

## CHAPTER 333

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**PROFESSIONS AND OCCUPATIONS**


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## SENATE BILL 17-269

BY SENATOR(S) Marble and Aguilar, Baumgardner, Cooke, Gardner, Hill, Holbert, Kagan, Kefalas, Martinez Humenik, Moreno, Neville T., Priola, Scott, Sonnenberg, Grantham;  
also REPRESENTATIVE(S) Winter and McKean, Hamner, Van Winkle, Williams D., Young.

**AN ACT**

**CONCERNING THE EXCLUSION OF SPECIFIED NONALCOHOL PRODUCTS FROM THE CALCULATION OF THE MAXIMUM AMOUNT OF A RETAIL LIQUOR STORE'S ANNUAL GROSS SALES REVENUE THAT MAY BE DERIVED FROM THE SALE OF NONALCOHOL PRODUCTS.**

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

**SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend** the introductory portion and (31) as follows:

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

(31) "Retail liquor store" means an establishment engaged only in the sale of malt, vinous, and spirituous liquors IN SEALED CONTAINERS FOR CONSUMPTION OFF THE PREMISES and nonalcohol products, but only if the annual gross revenues from the sale of nonalcohol products ~~does~~ DO not exceed twenty percent of the retail liquor ~~store's~~ STORE ESTABLISHMENT'S total annual gross SALES revenues, AS DETERMINED IN ACCORDANCE WITH SECTION 12-47-407 (1)(b).

**SECTION 2.** In Colorado Revised Statutes, 12-47-407, **amend** (1)(b) as follows:

**12-47-407. Retail liquor store license.** (1) (b) In addition, retail liquor stores may sell any nonalcohol products, but only if the annual gross revenues from the sale of nonalcohol products do not exceed twenty percent of the retail liquor store's total annual gross SALES revenues. FOR PURPOSES OF CALCULATING THE ANNUAL GROSS REVENUES FROM THE SALE OF NONALCOHOL PRODUCTS, SALES REVENUES FROM THE FOLLOWING PRODUCTS ARE EXCLUDED:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(I) LOTTERY PRODUCTS;

(II) CIGARETTES, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS, AS DEFINED IN SECTION 18-13-121 (5);

(III) ICE, SOFT DRINKS, AND MIXERS; AND

(IV) NONFOOD ITEMS RELATED TO THE CONSUMPTION OF MALT, VINOUS, OR SPIRITUOUS LIQUORS.

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2017