

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB22-1062 be amended as follows:

1 Amend printed bill, page 4, line 11, strike "(4)" and substitute "(4); and
2 **add (5)".**

3 Page 4, line 18, after "~~amended.~~" add "EXCEPT THAT ANY SALE OF FOOD,
4 OR FOOD AND ALCOHOL BEVERAGES, BY A HOTEL-OPERATED RESTAURANT,
5 BAR, OR CATERING SERVICE; RESTAURANT; BAR; OR CATERING SERVICE
6 THAT IS NOT A TAKEOUT ORDER IS SUBJECT TO TAXATION;".

7 Page 9, after line 3 insert:

8 "(5) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "BAR" MEANS AN ESTABLISHMENT THAT MAY MAKE
11 SANDWICHES OR LIGHT SNACKS AVAILABLE FOR CONSUMPTION, THAT IS
12 OPEN TO THE PUBLIC, AND THAT IS PRIMARILY ENGAGED IN PREPARING AND
13 SERVING ALCOHOL BEVERAGES FOR IMMEDIATE, ON-PREMISE
14 CONSUMPTION.

15 (b) "CATERING SERVICE" MEANS AN ESTABLISHMENT THAT IS
16 PRIMARILY ENGAGED IN PROVIDING SINGLE EVENT-BASED FOOD SERVICES
17 AND THAT HAS EQUIPMENT AND VEHICLES TO TRANSPORT MEALS AND
18 SNACKS TO EVENTS OR TO PREPARE FOOD AT AN OFF-PREMISE SITE.

19 (c) "HOTEL-OPERATED RESTAURANT, BAR, OR CATERING SERVICE"
20 MEANS A RESTAURANT, BAR, OR CATERING SERVICES LOCATED ON THE
21 PREMISES OF AN ESTABLISHMENT THAT IS PRIMARILY ENGAGED IN
22 PROVIDING SHORT-TERM LODGING FACILITIES, INCLUDING A HOTEL
23 FACILITY WITH A CASINO ON THE PREMISES.

24 (d) "RESTAURANT" MEANS AN ESTABLISHMENT THAT IS PRIMARILY
25 ENGAGED, AT A FIXED, PHYSICAL PREMISES, IN:

26 (I) PROVIDING PREPARED FOOD SERVICES TO PATRONS WHO ORDER
27 AND ARE SERVED WHILE SEATED AND WHO PAY AFTER EATING;

28 (II) PROVIDING PREPARED FOOD SERVICES TO PATRONS WHO
29 GENERALLY ORDER OR SELECT ITEMS AND WHO PAY BEFORE EATING; OR

30 (III) PREPARING OR SERVING SPECIALTY SNACKS OR
31 NONALCOHOLIC BEVERAGES TO PATRONS WHO PAY BEFORE EATING OR
32 DRINKING FOR CONSUMPTION ON OR NEAR THE PREMISES.

33 (e) "TAKEOUT ORDER" MEANS AN ORDER OF FOOD OR FOOD AND
34 DRINK THAT IS INTENDED TO BE CONSUMED OUTSIDE THE PREMISES WHERE
35 THE FOOD WAS PREPARED."

** ** ** *