times during business hours.

(4) A vintner's restaurant licensee ~~shall~~ MAY sell ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES for on-premises consumption only if at least fifteen percent of the gross on-premises food and drink income of the business of the licensed premises is from the sale of food.

(5) (a) Subject to paragraph (b) of this subsection (5), it is unlawful for an owner, part owner, shareholder, or person interested directly or indirectly in a vintner's restaurant license to conduct, own either in whole or in part, or be directly or indirectly interested in another business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE.

(b) A person interested directly or indirectly in a vintner's restaurant license may conduct, own either in whole or in part, or be directly or indirectly interested in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), or 12-47-410 (1) or in a financial institution referred to in section 12-47-308 (4).

SECTION 13. 12-47-422 (1), (4), (6), and (8), Colorado Revised Statutes, are amended to read:

12-47-422. Art gallery permit - definition. (1) A person operating an art gallery that offers complimentary ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES for consumption only on the premises may be issued an art gallery permit, which shall be renewed annually. An art gallery permittee shall not, directly or indirectly, sell alcohol beverages by the drink, shall not serve alcohol beverages for more than four hours in any one day, and shall not serve alcohol beverages more than fifteen days per year of licensure.

(4) An art gallery shall not charge an entrance fee or a cover charge in connection with offering complimentary ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES for consumption only on the premises.

(6) It is unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in an art gallery permit to conduct, own either in whole or in part, or be directly or indirectly interested in any other business licensed pursuant to this article OR ARTICLE 46 OF THIS TITLE; except that a person regulated under this section may have an interest in other art gallery permits, in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), OR 12-47-410 (1), or in a

financial institution referred to in section 12-47-308 (4).

(8) An art gallery issued a permit shall not intentionally allow more than two hundred fifty people to be on the premises at one time when alcohol ~~is~~ BEVERAGES ARE being served.

SECTION 14. 12-47-901 (1) (h) (II), (1) (h) (IV), (5) (i) (I), (5) (j), (5) (m), and (8), Colorado Revised Statutes, are amended 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:

(h) (II) Notwithstanding subparagraph (I) of this paragraph (h), it ~~shall not be~~ IS NOT unlawful for a person who is at least twenty-one years of age to consume malt, vinous, or spirituous liquors while ~~such~~ THE person is a passenger aboard a luxury limousine, as defined in section 40-16-101 (3), C.R.S., or a charter or scenic bus, as defined in section 40-16-101 (1.3), C.R.S. Nothing in this subparagraph (II) ~~shall be construed to authorize~~ AUTHORIZES an owner or operator of a luxury limousine or charter or scenic bus to sell or distribute ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES without obtaining a public transportation system license pursuant to section 12-47-419.

(IV) Notwithstanding subparagraph (I) of this paragraph (h), it ~~shall not be~~ IS NOT unlawful for adult patrons of an art gallery permittee to consume ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGES on the premises when the consumption is conducted within the limitations of a valid permit granted pursuant to section 12-47-422.

(5) It is unlawful for any person licensed to sell at retail pursuant to this article:

(i) (I) To sell malt, vinous, or spirituous liquors OR FERMENTED MALT BEVERAGES in a place where the ~~same~~ ALCOHOL BEVERAGES are to be consumed, unless ~~such~~ THE place is a hotel, restaurant, tavern, racetrack, club, retail gaming tavern, or arts licensed premises or unless ~~such~~ THE place is a dining, club, or parlor car; plane; bus; or other conveyance or facility of a public transportation system.

(j) To display or cause to be displayed, on the licensed premises, any exterior sign advertising any particular brand of malt liquors OR FERMENTED MALT BEVERAGES unless the particular brand so designated in the sign is dispensed on draft or in sealed containers within the licensed premises wherein the sign is displayed;

(m) To require a wholesaler to make delivery to any premises other than the specific hotel and restaurant premises where the ~~malt, vinous, or spirituous liquor~~ ALCOHOL BEVERAGE is to be sold and consumed if ~~such~~ THE person is a hotel and restaurant licensee or the registered manager of a hotel and restaurant license requires ~~such~~ THE delivery;

(8) It is unlawful for any manufacturer or wholesaler licensed pursuant to article 46 of this title to sell, deliver, or cause to be delivered to any ~~retail licensee~~ PERSON LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408 any beverage containing alcohol in excess of three and two-tenths percent by weight or four percent by

volume, or for any fermented malt beverage retailer LICENSED PURSUANT TO ARTICLE 46 OF THIS TITLE to sell, possess, or permit the consumption on the premises of any of the beverages containing alcohol in excess of three and two-tenths percent by weight or four percent by volume, or for any fermented malt beverage retail licensee LICENSED PURSUANT TO ARTICLE 46 OF THIS TITLE to hold or operate under any license for the sale of any beverages containing alcohol in excess of three and two-tenths percent by weight or four percent by volume for the same premises. Any violation by any fermented malt beverage licensee LICENSED PURSUANT TO ARTICLE 46 OF THIS TITLE of the provisions of this subsection (8) shall immediately cause the cancellation of INVALIDATES the license granted under this article 46 OF THIS TITLE.

SECTION 15. 12-47-102 (2), Colorado Revised Statutes, is amended to read:

12-47-102. Legislative declaration. (2) The general assembly further declares that it is lawful to manufacture and sell for beverages or medicinal purposes ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES, subject to the terms, conditions, limitations, and restrictions in this article.

SECTION 16. 12-47-103 (3), (4), (5), (13), (14), (22) (a) (I), and (38), Colorado Revised Statutes, are amended to read:

12-47-103. Definitions. As used in this article and article 46 of this title, unless the context otherwise requires:

(3) "Bed and breakfast" means an overnight lodging establishment that provides at least one meal per day at no charge other than a charge for overnight lodging and does not sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES by the drink.

(4) "Brew pub" means a retail establishment that manufactures not more than one million eight hundred sixty thousand gallons of malt liquor AND FERMENTED MALT BEVERAGES on its licensed premises or licensed alternating proprietor licensed premises, combined, each calendar year.

(5) "Brewery" means any establishment where malt liquors OR FERMENTED MALT BEVERAGES are manufactured, except brew pubs licensed under this article.

(13) "License" means a grant to a licensee to manufacture or sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES as provided by this article.

(14) "Licensed premises" means the premises specified in an application for a license under this article ~~which~~ THAT are owned or in possession of the licensee within which ~~such~~ THE licensee is authorized to sell, dispense, or serve ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES in accordance with ~~the provisions of~~ this article.

(22) (a) "Optional premises" means:

(I) The premises specified in an application for a hotel and restaurant license under this article with related outdoor sports and recreational facilities for the convenience of its guests or the general public located on or adjacent to the hotel or restaurant within which ~~such~~ THE licensee is authorized to sell or serve ~~malt, vinous,~~

~~or spirituous liquors~~ ALCOHOL BEVERAGES in accordance with ~~the provisions of this~~ article and at the discretion of the state and local licensing authorities; or

(38) "Tavern" means an establishment serving ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES in which the principal business is the sale of ~~such~~ ALCOHOL beverages at retail for consumption on the premises and where sandwiches and light snacks are available for consumption on the premises.

SECTION 17. 12-47-105, Colorado Revised Statutes, is amended to read:

12-47-105. Local option. The operation of this article shall be statewide unless any municipality or city and county, by a majority of the registered electors of any municipality or city and county, voting at any regular election or special election called for that purpose in accordance with the election laws of this state, decides against the right to sell ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES or to limit ~~such~~ THE sale OF ALCOHOL BEVERAGES to any one or more of the classes of licenses as provided by this article within their respective limits. Said local option question shall be submitted only upon a petition signed by not less than fifteen percent of the registered electors in ~~such~~ THE municipality or city and county; otherwise, the procedure with reference to the calling and holding of ~~said~~ THE elections shall be substantially in accordance with the election laws of the state. The expenses of ~~such~~ THE election shall be borne by the municipality or city and county in which ~~said~~ THE elections are held. The question of prohibition of sale of ~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES or the limitation of sales to any one or more of the classes of licenses provided in this article shall not be submitted to the registered electors more than once in any four-year period.

SECTION 18. 12-47-301 (6) (a), Colorado Revised Statutes, is amended to read:

12-47-301. Licensing in general. (6) (a) Licensees at facilities owned by a municipality, county, or special district or at publicly or privately owned sports and entertainment venues with a minimum seating capacity of one thousand five hundred seats may possess and serve for on-premises consumption any type of ~~malt, vinous, and spirituous liquor or fermented malt~~ ALCOHOL beverage as may be permitted pursuant to guidelines established by the local and state licensing authorities, and THE LICENSEES need not have meals available for consumption. ~~However, fermented malt beverages and malt, vinous, and spirituous liquors may not be served on the same premises at the same time.~~

SECTION 19. 12-47-308 (8), Colorado Revised Statutes, is amended to read:

12-47-308. Unlawful financial assistance. (8) It is unlawful for an owner, part owner, shareholder, or person interested directly or indirectly in a brew pub or vintner's restaurant license to conduct, own in whole or in part, or be directly or indirectly interested in a wholesaler's license issued under this article OR ARTICLE 46 OF THIS TITLE.

SECTION 20. The introductory portion to 12-47-309 (1), Colorado Revised Statutes, is amended to read:

12-47-309. Local licensing authority - applications - optional premises

licenses. (1) A local licensing authority may issue only the following ~~malt, vinous, and spirituous liquor~~ ALCOHOL BEVERAGE licenses upon payment of the fee specified in section 12-47-505:

SECTION 21. 12-47-310 (4), Colorado Revised Statutes, is amended to read:

12-47-310. Optional premises license - local option. (4) An applicant for an optional premises license who desires to sell, dispense, or serve alcohol beverages on optional premises shall file with the optional premises license application a list of the optional premises locations and the area in which the applicant desires to store ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES for future use on the optional premises. The APPLICANT SHALL FILE THE application and additional information ~~shall be filed~~ with the state and local licensing authorities upon initial application, and each license year thereafter. Approval of the license and areas must be obtained from the state licensing authority and the local licensing authority. The decision of each authority shall be discretionary. In the event that the state and local licensing authorities allow the area or areas to be designated optional premises, no alcohol beverages may be served on the optional premises without the licensee having provided written notice to the state and local licensing authorities forty-eight hours prior to serving alcohol beverages on the optional premises. ~~Such~~ THE notice ~~shall~~ MUST contain the specific days and hours on which the optional premises are to be used. This subsection (4) ~~shall~~ DOES NOT ~~be construed to~~ permit the violation of any other provision of this article under circumstances not specified in this subsection (4).

SECTION 22. 12-47-311 (5) (b) (IV), Colorado Revised Statutes, is amended to read:

12-47-311. Public notice - posting and publication. (5) (b) As used in this subsection (5), "party in interest" means any of the following:

(IV) The principal or representative of any school located within five hundred feet of the premises for which THE ISSUANCE OF a ~~malt, vinous, or spirituous liquor~~ license PURSUANT TO SECTION 12-47-309 (1) is under consideration.

SECTION 23. 12-47-313 (1) (a) (I), (1) (a) (III), and (1) (d) (I), Colorado Revised Statutes, are amended to read:

12-47-313. Restrictions for applications for new license. (1) No application for the issuance of any license specified in section 12-47-309 (1) or 12-46-107 (1) shall be received or acted upon:

(a) (I) If ~~such~~ THE application for a ~~malt, vinous, or spirituous liquor~~ license DESCRIBED IN SECTION 12-47-309 (1) concerns a particular location that is the same as or within five hundred feet of a location for which, within the two years next preceding the date of the application, the state or a local licensing authority denied an application for the same class of license for the reason that the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by the existing outlets.

(III) No licensing authority shall consider an application for any license to sell

fermented malt beverages at retail PURSUANT TO SECTION 12-46-107 (1) if, within one year ~~next preceding~~ BEFORE the date of the application, the state or a local licensing authority has denied an application at the same location for the reason that the reasonable requirements of the neighborhood or the desires of the inhabitants were satisfied by the existing outlets.

(d) (I) If the building in which the ~~malt, vinous, or spirituous liquor is~~ ALCOHOL BEVERAGES ARE to be sold PURSUANT TO A LICENSE DESCRIBED IN SECTION 12-47-309 (1) is located within five hundred feet of any public or parochial school or the principal campus of any college, university, or seminary; except this provision shall not affect the renewal or reissuance of a license once granted or apply to licensed premises located or to be located on land owned by a municipality, or apply to an existing licensed premises on land owned by the state, or apply to a liquor license in effect and actively doing business before ~~said~~ THE principal campus was constructed, or apply to any club located within the principal campus of any college, university, or seminary that limits its membership to the faculty or staff of ~~such~~ THE institution.

SECTION 24. The introductory portion to 12-47-401 (1), Colorado Revised Statutes, is amended to read:

12-47-401. Classes of licenses. (1) For the purpose of regulating the manufacture, sale, and distribution of ~~malt, vinous, and spirituous liquors~~ ALCOHOL BEVERAGES, the state licensing authority in its discretion, upon application in the prescribed form made to it, may issue and grant to the applicant a license from any of the following classes, subject to the provisions and restrictions provided by this article:

SECTION 25. 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 13, 2011