

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0693.02 Sarah Lozano x3858

SENATE BILL 22-132

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SENATE SPONSORSHIP

Fields and Gardner,

HOUSE SPONSORSHIP

Roberts and Soper,

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING ALLOWING VINTNER'S RESTAURANTS TO DELIVER WINE  
102 DIRECTLY TO CONSUMERS IN COLORADO.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill allows a holder of a vintner's restaurant license to sell and deliver wine by common carrier or by the licensee to a personal consumer located in Colorado if certain conditions are met.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1           **SECTION 1.** In Colorado Revised Statutes, 44-3-422, **add**  
2 (2)(a)(V) and (6) as follows:

3           **44-3-422. Vintner's restaurant license - rules.** (2) (a) Except as  
4 provided in subsection (2)(b) of this section, during the hours established  
5 in section 44-3-901 (6)(b), vinous liquors manufactured by a vintner's  
6 restaurant licensee on the licensed premises may be:

7           (V) SOLD AND DELIVERED BY COMMON CARRIER OR BY THE  
8 VINTNER'S RESTAURANT LICENSEE TO A PERSONAL CONSUMER LOCATED  
9 IN COLORADO IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION.

10           (6) (a) A VINTNER'S RESTAURANT LOCATED IN COLORADO AND  
11 LICENSED PURSUANT TO THIS SECTION MAY DELIVER VINOUS LIQUORS  
12 MANUFACTURED BY THE VINTNER'S RESTAURANT LICENSEE TO A PERSON  
13 OF LEGAL AGE IF:

14           (I) THE PERSON RECEIVING THE DELIVERY OF VINOUS LIQUORS IS:

15           (A) THE END CONSUMER;

16           (B) NOT RESELLING THE VINOUS LIQUORS; AND

17           (C) LOCATED AT A PLACE THAT IS NOT LICENSED PURSUANT TO  
18 THIS SECTION;

19           (II) THE DELIVERY IS MADE BY:

20           (A) AN EMPLOYEE OF THE VINTNER'S RESTAURANT WHO IS AT  
21 LEAST TWENTY-ONE YEARS OF AGE AND WHO IS USING A VEHICLE OWNED  
22 OR LEASED BY THE LICENSEE TO MAKE THE DELIVERY; OR

23           (B) A PERSON, ON BEHALF OF A COMMON CARRIER, WHO IS AT  
24 LEAST TWENTY-ONE YEARS OF AGE;

25           (III) THE PERSON MAKING THE DELIVERY VERIFIES, IN  
26 ACCORDANCE WITH SECTION 44-3-901 (11), THAT THE PERSON RECEIVING  
27 THE DELIVERY OF VINOUS LIQUORS IS AT LEAST TWENTY-ONE YEARS OF

1 AGE; AND

2 (IV) THE VINTNER'S RESTAURANT DERIVES NO MORE THAN FIFTY  
3 PERCENT OF ITS GROSS ANNUAL REVENUES FROM TOTAL SALES OF VINOUS  
4 LIQUORS FROM THE SALE OF VINOUS LIQUORS THAT THE VINTNER'S  
5 RESTAURANT DELIVERS.

6 (b) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES  
7 AS NECESSARY FOR THE PROPER DELIVERY OF VINOUS LIQUORS AND IS  
8 AUTHORIZED TO ISSUE A PERMIT TO ANY PERSON WHO IS LICENSED UNDER  
9 THIS SECTION AND DELIVERS VINOUS LIQUORS PURSUANT TO THIS  
10 SUBSECTION (6). A PERMIT ISSUED UNDER THIS SUBSECTION (6) IS SUBJECT  
11 TO THE SAME SUSPENSION AND REVOCATION PROVISIONS AS ARE SET  
12 FORTH IN SECTION 44-3-601 FOR OTHER LICENSES GRANTED PURSUANT TO  
13 THIS ARTICLE 3.

14 **SECTION 2. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly; except  
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
18 of the state constitution against this act or an item, section, or part of this  
19 act within such period, then the act, item, section, or part will not take  
20 effect unless approved by the people at the general election to be held in  
21 November 2022 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.