

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 9, 2023
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB23-1061 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, strike "A" and substitute "EXCEPT AS
2 PROVIDED IN SUBSECTION (1)(c) OF THIS SECTION, A".
- 3 Page 2, line 14, strike "and" and substitute "~~and~~".
- 4 Page 3, strike line 1 and substitute "days per year; ~~of licensure~~:"
- 5 (IV) SERVE MALT LIQUOR OR VINOUS LIQUOR OF A SERVING SIZE
6 OF MORE THAN TWELVE OUNCES;
- 7 (V) SERVE SPIRITUOUS LIQUOR OF A SERVING SIZE OF MORE THAN
8 SIX OUNCES;
- 9 (VI) HOLD ANY OTHER LICENSE ISSUED UNDER THIS ARTICLE 3 OR
10 4 OF THIS TITLE 44;
- 11 (VII) SERVE OR DISTRIBUTE ALCOHOL BEVERAGES BETWEEN 2 A.M.
12 AND 7 A.M.;
- 13 (VIII) PERMIT A PERSON UNDER EIGHTEEN YEARS OF AGE TO SELL,
14 DISPENSE, OR PARTICIPATE IN THE SALE OR DISPENSING OF AN ALCOHOL
15 BEVERAGE; OR
- 16 (IX) PERMIT A PERSON EIGHTEEN YEARS OF AGE OR OLDER AND
17 UNDER TWENTY-ONE YEARS OF AGE TO SELL, DISPENSE, OR PARTICIPATE
18 IN THE SALE OR DISPENSING OF AN ALCOHOL BEVERAGE, UNLESS THE
19 PERSON IS SUPERVISED BY ANOTHER PERSON WHO IS ON THE PERMITTED
20 PREMISES AND IS AT LEAST TWENTY-ONE YEARS OF AGE.
- 21 (c) (I) THIS SECTION APPLIES TO A RETAIL ESTABLISHMENT THAT
22 IS:
- 23 (A) AN ART GALLERY; OR
- 24 (B) ANY OTHER RETAIL ESTABLISHMENT, EXCEPT RETAIL
25 ESTABLISHMENTS DESCRIBED IN SUBSECTION (1)(c)(II) OF THIS SECTION,
26 THAT HAS NO MORE THAN TWENTY-FIVE EMPLOYEES AND HAS RETAIL

1 SALES OF NO MORE THAN FIVE MILLION DOLLARS PER YEAR.
2 (II) THIS SECTION DOES NOT APPLY TO A RETAIL ESTABLISHMENT
3 THAT:
4 (A) SELLS FIREARMS, MOTOR VEHICLES, MARIJUANA, GASOLINE,
5 OR DIESEL FUEL;
6 (B) EDUCATES STUDENTS FROM KINDERGARTEN TO TWELFTH
7 GRADE OR PROVIDES CHILD CARE; OR
8 (C) IS A CONVENIENCE STORE."

9 page 4, strike lines 12 through 22 and substitute:

10 "(7) As used in this section, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "Art gallery" means ~~an~~ A RETAIL establishment ~~whose~~ THAT
13 HAS THE primary purpose ~~is to exhibit and offer~~ OF EXHIBITING AND
14 OFFERING for sale works of fine art as defined in section 6-15-101 or
15 precious or semiprecious metals or stones as defined in section
16 18-16-102.

17 (b) "RETAIL ESTABLISHMENT" MEANS AN ESTABLISHMENT THAT
18 HAS THE PRIMARY PURPOSE OF SELLING GOODS OR SERVICES TO THE
19 PUBLIC AND THAT:

20 (I) CONDUCTS THE BUSINESS DESCRIBED IN SUBSECTION (7)(a) OF
21 THIS SECTION AT A PHYSICAL BUILDING IN COLORADO; AND

22 (II) DERIVES LESS THAN FIFTY PERCENT OF THE ESTABLISHMENT'S
23 GROSS SALES OF GOODS AND SERVICES FROM THE SALE OF FOOD."

24 Page 6, line 2, strike "one" and substitute "~~one~~ TWO".

** ** ** ** **