



Legislative
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SB 20-154

FINAL FISCAL NOTE

Drafting Number: LLS 20-0316
Prime Sponsors: Sen. Donovan

Date: April 28, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: **BRING OWN WINE INTO RESTAURANTS**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill would have allowed customers to bring one container of wine to certain restaurants to consume with their meal. The bill would have increased state and local workload on an ongoing basis.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: This fiscal note reflects the introduced bill. The bill was not enacted into law; therefore, the impacts identified in this fiscal note do not take effect.

Summary of Legislation

The bill allows a customer to bring one container of wine to a restaurant of a hotel-restaurant licensee, consume the wine during a meal ordered from the restaurant, and reseal and remove the partially consumed container after the meal. Customers must be at least 21 years old and the container may not exceed 750 milliliters. The hotel-restaurant licensee may prevent a customer from bringing or consuming the wine if:

- the customer has brought wine into the licensed premises within the previous 24 hours;
- the licensee believes the customer is under the influence of alcohol or drugs;
- the licensee is no longer serving, or preparing to stop serving, meals for the day; or
- the licensee believes that the customer has committed certain violations, including providing alcohol to a minor or visibly intoxicated person, on the licensed premises.

Comparable Crime

The bill creates an exception to certain violations of the Colorado Liquor Code to allow a customer to bring a container of wine to, and consume it on, a hotel-restaurant licensed premises. In the last three years, there were six cases that resulted in a conviction for consuming alcohol in an unlicensed public place, some of which may have included consumption of alcohol not authorized to be consumed at the licensed location. This fiscal note assumes that due to the low number of cases, there will be no tangible impact on criminal case filings, fines and court fees, and workload for the Judicial Department.

State Expenditures

The bill increases workload for the Liquor Enforcement Division in the Department of Revenue to conduct rulemaking and modify their enforcement procedures and materials for hotel-restaurant licensees. The increase is expected to be accomplished within current appropriations.

Local Government

The bill increases workload for local licensing authorities to modify their policies and enforcement procedures based on the bill's requirements.

Effective Date

The bill was postponed indefinitely by the Senate Business, Labor, and Technology Committee on February 12, 2020.

State and Local Government Contacts

Counties Municipalities Revenue