

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

**INTRODUCED**

LLS NO. 17-0245.01 Yelana Love x2295

**HOUSE BILL 17-1084**

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**HOUSE SPONSORSHIP**

**Melton,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF A WINE-EXPANDED PERMIT THAT**  
102               **ALLOWS HOTELS LICENSED TO SELL ALCOHOL BEVERAGES TO**  
103               **ALSO SELL SEALED CONTAINERS OF VINOUS LIQUORS IN THE**  
104               **RESTAURANT FOR ON- AND OFF-PREMISES CONSUMPTION.**

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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 hotels with a valid hotel and restaurant license to apply for a wine-expanded permit. The wine-expanded permit authorizes a hotel to sell bottles of wine in the restaurant for on- and off-premises

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.*

consumption, subject to limitations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-411, **amend**  
3 (3) introductory portion; and **add** (3)(d), (3.7), and (13)(c) as follows:

4 **12-47-411. Hotel and restaurant license - definition - rules.**

5 (3) Notwithstanding any provision of this ~~article~~ ARTICLE 47 to the  
6 contrary, a hotel, licensed pursuant to this ~~article~~ ARTICLE 47, may:

7 (d) IN THE RESTAURANT, SELL VINOUS LIQUORS IN SEALED  
8 CONTAINERS FOR CONSUMPTION ON OR OFF THE LICENSED PREMISES  
9 PURSUANT TO A VALID WINE-EXPANDED PERMIT ISSUED UNDER  
10 SUBSECTION (3.7) OF THIS SECTION.

11 (3.7) (a) (I) A HOTEL LICENSED UNDER THIS SECTION MAY BE  
12 ISSUED A WINE-EXPANDED PERMIT THAT AUTHORIZES THE HOTEL TO SELL  
13 VINOUS LIQUORS IN THE RESTAURANT IN SEALED CONTAINERS TO  
14 CUSTOMERS FOR CONSUMPTION ON OR OFF THE LICENSED PREMISES.

15 (II) THE STATE OR LOCAL LICENSING AUTHORITY SHALL NOT ISSUE  
16 A WINE-EXPANDED PERMIT TO A HOTEL LICENSED UNDER THIS SECTION  
17 THAT, AT THE TIME OF APPLICATION FOR THE PERMIT OR WITHIN THE  
18 PREVIOUS THREE YEARS, HAS HAD ITS LICENSE SUSPENDED OR IS  
19 OTHERWISE SUBJECT TO DISCIPLINE UNDER SECTION 12-47-601.

20 (b) DURING THE HOURS ESTABLISHED IN SECTION 12-47-901 (5)(b),  
21 A HOTEL LICENSED UNDER THIS SECTION THAT HAS A WINE-EXPANDED  
22 PERMIT MAY SELL UP TO FOUR SEVEN-HUNDRED-FIFTY-MILLILITER SEALED  
23 CONTAINERS OF VINOUS LIQUORS PER CUSTOMER FOR ON- OR  
24 OFF-PREMISES CONSUMPTION.

25 (13)(c) NOTWITHSTANDING SUBSECTION (13)(a) OF THIS SECTION,

1 IT IS UNLAWFUL FOR ANY OWNER, PART OWNER, SHAREHOLDER, OR  
2 PERSON INTERESTED DIRECTLY OR INDIRECTLY IN A RESTAURANT WITHIN  
3 A HOTEL WITH A WINE-EXPANDED PERMIT ISSUED PURSUANT TO  
4 SUBSECTION (3.7) OF THIS SECTION TO CONDUCT, OWN EITHER IN WHOLE  
5 OR IN PART, OR BE DIRECTLY OR INDIRECTLY INTERESTED IN MORE THAN  
6 FOUR OTHER HOTELS WITH A WINE-EXPANDED PERMIT ISSUED PURSUANT  
7 TO SUBSECTION (3.7) OF THIS SECTION.

8 **SECTION 2.** In Colorado Revised Statutes, 12-47-401, **amend**  
9 (1) introductory portion; and **add** (1)(y) as follows:

10 **12-47-401. Classes of licenses and permits.** (1) For the purpose  
11 of regulating the manufacture, sale, and distribution of alcohol beverages,  
12 the state licensing authority in its discretion, upon application in the  
13 prescribed form made to it, may issue and grant to the applicant a license  
14 or permit from any of the following classes, subject to the provisions and  
15 restrictions provided by this ~~article~~ ARTICLE 47:

16 (y) WINE-EXPANDED PERMIT.

17 **SECTION 3.** In Colorado Revised Statutes, 12-47-501, **amend**  
18 (2)(a)(XVII); and **add** (1)(v) and (2)(a)(XVIII) as follows:

19 **12-47-501. State fees.** (1) The following license and permit fees  
20 shall be paid to the department of revenue annually in advance:

21 (v) FOR EACH WINE-EXPANDED PERMIT, SEVENTY-FIVE DOLLARS.

22 (2) (a) The state licensing authority shall establish fees for  
23 processing the following types of applications, notices, or reports required  
24 to be submitted to the state licensing authority:

25 (XVII) Applications for manager's permits pursuant to section  
26 12-47-425; AND

27 (XVIII) APPLICATIONS FOR WINE-EXPANDED PERMITS PURSUANT

1 TO SECTION 12-47-411 (3.7).

2 **SECTION 4.** In Colorado Revised Statutes, 12-47-309, **amend**  
3 (1) introductory portion; and **add** (1)(o) as follows:

4 **12-47-309. Local licensing authority - applications - optional**  
5 **premises licenses and permits.** (1) A local licensing authority may issue  
6 only the following alcohol beverage licenses AND PERMITS upon payment  
7 of the fee specified in section 12-47-505:

8 (o) WINE-EXPANDED PERMIT.

9 **SECTION 5.** In Colorado Revised Statutes, 12-47-505, **amend**  
10 (1) introductory portion; and **add** (1)(q) as follows:

11 **12-47-505. Local license fees and permits.** (1) The following  
12 license AND PERMIT fees shall be paid to the treasurer of the municipality,  
13 city and county, or county where the licensed premises is located annually  
14 in advance:

15 (q) FOR EACH WINE-EXPANDED PERMIT, SEVENTY-FIVE DOLLARS.

16 **SECTION 6. Act subject to petition - effective date -**  
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
18 the expiration of the ninety-day period after final adjournment of the  
19 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
20 2017); except that, if a referendum petition is filed pursuant to section 1  
21 (3) of article V of the state constitution against this act or an item, section,  
22 or part of this act within such period, then the act, item, section, or part  
23 will not take effect unless approved by the people at the general election  
24 to be held in November 2018 and, in such case, will take effect on the  
25 date of the official declaration of the vote thereon by the governor.

26 (2) This act applies to permit applications made on or after the  
27 applicable effective date of this act.