



Business, Labor, & Technology Committee  
Colorado General Assembly  
200 E Colfax Avenue  
Denver, CO 80203

Members of the Business Affairs Committee,

We appreciated the opportunity to be involved in the conversation on March 7<sup>th</sup> surrounding *SB22-132 - Allowing Vintner's Restaurants to Deliver-To-Consumer*. And while we appreciated hearing the proponent's perspective, we continue to have serious concerns about this potential legislation.

I urge you to consider the following:

- The CLBA is in full support of Colorado small businesses but as we talk about supporting Colorado businesses, I urge you to **support the 1600 Colorado businesses versus just a few special interests**. The 1600 independent liquor retailers in Colorado are predominantly small mom & pop stores and are overwhelmingly minority - *68% English as a Second Language, 50% women owned, as well as a significant number of Eritrean, Ethiopian, Indian, Korean and other minority populations*. These businesses are their primary source of income - it is what pays their mortgages, puts food on their tables, and sends their kids to college. If changes are to be made to these laws – despite how ‘small’ these changes currently seem – it will have a dire long-term impact on the entire Colorado liquor industry.
- As we continually see, local liquor stores are caught in the middle as they continue to abide by the rules that were set forth – they built their businesses on them – but many just want to push them aside. **The small retail liquor stores have developed their business models based on the structure of Colorado's current laws governing liquor**. They've made significant financial commitments to their infrastructure (vehicles, safety training, inventory shifts) and adjusted their business model due to constant changes. And now, not only are they having to challenge large out-of-state businesses trying to come in and change the rules, they're also having to fight companies in their own backyard who want to do the same.
- **Any liquor license is a privilege and not a right**. The privilege comes with the obligation to follow many laws, rules, and regulations other types of businesses don't have to follow, some of which are inconvenient or burdensome. If every liquor licensee is able to get a special interest bill passed to eliminate or change those laws, rules, or regulations that are inconvenient to their business, then the floodgates will open. Nearly every liquor licensee could benefit by getting an exemption from laws, rules, and regulations they don't like. The legislature should not go down this dangerous path of **accommodating licensees who want special exemptions**.

- A Vintner's Licensee can **manufacture significantly more** (2.5x) than a Limited Winery Licensee. This bill would allow Vintners Restaurants to ship 2.5 times more product than any other licensee. More product being shipped allows for more **loss of safeguards**.
- As a vinous product, **Hard Cideries** are also allowed to hold a Vintners License – again, allowing for direct-to-consumer shipping. This creates a very **bad precedent** and opportunity for further erosion of the three-tier system as it opens up the door to craft distillers and craft brewers promoting direct-to-consumer as well.
- A Vintners Restaurant Licensee can have an **unlimited number of licenses**. This opens another loophole for **'franchising' and 'chains'** if this bill is passed.
- This potential bill promotes **Third Party Delivery** of its products - which is **dangerous for Colorado communities**. By shipping directly to consumers, the bill opens up individuals without liquor licenses to deliver alcohol - which enables breaking the rules around the safe sale/delivery of alcohol (i.e preventing serving minors). Shipping directly to consumers increases the likelihood of underage access as common carriers conduct little to no age verification, and when attempted, fail about half the time. [\*The Journal of Pediatrics and Adolescent Medicine\*](#) found only 12% of alcohol orders placed by underage purchasers were rejected as a result of age verification and 45% of orders placed by underage purchasers were successfully received.

We very much appreciate the opportunity to share a more in-depth picture of why Colorado's liquor laws are structured as they are and how one policy change can be detrimental to the overall balance. We are committed to having conversations around modifications that may be needed over time, but these must not be done in a vacuum and must balance the entire structure ultimately meant to ensure public safety and consumer protection. Colorado Liquor Code is like a tightly woven tapestry that quickly unravels when any portion is pulled or disturbed. We fear that any change to the existing laws could cause significant and unintended damage to our Three-Tier System, ultimately causing the consumer to pay much more for products from small local companies.

Nina Carran,

Owner

354 Blue River Parkway \* Silverthorne, Colorado 80498



March 7, 2022

**Board of Directors**

**Colorado Licensed Beverage Association Impact Statement  
SB-132: Vintners Restaurant Licensees Shipping Direct to Consumer**

**Officers**

President-Omar Malik,  
TigerPOS, Grape Leaf Wine &  
Spirits  
Central Park

On behalf of the Board of Directors and their members, the Colorado Licensed Beverage Association and its Board of Directors have serious concerns about potential legislation allowing businesses holding a Vintners Restaurant License to be able to ship their products directly to consumers.

Treasurer-Bruce Gallagher,  
Bonnie Brae Liquor  
Denver

The CLBA will continue to **Actively Oppose** any proposed changes to statutes related to the delivery of alcohol – regardless of the licensee. Not only is this another eroding ‘tweak’ to current liquor laws and the Three-Tier system, it opens the door to numerous safeguards being broken as well as outside interests manipulating this alteration.

Secretary-Jim Radcliffe,  
Westlake Wine & Spirits  
Greeley

**Directors**

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Kit Abrams,  
Queen Liquor  
Colorado Springs

I urge you to consider the following statements from real Colorado business owners which illustrate the harm this bill could have on Colorado liquor laws and the independent, local liquor store:

Chris Carran,  
Locals Liquor  
Silverthorne

*Seeing how liquor laws have continued to change despite small liquor stores agreeing to a compromise 6 years ago, this is just another loophole – and a dangerous one – that’s trying to be created. Even though the intentions seem harmless, they will have vast repercussions. Repercussions such as underage drinking and creating loopholes for big business. This is just a bad idea for Coloradans.*

Bruce Dierking,  
Hazel’s Beverage World  
Boulder

**Omar Malik  
Owner, Grape Leaf Wine & Spirits, Denver  
CLBA Board President**

Bernie van de Boogard,  
Chief Liquor  
Alamosa

*When my wife and I decided to open a liquor store, we learned that a liquor license is a privilege and not a right. The privilege comes with the obligation to follow many laws, rules, and regulations other types of businesses don’t have to follow, some of which are inconvenient or burdensome. But we follow them because we are selling a controlled substance that has significant public safety risks, and it is appropriate for the government to regulate our industry and have safeguards in place to protect the public. If every liquor licensee is able to hire up lobbyists and get a special interest bill passed to eliminate or change those laws, rules, or regulations that are inconvenient to their business, then the floodgates will open. Nearly every liquor licensee could benefit their business by getting an exemption from laws, rules, and regulations they don’t like. The legislature should not go down this dangerous path of accommodating licensees who want a special exemption.*

Carolyn Joy,  
Joy Wine & Spirits  
Denver

**Bruce Dierking  
Owner, Hazel’s Beverage World, Boulder**

John Justice,  
Christie’s Liquor  
Dinosaur

*In my option this bill is nothing more than an attempt to erode Colorado's three tier system. It opens doors for more sales to underage people. It also allows the entities that hold vintner’s licenses to have an unlimited amount of license’s which is unfair to the rest of the state’s liquor license holders. It could also result in less taxes being collected.*

Chris Fine,  
Executive Director

**John Justice  
Owner, Christie’s Liquor, Dinosaur**

Jeanne McEvoy,  
Consultant

Kara Miller,  
Lobbyist

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Denver, CO 80209-0241  
720-299-7398

*After having been a second-generation, woman owned liquor store proprietress for 37 years on the westside of Colorado Springs, I can say in all honesty that customer, citizen and neighborhood safety has been one the most important focuses in my business.*

*Permitting third party delivery allows individuals without liquor licenses to potentially violate rules such as selling to minors, visibly intoxicated individuals, etc. that those of us with retail liquor licenses are responsible to abide by.*

**Kit Abrams**

**Owner, Queen Liquor, Colorado Springs**

*I am the owner of Chief Liquor in Alamosa Colorado. I would like to give a brief insight as to what a third-party delivery system would be like in rural Colorado. If Ups or Fed Ex is delivering alcohol, 90 percent of the time no one is at home and the package is just dropped off. Minors would be able to access alcohol far more easily because of no one is usually at home and their parents would never know. As a liquor store we have very strict guidelines to the selling of alcohol to minors and intoxicated people. Why would you abandon those rules, so that it could be delivered to any one's home? The UPS driver is not going to be liable for what he delivers..*

**Bernie van de Boogard**

**Owner, Chief Liquor, Alamosa**

*As we talk about supporting local businesses, let's support the 1600 Colorado businesses versus just one special interest. As we continually see, local liquor stores are caught in the middle as we continue to abide by the rules that were set forth – we built our businesses on them! – but many just want to push them aside. And now, not only are we having to challenge large out-of-state businesses trying to come in and change the rules, we're also having to fight folks in our own backyard who want to do the same.*

**Carolyn Joy**

**Owner, Joy Wine & Spirits, Denver**

*In regards to the delivery aspect this is such a dangerous situation that we are already fighting daily here in Colorado. Deliveries are being made in NON-company owned/leased vehicles allowing for personal liability to occur, as well as the proper tools for delivery. We are hearing of deliveries being left outside and it is only a matter of time until a minor gets their hands-on product and causes severe damage to themselves or others.*

*As for the licenses, this is so dangerous with the possibility of change. The allotment of licenses is going to go get out of control and will open up the market to chains to complete take over Colorado and take out the small mom and pop run businesses.*

**Bruce Gallagher**

**Owner, Bonnie Brae Liquor, Denver**

*Public safety and accountability is a major concern and an obligation for all off-premise Liquor Licensee holders in the state of Colorado. This bill by shipping directly to consumers, opens up the opportunity for individual and third parties to deliver alcohol without a liquor license, enabling the rules to be broken. It also opens up a possibility of selling alcohol to a minor, which is highly illegal and opens concern to public safety and the accountability involved with selling alcohol.*

**Jim Radcliffe**

**Owner, Westlake Wine & Spirits, Greeley**

#### IN CLOSING

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March 9, 2022

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Spirits  
Central Park

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We urge consideration of the following:

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Sincerely,

Chris Fine  
Executive Director