

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 16-1213.01 Christy Chase x2008

**HOUSE BILL 16-1439**

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**HOUSE SPONSORSHIP**

**Garnett,**

**SENATE SPONSORSHIP**

**Holbert,**

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**House Committees**  
Business Affairs and Labor

**Senate Committees**  
Business, Labor, & Technology

SENATE  
Amended 3rd Reading  
May 9, 2016

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF A NEW ALCOHOL BEVERAGE LICENSE**  
102               **UNDER THE "COLORADO LIQUOR CODE" TO PERMIT A LODGING**  
103               **AND ENTERTAINMENT FACILITY TO SELL ALCOHOL BEVERAGES**  
104               **BY THE DRINK FOR CONSUMPTION ON THE LICENSED PREMISES,**  
105               **AND, IN CONNECTION THEREWITH, ALLOWING THE HOLDER OF**  
106               **A TAVERN LICENSE TO CONVERT THE TAVERN LICENSE TO A**  
107               **LODGING AND ENTERTAINMENT LICENSE OR OTHER**  
108               **APPROPRIATE LICENSE UNDER SPECIFIED CONDITIONS.**

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SENATE  
2nd Reading Unamended  
May 6, 2016

HOUSE  
3rd Reading Unamended  
April 29, 2016

**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*

HOUSE  
Amended 2nd Reading  
April 28, 2016

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

[http://www.leg.state.co.us/bills/summaries.](http://www.leg.state.co.us/bills/summaries/))

The bill creates a new alcohol beverage license under the "Colorado Liquor Code", referred to as a "lodging and entertainment license", for a lodging and entertainment facility that, as its primary business, provides lodging, sports, or entertainment activities to the public and, incidental to that business, sells and serves alcohol beverages for consumption on the premises.

A lodging and entertainment license would operate similarly to a tavern license in that the licensee:

- ! Is authorized to sell alcohol beverages only by the drink to customers for on-premises consumption;
- ! Must make sandwiches and light snacks available to its customers during business hours;
- ! Must purchase its alcohol beverage products only from a licensed wholesaler, with limited exceptions;
- ! Cannot have an interest in businesses licensed under the "Colorado Liquor Code" as a manufacturer, wholesaler, or retail establishment that only sells alcohol beverages for off-premises consumption; and
- ! Must have a registered manager for each licensed premises who is responsible for purchasing alcohol beverages for the licensed premises he or she manages.

The bill requires a current tavern licensee that qualifies as a lodging and entertainment facility or qualifies for a different type of license to apply to convert the tavern license to the appropriate license type.

A lodging and entertainment facility licensee is subject to the same state and local annual licensing fees as a tavern, \$75 and \$500, respectively. Employees of a lodging and entertainment facility who sell alcohol beverages must be at least 21 years of age. A lodging and entertainment facility licensee must post a sign on its licensed premises warning patrons that it is illegal to leave the premises with an alcohol beverage.

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

2           **SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend**  
3 (7.5) (c) (IX) and (7.5) (c) (X); and **add** (7.5) (c) (XI) and (18.5) as  
4 follows:

5           **12-47-103. Definitions.** As used in this article and article 46 of

1 this title, unless the context otherwise requires:

2 (7.5) "Entertainment district" means an area that:

3 (c) Contains at least twenty thousand square feet of premises that,  
4 at the time the district is created, is licensed pursuant to this article as a:

5 (IX) Beer wholesaler that operates a sales room pursuant to  
6 section 12-47-406 (1) (b) (I); or

7 (X) Limited winery; OR

8 (XI) LODGING AND ENTERTAINMENT FACILITY LICENSEE.

9 (18.5) "LODGING AND ENTERTAINMENT FACILITY" MEANS AN  
10 ESTABLISHMENT THAT:

11 (a) IS EITHER:

12 (I) A LODGING FACILITY, THE PRIMARY BUSINESS OF WHICH IS TO  
13 PROVIDE THE PUBLIC WITH SLEEPING ROOMS AND MEETING FACILITIES; OR

14 (II) AN ENTERTAINMENT FACILITY, THE PRIMARY BUSINESS OF  
15 WHICH IS TO PROVIDE THE PUBLIC WITH SPORTS OR ENTERTAINMENT  
16 ACTIVITIES WITHIN ITS LICENSED PREMISES; AND

17 (b) INCIDENTAL TO ITS PRIMARY BUSINESS, SELLS AND SERVES  
18 ALCOHOL BEVERAGES AT RETAIL FOR CONSUMPTION ON THE PREMISES AND  
19 HAS SANDWICHES AND LIGHT SNACKS AVAILABLE FOR CONSUMPTION ON  
20 THE PREMISES.

21 **SECTION 2.** In Colorado Revised Statutes, **add** 12-47-425 as  
22 follows:

23 **12-47-425. Lodging and entertainment license.** (1) A LODGING  
24 AND ENTERTAINMENT LICENSE MAY BE ISSUED TO A LODGING AND  
25 ENTERTAINMENT FACILITY SELLING ALCOHOL BEVERAGES BY THE DRINK  
26 ONLY TO CUSTOMERS FOR CONSUMPTION ON THE PREMISES. A LODGING  
27 AND ENTERTAINMENT FACILITY LICENSEE SHALL HAVE SANDWICHES AND

1 LIGHT SNACKS AVAILABLE FOR CONSUMPTION ON THE PREMISES DURING  
2 BUSINESS HOURS BUT NEED NOT HAVE MEALS AVAILABLE FOR  
3 CONSUMPTION.

4 (2) (a) A LODGING AND ENTERTAINMENT FACILITY LICENSED TO  
5 SELL ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION SHALL  
6 PURCHASE ALCOHOL BEVERAGES ONLY FROM A WHOLESALER LICENSED  
7 PURSUANT TO THIS ARTICLE OR ARTICLE 46 OF THIS TITLE; EXCEPT THAT,  
8 DURING A CALENDAR YEAR, A LODGING AND ENTERTAINMENT FACILITY  
9 LICENSED TO SELL ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION  
10 MAY PURCHASE NOT MORE THAN TWO THOUSAND DOLLARS' WORTH OF:

11 (I) MALT, VINOUS, AND SPIRITUOUS LIQUORS FROM A RETAILER  
12 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

13 (II) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED  
14 PURSUANT TO SECTION 12-46-104 (1) (c).

15 (b) A LODGING AND ENTERTAINMENT FACILITY LICENSEE SHALL  
16 RETAIN EVIDENCE OF EACH PURCHASE OF MALT, VINOUS, OR SPIRITUOUS  
17 LIQUORS FROM A RETAILER LICENSED PURSUANT TO SECTION 12-47-407 OR  
18 12-47-408 AND EACH PURCHASE OF FERMENTED MALT BEVERAGES FROM  
19 A RETAILER LICENSED PURSUANT TO SECTION 12-46-104 (1) (c), IN THE  
20 FORM OF A PURCHASE RECEIPT SHOWING THE NAME OF THE LICENSED  
21 RETAILER, THE DATE OF PURCHASE, A DESCRIPTION OF THE ALCOHOL  
22 BEVERAGES PURCHASED, AND THE PRICE PAID FOR THE ALCOHOL  
23 BEVERAGES. THE LODGING AND ENTERTAINMENT FACILITY LICENSEE  
24 SHALL RETAIN THE RECEIPT AND MAKE IT AVAILABLE TO THE STATE AND  
25 LOCAL LICENSING AUTHORITIES AT ALL TIMES DURING BUSINESS HOURS.

26 (3) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS  
27 SUBSECTION (3), IT IS UNLAWFUL FOR ANY OWNER, PART OWNER,

1 SHAREHOLDER, OR PERSON INTERESTED DIRECTLY OR INDIRECTLY IN  
2 LODGING AND ENTERTAINMENT LICENSES TO CONDUCT, OWN EITHER IN  
3 WHOLE OR IN PART, OR BE DIRECTLY OR INDIRECTLY INTERESTED IN ANY  
4 OTHER BUSINESS LICENSED PURSUANT TO THIS ARTICLE OR ARTICLE 46 OF  
5 THIS TITLE.

6 (b) AN OWNER, PART OWNER, SHAREHOLDER, OR PERSON  
7 INTERESTED DIRECTLY OR INDIRECTLY IN A LODGING AND ENTERTAINMENT  
8 LICENSE MAY HAVE AN INTEREST IN:

9 (I) A LICENSE DESCRIBED IN SECTION 12-46-104(1)(c), 12-47-401  
10 (1)(j) TO (1)(t), (1)(v), OR (1)(w), OR 12-47-410(1); OR

11 (II) A FINANCIAL INSTITUTION REFERRED TO IN SECTION 12-47-308  
12 (4).

13 (4)(a) EACH LODGING AND ENTERTAINMENT FACILITY LICENSEE  
14 SHALL MANAGE OR HAVE A SEPARATE AND DISTINCT MANAGER FOR EACH  
15 LICENSED PREMISES AND SHALL REGISTER THE MANAGER OF EACH  
16 LICENSED PREMISES WITH BOTH THE STATE AND THE LOCAL LICENSING  
17 AUTHORITY. A PERSON SHALL NOT BE A REGISTERED MANAGER FOR MORE  
18 THAN ONE LODGING AND ENTERTAINMENT LICENSE.

19 (b) THE REGISTERED MANAGER FOR EACH LODGING AND  
20 ENTERTAINMENT LICENSE OR THE LODGING AND ENTERTAINMENT FACILITY  
21 LICENSEE SHALL PURCHASE ALCOHOL BEVERAGES FOR ONE LICENSED  
22 PREMISES ONLY, AND THE PURCHASES SHALL BE SEPARATE AND DISTINCT  
23 FROM PURCHASES FOR ANY OTHER LODGING AND ENTERTAINMENT  
24 LICENSE.

25 (c) WHEN A PERSON CEASES TO BE A REGISTERED MANAGER FOR  
26 A LODGING AND ENTERTAINMENT LICENSE, THE LODGING AND  
27 ENTERTAINMENT FACILITY LICENSEE SHALL NOTIFY THE LICENSING

1 AUTHORITIES WITHIN FIVE DAYS AND SHALL DESIGNATE A NEW  
2 REGISTERED MANAGER WITHIN THIRTY DAYS.

3 (d) THE STATE LICENSING AUTHORITY OR THE LOCAL LICENSING  
4 AUTHORITY MAY REFUSE TO ACCEPT ANY PERSON AS A REGISTERED  
5 MANAGER UNLESS THE PERSON IS SATISFACTORY TO THE RESPECTIVE  
6 LICENSING AUTHORITIES AS TO CHARACTER, RECORD, AND REPUTATION.  
7 IN DETERMINING A REGISTERED MANAGER'S CHARACTER, RECORD, AND  
8 REPUTATION, THE STATE OR LOCAL LICENSING AUTHORITY MAY HAVE  
9 ACCESS TO CRIMINAL HISTORY RECORD INFORMATION FURNISHED BY A  
10 CRIMINAL JUSTICE AGENCY SUBJECT TO ANY RESTRICTIONS IMPOSED BY  
11 THE AGENCY.

12 (e) THE LODGING AND ENTERTAINMENT FACILITY LICENSEE SHALL  
13 PAY A REGISTRATION FEE, NOT TO EXCEED SEVENTY-FIVE DOLLARS, FOR  
14 ACTUAL AND NECESSARY EXPENSES INCURRED IN DETERMINING THE  
15 CHARACTER, RECORD, AND REPUTATION OF EACH REGISTERED MANAGER.  
16 THE LODGING AND ENTERTAINMENT FACILITY LICENSEE SHALL PAY THE  
17 FEE TO BOTH THE STATE AND THE LOCAL LICENSING AUTHORITY.

18 (5) AT THE TIME A TAVERN LICENSE ISSUED UNDER SECTION  
19 12-47-412 IS DUE FOR RENEWAL OR BY ONE YEAR AFTER THE EFFECTIVE  
20 DATE OF THIS SECTION, WHICHEVER OCCURS LATER, A PERSON LICENSED  
21 AS A TAVERN THAT DOES NOT HAVE AS ITS PRINCIPAL BUSINESS THE SALE  
22 OF ALCOHOL BEVERAGES, HAS A VALID LICENSE ON THE EFFECTIVE DATE  
23 OF THIS SECTION, AND IS A LODGING AND ENTERTAINMENT FACILITY **MAY**  
24 APPLY TO, AND THE APPLICABLE LOCAL LICENSING AUTHORITY SHALL,  
25 CONVERT THE TAVERN LICENSE TO A LODGING AND ENTERTAINMENT  
26 LICENSE UNDER THIS SECTION, AND THE PERSON MAY CONTINUE TO  
27 OPERATE AS A LODGING AND ENTERTAINMENT FACILITY LICENSEE. A

1 PERSON APPLYING TO CONVERT AN EXISTING TAVERN LICENSE TO A  
2 LODGING AND ENTERTAINMENT LICENSE UNDER THIS SUBSECTION (5) MAY  
3 APPLY TO CONVERT THE LICENSE, EVEN IF THE LOCATION OF THE LICENSED  
4 PREMISES IS WITHIN FIVE HUNDRED FEET OF ANY PUBLIC OR PAROCHIAL  
5 SCHOOL OR THE PRINCIPAL CAMPUS OF ANY COLLEGE, UNIVERSITY, OR  
6 SEMINARY, SO LONG AS THE LOCAL LICENSING AUTHORITY HAS  
7 PREVIOUSLY APPROVED THE LOCATION OF THE LICENSED PREMISES IN  
8 ACCORDANCE WITH SECTION 12-47-313 (1) (d).

9 **SECTION 3.** In Colorado Revised Statutes, 12-47-301, **amend**  
10 (2) (a), (8), (11) (c) (II) introductory portion, and (11) (e) (I) as follows:

11 **12-47-301. Licensing in general.** (2) (a) Before granting any  
12 license, all licensing authorities shall consider, except where this article  
13 and article 46 of this title specifically provide otherwise, the reasonable  
14 requirements of the neighborhood, the desires of the adult inhabitants as  
15 evidenced by petitions, remonstrances, or otherwise, and all other  
16 reasonable restrictions that are or may be placed upon the neighborhood  
17 by the local licensing authority. With respect to a second or additional  
18 license described in section 12-47-401 (1) (j) to (1) (t), ~~12-47-424~~, (1) (v),  
19 OR (1) (w) or 12-47-410 (1) or in a financial institution referred to in  
20 section 12-47-308 (4) for the same licensee, all licensing authorities shall  
21 consider the effect on competition of the granting or disapproving of  
22 additional licenses to such licensee and ~~no~~ SHALL NOT APPROVE AN  
23 application for a second or additional hotel and restaurant or vintner's  
24 restaurant license that would have the effect of restraining competition  
25 shall be approved.

26 (8) Each licensee holding a fermented malt beverage on-premises  
27 license or on- and off-premises license, beer and wine license, tavern

1 license, LODGING AND ENTERTAINMENT LICENSE, club license, arts license,  
2 or racetrack license shall manage ~~such~~ THE premises himself or herself or  
3 employ a separate and distinct manager on the premises and shall report  
4 the name of ~~such~~ THE manager to the state and local licensing authorities.  
5 ~~Such~~ THE licensee shall report any change in managers to the state and  
6 local licensing authorities within thirty days after the change. It is  
7 unlawful for the licensee to fail to report the name of or any change in  
8 managers as required by this subsection (8). ~~Such~~ THE failure to report  
9 ~~shall be~~ IS grounds for suspension of the license.

10 (11) (c) (II) An association or licensed tavern, LODGING AND  
11 ENTERTAINMENT FACILITY, hotel and restaurant, brew pub, distillery pub,  
12 retail gaming tavern, vintner's restaurant, beer and wine licensee,  
13 manufacturer or beer wholesaler that operates a sales room, or limited  
14 winery that wishes to create a promotional association may submit an  
15 application to the local licensing authority. To qualify for certification,  
16 the promotional association must:

17 (e) (I) A licensed tavern, LODGING AND ENTERTAINMENT FACILITY,  
18 hotel and restaurant, brew pub, distillery pub, retail gaming tavern,  
19 vintner's restaurant, beer and wine licensee, manufacturer or beer  
20 wholesaler that operates a sales room, or limited winery that wishes to  
21 attach to a common consumption area may submit an application to the  
22 local licensing authority. To qualify, the licensee must include a request  
23 for authority to attach to the common consumption area from the certified  
24 promotional association of the common consumption area unless the  
25 promotional association does not exist when the application is submitted;  
26 if so, the applicant shall request the authority when a promotional  
27 association is certified and shall demonstrate to the local licensing



1 authority that the authority has been obtained by the time the applicant's  
2 license issued under this article is renewed.

3 **SECTION 4.** In Colorado Revised Statutes, 12-47-309, **add** (1)  
4 (n) as follows:

5 **12-47-309. Local licensing authority - applications - optional**  
6 **premises licenses.** (1) A local licensing authority may issue only the  
7 following alcohol beverage licenses upon payment of the fee specified in  
8 section 12-47-505:

9 (n) LODGING AND ENTERTAINMENT LICENSE.

10 **SECTION 5.** In Colorado Revised Statutes, 12-47-401, **add** (1)  
11 (w) as follows:

12 **12-47-401. Classes of licenses.** (1) For the purpose of regulating  
13 the manufacture, sale, and distribution of alcohol beverages, the state  
14 licensing authority in its discretion, upon application in the prescribed  
15 form made to it, may issue and grant to the applicant a license or permit  
16 from any of the following classes, subject to the provisions and  
17 restrictions provided by this article:

18 (w) LODGING AND ENTERTAINMENT LICENSE.

19 **SECTION 6.** In Colorado Revised Statutes, 12-47-409, **amend**  
20 (3) as follows:

21 **12-47-409. Beer and wine license.** (3) It is unlawful for any  
22 owner, part owner, shareholder, or person interested directly or indirectly  
23 in a beer and wine license to conduct, own either in whole or in part, or  
24 be directly or indirectly interested in any other business licensed pursuant  
25 to this article or article 46 of this title; except that the person may have an  
26 interest in a license described in section 12-46-104 (1) (c), 12-47-401 (1)  
27 (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1) (w), OR 12-47-410 (1) or in a

1 financial institution referred to in section 12-47-308 (4).

2 **SECTION 7.** In Colorado Revised Statutes, 12-47-410, **amend**  
3 (5) as follows:

4 **12-47-410. Bed and breakfast permit.** (5) It is unlawful for any  
5 owner, part owner, shareholder, or person interested directly or indirectly  
6 in a bed and breakfast permit to conduct, own either in whole or in part,  
7 or be directly or indirectly interested in any other business licensed  
8 pursuant to this article or article 46 of this title; except that a person  
9 regulated under this section may have an interest in other bed and  
10 breakfast permits, in a license described in section 12-46-104 (1) (c),  
11 12-47-401 (1) (j) to (1) (t), ~~or 12-47-401 (1) (v),~~ OR (1) (w) or in a  
12 financial institution referred to in section 12-47-308 (4).

13 **SECTION 8.** In Colorado Revised Statutes, 12-47-411, **amend**  
14 (13) (b) as follows:

15 **12-47-411. Hotel and restaurant license - definition - rules.**  
16 (13) (b) Notwithstanding paragraph (a) of this subsection (13), an owner,  
17 part owner, shareholder, or person interested directly or indirectly in a  
18 hotel and restaurant license may conduct, own either in whole or in part,  
19 or be directly or indirectly interested in a license described in section  
20 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), ~~12-47-401 (1) (v),~~ or (1)  
21 (w), OR 12-47-410 (1) or in a financial institution referred to in section  
22 12-47-308 (4).

23 **SECTION 9.** In Colorado Revised Statutes, 12-47-412, **amend**  
24 (3); and **add** (9) as follows:

25 **12-47-412. Tavern license.** (3) It is unlawful for any owner, part  
26 owner, shareholder, or person interested directly or indirectly in tavern  
27 licenses to conduct, own either in whole or in part, or be directly or

1 indirectly interested in any other business licensed pursuant to this article  
2 or article 46 of this title; except that the person may have an interest in a  
3 license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t),  
4 ~~12-47-401~~ (1) (v), or (1) (w), OR 12-47-410 (1) or in a financial institution  
5 referred to in section 12-47-308 (4).

6 (9) (a) AT THE TIME A TAVERN LICENSE IS DUE FOR RENEWAL OR  
7 BY ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9),  
8 WHICHEVER OCCURS LATER, A TAVERN LICENSED UNDER THIS SECTION  
9 THAT DOES NOT HAVE AS ITS PRINCIPAL BUSINESS THE SALE OF ALCOHOL  
10 BEVERAGES, HAS A VALID LICENSE ON THE EFFECTIVE DATE OF THIS  
11 SECTION, AND IS A LODGING AND ENTERTAINMENT FACILITY MAY APPLY  
12 TO, AND THE APPLICABLE LOCAL LICENSING AUTHORITY SHALL, CONVERT  
13 THE TAVERN LICENSE TO A LODGING AND ENTERTAINMENT LICENSE UNDER  
14 SECTION 12-47-425, AND THE LICENSEE MAY CONTINUE TO OPERATE AS A  
15 LODGING AND ENTERTAINMENT FACILITY LICENSEE. IF A TAVERN LICENSEE  
16 DOES NOT HAVE AS ITS PRINCIPAL BUSINESS THE SALE OF ALCOHOL  
17 BEVERAGES BUT IS NOT A LODGING AND ENTERTAINMENT FACILITY, AT  
18 THE TIME THE TAVERN LICENSE IS DUE FOR RENEWAL OR BY ONE YEAR  
19 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (9), WHICHEVER OCCURS  
20 LATER, THE LICENSEE MAY APPLY TO, AND THE APPLICABLE LOCAL  
21 LICENSING AUTHORITY SHALL, CONVERT THE TAVERN LICENSE TO  
22 ANOTHER LICENSE UNDER THIS ARTICLE, IF ANY, FOR WHICH THE PERSON  
23 QUALIFIES.

24 (b) A PERSON APPLYING UNDER THIS SUBSECTION (9) TO CONVERT  
25 AN EXISTING TAVERN LICENSE TO ANOTHER LICENSE UNDER THIS ARTICLE  
26 MAY APPLY TO CONVERT THE LICENSE, EVEN IF THE LOCATION OF THE  
27 LICENSED PREMISES IS WITHIN FIVE HUNDRED FEET OF ANY PUBLIC OR

1 PAROCHIAL SCHOOL OR THE PRINCIPAL CAMPUS OF ANY COLLEGE,  
2 UNIVERSITY, OR SEMINARY, SO LONG AS THE LOCAL LICENSING AUTHORITY  
3 HAS PREVIOUSLY APPROVED THE LOCATION OF THE LICENSED PREMISES IN  
4 ACCORDANCE WITH SECTION 12-47-313 (1) (d).

5 **SECTION 10.** In Colorado Revised Statutes, 12-47-413, **amend**  
6 (2) (b) as follows:

7 **12-47-413. Optional premises license.** (2) (b) Notwithstanding  
8 paragraph (a) of this subsection (2), an owner, part owner, shareholder,  
9 or person interested directly or indirectly in an optional premises license  
10 may own, either in whole or in part, or be directly or indirectly interested  
11 in a license described in section 12-46-104 (1) (c), 12-47-401 (1) (j) to (1)  
12 (t), ~~12-47-401~~ (1) (v), or (1) (w), OR 12-47-410 (1) or in a financial  
13 institution referred to in section 12-47-308 (4).

14 **SECTION 11.** In Colorado Revised Statutes, 12-47-414, **amend**  
15 (4) as follows:

16 **12-47-414. Retail gaming tavern license.** (4) It is unlawful for  
17 any owner, part owner, shareholder, or person interested directly or  
18 indirectly in a retail gaming tavern license to conduct, own either in  
19 whole or in part, or be directly or indirectly interested in any other  
20 business licensed pursuant to this article or article 46 of this title; except  
21 that the person may have an interest in a license described in section  
22 12-46-104 (1) (c), 12-47-401 (1) (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1)  
23 (w), OR 12-47-410 (1) or in a financial institution referred to in section  
24 12-47-308 (4).

25 **SECTION 12.** In Colorado Revised Statutes, 12-47-415, **amend**  
26 (5) (b) as follows:

27 **12-47-415. Brew pub license.** (5) (b) Notwithstanding paragraph

1 (a) of this subsection (5), a person interested directly or indirectly in a  
2 brew pub license may conduct, own either in whole or in part, or be  
3 directly or indirectly interested in a license described in section 12-46-104  
4 (1) (c), 12-47-401 (1) (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1) (w), OR  
5 12-47-410 (1) or in a financial institution referred to in section 12-47-308  
6 (4).

7 **SECTION 13.** In Colorado Revised Statutes, 12-47-418, **amend**  
8 (4) as follows:

9 **12-47-418. Racetrack license.** (4) It is unlawful for any owner,  
10 part owner, shareholder, or person interested directly or indirectly in a  
11 racetrack license to conduct, own either in whole or in part, or be directly  
12 or indirectly interested in any other business licensed pursuant to this  
13 article or article 46 of this title; except that a person licensed under this  
14 section may have an interest in a license described in section 12-46-104  
15 (1) (c), 12-47-401 (1) (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1) (w), OR  
16 12-47-410 (1) or in a financial institution referred to in section 12-47-308  
17 (4).

18 **SECTION 14.** In Colorado Revised Statutes, 12-47-420, **amend**  
19 (5) (b) as follows:

20 **12-47-420. Vintner's restaurant license.** (5) (b) A person  
21 interested directly or indirectly in a vintner's restaurant license may  
22 conduct, own either in whole or in part, or be directly or indirectly  
23 interested in a license described in section 12-46-104 (1) (c), 12-47-401  
24 (1) (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1) (w), OR 12-47-410 (1) or in a  
25 financial institution referred to in section 12-47-308 (4).

26 **SECTION 15.** In Colorado Revised Statutes, 12-47-421, **amend**  
27 (2) (a) (VIII) and (2) (a) (IX); and **add** (2) (a) (X) as follows:

1           **12-47-421. Removal of vinous liquor from licensed premises.**

2           (2) This section applies to a person:

3           (a) That is duly licensed as a:

4           (VIII) Club under section 12-47-416; ~~or~~

5           (IX) Distillery pub under section 12-47-424; ~~and~~ OR

6           (X) LODGING AND ENTERTAINMENT FACILITY UNDER SECTION  
7           12-47-425; AND

8           **SECTION 16.** In Colorado Revised Statutes, 12-47-422, **amend**  
9           (6) as follows:

10           **12-47-422. Art gallery permit - definition.** (6) It is unlawful for  
11           any owner, part owner, shareholder, or person interested directly or  
12           indirectly in an art gallery permit to conduct, own either in whole or in  
13           part, or be directly or indirectly interested in any other business licensed  
14           pursuant to this article or article 46 of this title; except that a person  
15           regulated under this section may have an interest in other art gallery  
16           permits; in a license described in section 12-46-104 (1) (c), 12-47-401 (1)  
17           (j) to (1) (t), ~~12-47-401~~ (1) (v), or (1) (w), OR 12-47-410 (1); or in a  
18           financial institution referred to in section 12-47-308 (4).

19           **SECTION 17.** In Colorado Revised Statutes, 12-47-423, **amend**  
20           (2) (a) as follows:

21           **12-47-423. Wine packaging permit - limitations - rules.** (2) A  
22           licensed winery or limited winery that obtains a wine packaging permit  
23           pursuant to this section shall not sell or distribute tax-paid wine it  
24           packages:

25           (a) To a person licensed to sell alcohol beverages at retail, for  
26           consumption on or off the licensed premises, under section 12-47-407,  
27           12-47-408, 12-47-409, 12-47-410, 12-47-411, 12-47-412, 12-47-413,

1 12-47-414, 12-47-415, 12-47-416, 12-47-417, 12-47-418, 12-47-419,  
2 12-47-420, 12-47-422, ~~or~~ 12-47-424, OR 12-47-425; or

3 **SECTION 18.** In Colorado Revised Statutes, 12-47-424, **amend**  
4 (5) (b) (II) as follows:

5 **12-47-424. Distillery pub license - legislative declaration -**  
6 **definition.** (5) (b) A person interested directly or indirectly in a distillery  
7 pub license may conduct, own either in whole or in part, or be directly or  
8 indirectly interested in:

9 (II) A license described in section 12-46-104 (1) (c), 12-47-401  
10 (1) (j) to (1) (t), (1) (v), OR (1) (w), or 12-47-410 (1); or

11 **SECTION 19.** In Colorado Revised Statutes, 12-47-501, **add** (1)  
12 (t) as follows:

13 **12-47-501. State fees.** (1) The following license and permit fees  
14 shall be paid to the department of revenue annually in advance:

15 (t) FOR EACH LODGING AND ENTERTAINMENT LICENSE,  
16 SEVENTY-FIVE DOLLARS.

17 **SECTION 20.** In Colorado Revised Statutes, 12-47-505, **add** (1)  
18 (p) as follows:

19 **12-47-505. Local license fees.** (1) The following license fees  
20 shall be paid to the treasurer of the municipality, city and county, or  
21 county where the licensed premises is located annually in advance:

22 (p) FOR EACH LODGING AND ENTERTAINMENT LICENSE, FIVE  
23 HUNDRED DOLLARS.

24 **SECTION 21.** In Colorado Revised Statutes, 12-47-901, **amend**  
25 (5) (a) (I), (5) (i) (I), and (9) (b) as follows:

26 **12-47-901. Unlawful acts - exceptions.** (5) It is unlawful for any  
27 person licensed to sell at retail pursuant to this article:

1 (a) (I) To sell an alcohol beverage to any person under the age of  
2 twenty-one years, to a habitual drunkard, or to a visibly intoxicated  
3 person, or to permit any alcohol beverage to be sold or dispensed by a  
4 person under eighteen years of age, or to permit any such person to  
5 participate in the sale or dispensing thereof. If a person who, in fact, is not  
6 twenty-one years of age exhibits a fraudulent proof of age, any action  
7 relying on such fraudulent proof of age shall not constitute grounds for  
8 the revocation or suspension of any license issued under this article or  
9 article 46 of this title. Notwithstanding any provision in this subparagraph  
10 (I) to the contrary, ~~no~~ A person under twenty-one years of age shall NOT  
11 be employed to sell or dispense malt, vinous, or spirituous liquors unless  
12 he or she is supervised by another person who is on premise and has  
13 attained twenty-one years of age. ~~No~~ AN employee of a tavern licensed  
14 pursuant to section 12-47-412 OR A LODGING AND ENTERTAINMENT  
15 FACILITY LICENSED PURSUANT TO SECTION 12-47-425, that does not  
16 regularly serve meals as defined in section 12-47-103 (20), or a retail  
17 liquor store shall NOT sell malt, vinous, or spirituous liquors unless ~~such~~  
18 THE person is at least twenty-one years of age.

19 (i) (I) To sell malt, vinous, or spirituous liquors or fermented malt  
20 beverages in a place where the alcohol beverages are to be consumed,  
21 unless the place is a hotel, restaurant, tavern, LODGING AND  
22 ENTERTAINMENT FACILITY, racetrack, club, retail gaming tavern, or arts  
23 licensed premises or unless the place is a dining, club, or parlor car;  
24 plane; bus; or other conveyance or facility of a public transportation  
25 system.

26 (9) (b) This subsection (9) applies to persons licensed OR  
27 PERMITTED to sell OR SERVE alcohol beverages for consumption on the



1 licensed premises pursuant to section 12-47-403, 12-47-409, 12-47-410,  
2 12-47-411, 12-47-412, 12-47-413, 12-47-414, 12-47-415, 12-47-416,  
3 12-47-417, 12-47-418, 12-47-419, 12-47-420, 12-47-422, ~~or~~ 12-47-424,  
4 OR 12-47-425.

5 **SECTION 22.** In Colorado Revised Statutes, 12-47-901, amend  
6 **as added by Senate Bill 16-197 (5) (p) (II) as follows:**

7 **12-47-901. Unlawful acts - exceptions - definitions.** (5) It is  
8 unlawful for any person licensed to sell at retail pursuant to this article or  
9 article 46 of this title:

10 (p) (II) If licensed as a tavern under section 12-47-412, A LODGING  
11 AND ENTERTAINMENT FACILITY UNDER SECTION 12-47-426, a retail liquor  
12 store under section 12-47-407, or a liquor-licensed drugstore under  
13 section 12-47-408, to permit an employee who is under twenty-one years  
14 of age to sell malt, vinous, or spirituous liquors; or

15 **SECTION 23. Effective date.** (1) This act takes effect on the  
16 effective date; except that:

17 (a) Section 12-47-901 (5) (a) (I), Colorado Revised Statutes, as  
18 amended in section 21 of this act, becomes law and takes effect only if  
19 Senate Bill 16-197 does not become law; and

20 (b) Section 12-47-901 (5) (p) (II), Colorado Revised Statutes, as  
21 amended in section 22 of this act, becomes law and takes effect only if  
22 Senate Bill 16-197 becomes law, and the section takes effect either upon  
23 the effective date of this act or Senate Bill 16-197, whichever is later.

24 **SECTION 24. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2016 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.