

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0960.01 Yelana Love x2295

SENATE BILL 23-264

SENATE SPONSORSHIP

Rodriguez and Gardner, Liston, Pelton B., Will

HOUSE SPONSORSHIP

Lynch and McCluskie,

Senate Committees

Business, Labor, & Technology

House Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF CERTAIN ALCOHOL BEVERAGE LICENSE**
102 **HOLDERS TO PARTICIPATE IN FESTIVALS FOR ALCOHOL**
103 **BEVERAGE RETAIL ACTIVITY.**

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>.)

Currently, certain persons licensed to sell alcohol beverages (licensee) may apply for a permit to hold a festival, and other licensees are allowed to jointly participate in the festival with the licensee to which the permit was issued. Current law imposes a cap on the number of festivals a permittee may hold, but there is no specified limit on the

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

HOUSE
2nd Reading Unamended
April 26, 2023

SENATE
Amended 3rd Reading
April 18, 2023

SENATE
Amended 2nd Reading
April 17, 2023

number of festivals in which another licensee may jointly participate. The bill authorizes a licensee to jointly participate in up to 52 festivals held by another licensee within a 12-month period.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-3-404, **amend**
3 (1)(a)(II), (1)(a)(III), (1)(c), (2), and (3); and add (2.5) as follows:

4 **44-3-404. Festival permit - rules.** (1) (a) A person listed in
5 subsection (9) of this section may file a festival permit application with
6 the state licensing authority. The applicant must:

7 (II) File the application at least ~~ten business~~ THIRTY CALENDAR
8 days before the festival is to be held; and

9 (III) Include a ~~twenty-five~~ FIFTY dollar ~~annual~~ processing fee FOR
10 THE FIRST FESTIVAL with the application filed with the state licensing
11 authority.

12 (c) If a festival permittee notifies the state licensing authority and
13 the appropriate local licensing authority of the location of and dates of
14 each festival at least ~~ten~~ THIRTY business days before holding the festival,
15 the permittee may hold up to, but no more than, nine festivals during the
16 twelve months after the festival permit is issued. BEGINNING JANUARY 1,
17 2024, A PERMITTEE MAY HOLD UP TO NINE FESTIVALS DURING EACH
18 CALENDAR YEAR.

19 (2) The licensee that holds the festival must file the application for
20 the permit, but other licensees may jointly participate under the permit
21 issued to the licensee that applied for the permit, SUBJECT TO THE
22 LIMITATIONS SPECIFIED IN SUBSECTION (2.5) OF THIS SECTION.

23 (2.5) A LICENSEE MAY PARTICIPATE IN UP TO FIFTY-TWO FESTIVALS
24 EACH CALENDAR YEAR, INCLUDING UP TO NINE FESTIVALS HELD UNDER A

1 FESTIVAL PERMIT ISSUED TO THE LICENSEE PURSUANT TO SUBSECTION
2 (1)(c) OF THIS SECTION.

3 (3) Notification of all subsequent festivals shall be by
4 supplemental application, as approved by the state licensing authority. A
5 FIFTY DOLLAR PROCESSING FEE IS REQUIRED FOR EACH SUBSEQUENT
6 FESTIVAL.

7 **SECTION 2. Effective date.** This act takes effect June 1, 2023.

8 **SECTION 3. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.