

**Senate Bill 16-197 Working Group
Legislative Report Recommendation Form**

1. Work Group Sponsor (s): **Colorado Licensed Beverage Association**

2. Describe the Recommendation:

Minor statutory and regulatory rule revisions to update and streamline the laws governing tastings on the premises of retail liquor store licensees and liquor-licensed drugstore licensees, as follows:

- a. **Amend CRS Section 12-47-301 (10) (a) to permit tastings to occur on any day of the week and any number of days in a week, beginning no earlier than 11 a.m. and ending no later than 9 p.m., but not more than 156 days per year total (average of 3 per week).**
 - b. **Amend CRS Section 12-47-301 (10) (a) to permit a licensee to store any open and unconsumed alcohol beverage samples from a tasting in a locked and secure area on the licensed premises for use at a later tasting.**
 - c. **Additionally, clarify by statute or rule that a representative of a supplier present at a tasting may serve patrons whose age has previously been verified by the retail licensee. The retail licensee shall be solely liable for the conduct and supervision of the tasting and is therefore responsible for any violations by such persons if such licensee permits them to serve patrons at a tasting.**
3. Which portion or portions of Senate Bill 16-197 does this recommendation address (underline all those that apply)?
- a. Develop an implementation process for grocery and convenience stores to apply for a license to sell malt liquor and fermented malt beverages containing at least one-half percent alcohol by volume starting January 1, 2019.
 - b. Analyze the impact that removing the alcohol content limit on fermented malt beverages will have on the alcohol beverage industry as well as on current retail licensees.
 - c. Legislative, regulatory, or administrative changes necessary to promote the three-tiered distribution system in Colorado.
 - d. **Laws governing tastings conducted on retail premises licensed under article 47 of this title**
4. Please summarize the rationale for the recommendation – why is it important?

With several years of successful experience conducting tastings under this statute since its initial adoption, we now have the opportunity to adjust the legal and regulatory structure governing tastings to be more intuitive, less wasteful, and provide more opportunities for consumer

engagement without compromising safety or responsible service. These modest, common-sense changes will simply make the laws and regulations around tastings more consumer friendly.

5. What issue or issues does your recommendation resolve? Please identify the issues.

Some overly excessive limits on the conduct of tastings under current laws and regulations can limit consumer engagement unnecessarily, create wastefulness and be so non-intuitive that there may be inadvertent violations of technical prohibitions that don't serve a public policy purpose (e.g., if a winemaker pours a sample of her own wine for a consumer at a tasting).

6. Which of the following does the recommendation impact (underline those that apply):

- a. Statute (legislation)
- b. Policy
- c. Rules and Regulations
- d. Other (*please describe*)

7. Who owns implementation of the recommendation (underline those that apply):

- a. State Legislature
- b. Department of Revenue
- c. Local Government
- d. Other (*please describe*)

8. Is there a dissenting voice on the working group concerning this recommendation? If yes, please provide a summary of the minority opinion about this recommendation. **Not to our knowledge**

9. Are you aware of any statutory authority or regulation that supports the basis of this recommendation? If yes, please include it here. **C.R.S. 12-46-109 (1)**

10. Is the implementation of your recommendation dependent on another decision or action? If yes, specifically what actions or decisions are required before this recommendation can be implemented? **No**

11. Will the recommendation have a cost to implement? If yes, please explain the reason for the cost and provide an estimate. **No material cost beyond the time to amend statutes and regulations.**

12. Provide an estimate of how long it would take to implement the recommendation. **3 - 6 months**