

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0557.01 Christy Chase x2008

SENATE BILL 21-086

SENATE SPONSORSHIP

Liston,

HOUSE SPONSORSHIP

Geitner,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF CERTAIN ALCOHOL BEVERAGE
102 RETAILERS TO USE A THIRD-PARTY DELIVERY SERVICE INSTEAD
103 OF THEIR EMPLOYEES TO DELIVER ALCOHOL BEVERAGES TO
104 THEIR CUSTOMERS FOR CONSUMPTION OFF THE LICENSED
105 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>.)

The bill permits a fermented malt beverage retailer that is licensed to sell fermented malt beverages for off-premises consumption and that

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

has licensed premises comprising less than 7,500 square feet to use a third-party delivery service, instead of its own employees and vehicles, to deliver fermented malt beverages to its customers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-4-107, **amend**
3 (6)(a)(II) and (6)(b) as follows:

4 **44-4-107. Local licensing authority - application - fees -**
5 **definitions - rules - repeal.** (6) (a) A person licensed under subsection
6 (1)(a) of this section who complies with this subsection (6) and rules
7 promulgated under this subsection (6) may deliver fermented malt
8 beverages in sealed containers to a person of legal age if:

9 (II) The delivery is made by an employee of the fermented malt
10 beverage retailer who is at least twenty-one years of age and who is using
11 a vehicle owned or leased by the licensee to make the delivery; EXCEPT
12 THAT A FERMENTED MALT BEVERAGE RETAILER WITH LICENSED PREMISES
13 COMPRISING LESS THAN SEVEN THOUSAND FIVE HUNDRED SQUARE FEET OF
14 TOTAL RETAIL SPACE MAY USE A THIRD-PARTY DELIVERY SERVICE TO
15 MAKE DELIVERIES OF FERMENTED MALT BEVERAGES PURSUANT TO THIS
16 SUBSECTION (6) AS LONG AT THE PERSON MAKING THE DELIVERY IS AT
17 LEAST TWENTY-ONE YEARS OF AGE;

18 (b) The state licensing authority shall promulgate rules as
19 necessary for the proper delivery of fermented malt beverages pursuant
20 to this subsection (6) and may issue a permit to any person ~~who~~ THAT is
21 licensed pursuant to SUBSECTION (1)(a) OF THIS SECTION and THAT
22 delivers fermented malt beverages ~~under subsection (1)(a) of this section~~
23 PURSUANT TO THIS SUBSECTION (6). A permit issued under this subsection
24 (6) is subject to the same suspension and revocation provisions as are set

1 forth in section 44-3-601 for other licenses granted pursuant to article 3
2 of this title 44.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2022 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.