

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 22-1415

BY REPRESENTATIVE(S) Bird and McKean, Bennett, Carver, Geitner, Hooton, Lindsay, McCluskie, Pico, Ricks, Roberts, Sandridge, Snyder; also SENATOR(S) Zenzinger and Lundeen, Holbert, Kirkmeyer, Smallwood, Woodward.

CONCERNING ELIMINATION OF THE REQUIREMENT THAT CERTAIN BUSINESSES LICENSED TO SELL ALCOHOL BEVERAGES FOR CONSUMPTION ON THE LICENSED PREMISES REGISTER A MANAGER OF THE LICENSED PREMISES WITH THE STATE LICENSING AUTHORITY.

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

**SECTION 1.** In Colorado Revised Statutes, 44-3-301, **amend** (8) as follows:

**44-3-301. Licensing in general.** (8) Each licensee holding a fermented malt beverage on-premises license or on- and off-premises license, beer and wine license, HOTEL AND RESTAURANT LICENSE, tavern license, lodging and entertainment license, club license, arts license, or racetrack license shall manage the premises himself or herself or employ a separate and distinct manager on the premises and shall report the name of the manager to the state and local licensing authorities. The licensee shall

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

report any change in managers to the state and local licensing authorities within thirty days after the change. ~~It is unlawful for the licensee to fail to report the name of or any change in managers as required by this subsection (8). The failure to report is grounds for suspension of the license~~ WHEN A HOTEL AND RESTAURANT, TAVERN, OR LODGING AND ENTERTAINMENT LICENSEE REPORTS A CHANGE IN MANAGER TO THE STATE AND LOCAL LICENSING AUTHORITY, THE LICENSEE SHALL PAY:

(a) A THIRTY-DOLLAR FEE TO THE STATE LICENSING AUTHORITY; AND

(b) A THIRTY-DOLLAR FEE TO THE LOCAL LICENSING AUTHORITY.

**SECTION 2.** In Colorado Revised Statutes, 44-3-413, **amend** (10); and **repeal** (9), (11), (12), and (13) as follows:

**44-3-413. Hotel and restaurant license - definitions - rules.**

~~(9) Each hotel and restaurant licensee shall manage or have a separate and distinct manager and shall register the manager of each liquor-licensed premises with the state and the local licensing authority. No person shall be a registered manager for more than one hotel and restaurant license.~~

(10) The ~~registered~~ manager for each hotel and restaurant license, the hotel and restaurant licensee, or an employee or agent of the hotel and restaurant licensee shall purchase alcohol beverages for one licensed premises only, and the purchases shall be separate and distinct from purchases for any other hotel and restaurant license.

~~(11) When a person ceases to be a registered manager of a hotel and restaurant license, for whatever reason, the hotel and restaurant licensee shall notify the licensing authorities within five days and shall designate a new registered manager within thirty days.~~

~~(12) Either the state or the local licensing authority may refuse to accept any person as a registered manager unless the person is satisfactory to the respective licensing authorities as to character, record, and reputation. In determining a registered manager's character, record, and reputation, the state or local licensing authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency.~~

~~(13) The hotel and restaurant licensee shall pay a registration fee not to exceed seventy-five dollars to the state and to the local licensing authority for actual and necessary expenses incurred in establishing the character, record, and reputation of each registered manager.~~

**SECTION 3.** In Colorado Revised Statutes, 44-3-414, **amend** (5); and **repeal** (4), (6), (7), and (8) as follows:

~~**44-3-414. Tavern license.** (4) Each tavern licensee shall manage or have a separate and distinct manager for each licensed premises and shall register the manager of each licensed premises with both the state and the local licensing authority. No person shall be a registered manager for more than one tavern license.~~

(5) The registered manager for each tavern license, the tavern licensee, or an employee or agent of the tavern licensee shall purchase alcohol beverages for one licensed premises only, and the purchases shall be separate and distinct from purchases for any other tavern license.

~~(6) When a person ceases to be a registered manager for a tavern license, for whatever reason, the tavern licensee shall notify the licensing authorities within five days and shall designate a new registered manager within thirty days.~~

(7) The state licensing authority or the local licensing authority may refuse to accept any person as a registered manager unless the person is satisfactory to the respective licensing authorities as to character, record, and reputation. In determining a registered manager's character, record, and reputation, the state or local licensing authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency.

~~(8) The tavern licensee shall pay a registration fee not to exceed seventy-five dollars for actual and necessary expenses incurred in determining the character, record, and reputation of each registered manager. Such fee shall be paid to both the state and the local licensing authority.~~

**SECTION 4.** In Colorado Revised Statutes, 44-3-428, **amend** (4) as follows:

**44-3-428. Lodging and entertainment license.** (4) (a) ~~Each lodging and entertainment facility licensee shall manage or have a separate and distinct manager for each licensed premises and shall register the manager of each licensed premises with both the state and the local licensing authority. A person shall not be a registered manager for more than one lodging and entertainment license.~~

(b) ~~The registered manager for each lodging and entertainment license, the lodging and entertainment facility licensee, or an employee or agent of the lodging and entertainment facility licensee shall purchase alcohol beverages for one licensed premises only, and the purchases shall be separate and distinct from purchases for any other lodging and entertainment license.~~

(c) ~~When a person ceases to be a registered manager for a lodging and entertainment license, the lodging and entertainment facility licensee shall notify the licensing authorities within five days and shall designate a new registered manager within thirty days.~~

(d) ~~The state licensing authority or the local licensing authority may refuse to accept any person as a registered manager unless the person is satisfactory to the respective licensing authorities as to character, record, and reputation. In determining a registered manager's character, record, and reputation, the state or local licensing authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by the agency.~~

(e) ~~The lodging and entertainment facility licensee shall pay a registration fee, not to exceed seventy-five dollars, for actual and necessary expenses incurred in determining the character, record, and reputation of each registered manager. The lodging and entertainment facility licensee shall pay the fee to both the state and the local licensing authority.~~

**SECTION 5.** In Colorado Revised Statutes, 44-3-901, **amend** (6)(m) as follows:

**44-3-901. Unlawful acts - exceptions - definitions.** (6) It is unlawful for any person licensed to sell at retail pursuant to this article 3 or article 4 of this title 44:

(m) To require a wholesaler to make delivery to any premises other than the specific hotel and restaurant premises where the alcohol beverage is to be sold and consumed if the person is a hotel and restaurant licensee or the ~~registered~~ manager of a hotel and restaurant license requires the delivery;

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

\_\_\_\_\_  
Alec Garnett  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Steve Fenberg  
PRESIDENT OF  
THE SENATE

\_\_\_\_\_  
Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

\_\_\_\_\_  
Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO