

PROPOSED INITIATIVE 2015-2016 #__

CHANGE TO THE COLORADO BEER CODE DEFINITION OF FERMENTED MALT BEVERAGES TO INCLUDE ALL BEER PRODUCTS

Designated Representatives

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Text of Measure :

Be it Enacted by the People of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend 12-46-102** as follows:

Legislative Declaration. (1) The general assembly hereby declares that it is in the public interest that fermented malt beverages shall be manufactured, imported, and sold only by persons licensed as provided in this article. The general assembly further declares that it is lawful to manufacture and sell fermented malt beverages ~~containing not more than three and two tenths percent alcohol by weight~~ subject to the provisions of this article and applicable provisions of articles 47 and 48 of this title.

(2) The general assembly recognizes that fermented malt beverages are GENERALLY separate and distinct from malt, vinous, and spirituous liquors, and as such require a separate and distinct regulatory framework under this article. To aid administrative efficiency, however, the provisions in article 47 of this title shall apply to the regulation of fermented malt beverages, except when otherwise expressly provided for in this article.

SECTION 2. In Colorado Revised Statutes, **amend 12-46-103** as follows:

(1) "Fermented malt beverage" ~~means any beverage~~ INCLUDES ALL BEER AND MALT LIQUORS AND MEANS ANY BEVERAGE obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any similar product or any combination thereof in water containing not less than ONE PERCENT ~~one-half of one percent~~ alcohol by volume ~~and not more than three and two tenths percent alcohol by weight or four percent alcohol by volume~~; except that "fermented malt beverage" shall not include confectionery containing alcohol within the limits prescribed by section 25-5-410 (1) (i) (II), C.R.S.

SECTION 3. In Colorado Revised Statutes, **add 12-46-108** as follows:

12-46-108. DUTIES OF STATE LICENSING AUTHORITY. THE STATE LICENSING AUTHORITY SHALL MAKE SUCH GENERAL RULES AND REGULATIONS AND SUCH SPECIAL RULINGS AND FINALIZE AS ARE

NECESSARY TO IMPLEMENT CHANGES TO THE COLORADO BEER CODE NO LATER THAN JULY 1, 2017.

SECTION 4. Effective date. July 1, 2017.