

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

INTRODUCED

LLS NO. 17-0028.01 Yelana Love x2295

HOUSE BILL 17-1123

HOUSE SPONSORSHIP

Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard

SENATE SPONSORSHIP

Marble, Holbert

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A LOCAL GOVERNMENT TO EXTEND THE**
102 **HOURS DURING WHICH ALCOHOL BEVERAGES MAY BE SOLD FOR**
103 **CONSUMPTION ON A LICENSED PREMISES.**

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/>.)

Current law prohibits a person licensed to sell alcohol beverages for on-premises consumption from serving alcohol beverages between the hours of 2 a.m. and 7 a.m.

The bill allows a local government to extend the hours during which alcohol beverages may be sold for on-premises consumption at

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.

establishments within the local government's jurisdiction.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-47-314 as
3 follows:

4 **12-47-314. Hours of operation for establishments licensed for**
5 **on-premises alcohol beverage consumption - determination by local**
6 **government.** NOTWITHSTANDING SECTION 12-47-901 (5)(b)(I), THE
7 GOVERNING BODY OF A MUNICIPALITY, CITY AND COUNTY, OR COUNTY
8 MAY EXTEND, BY THE ADOPTION OF AN ORDINANCE OR RESOLUTION, THE
9 HOURS OF OPERATION FOR ESTABLISHMENTS WITHIN THE JURISDICTION OF
10 THE MUNICIPALITY, CITY AND COUNTY, OR COUNTY THAT ARE LICENSED
11 TO SELL ALCOHOL BEVERAGES FOR CONSUMPTION ON THE LICENSED
12 PREMISES.

13 **SECTION 2.** In Colorado Revised Statutes, 12-47-901, **amend**
14 (5) introductory portion and (5)(b)(I) as follows:

15 **12-47-901. Unlawful acts - exceptions - definitions.** (5) It is
16 unlawful for any person licensed to sell at retail pursuant to this ~~article~~
17 ARTICLE 47 or article 46 of this ~~title~~ TITLE 12:

18 (b) To sell, serve, or distribute any malt, vinous, or spirituous
19 liquors at any time other than the following:

20 (I) For consumption on the premises on any day of the week,
21 except between the hours of 2 a.m. and 7 a.m., UNLESS THE GOVERNING
22 BODY OF A MUNICIPALITY, CITY AND COUNTY, OR COUNTY, BY ADOPTION
23 OF AN ORDINANCE OR RESOLUTION PURSUANT TO SECTION 12-47-314,
24 EXTENDS THE HOURS DURING WHICH ALCOHOL BEVERAGES MAY BE
25 SERVED FOR ON-PREMISES CONSUMPTION AT LICENSED PREMISES WITHIN

1 ITS JURISDICTION;

2 **SECTION 3. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2018 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.