

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

1. Work Group Sponsor (s):

Describe the Recommendation: Colorado law currently does not allow for public consumption of alcohol other than in a place which is licensed for that purpose, such as a tavern. The consumption of 3.2% beer in public is not prohibited by state laws; however, many cities and counties have laws prohibiting the possession of open alcohol beverage containers in public. Because SB 197 essentially gets rid of 3.2% beer, the Colorado Association of Chiefs of Police support a statutory definition banning public consumption of alcohol, unless there is a local ordinance to the contrary.

2. 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 a whole, 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 and the ability of retail liquor stores licensed under section 12-47-407 to sell growlers containing malt liquors.
3. Please summarize the rationale for the recommendation – why is it important? Communities and citizens need some sort of minimum consistency with regard to consumption of alcohol in public. Specifically, state parks and other state facilities will require some state-level guidance as to what is allowed. Local communities may prefer to be more or less strict, and should be allowed to do so. The state statute should apply where there is no relevant local ordinance.
4. What issue or issues does your recommendation resolve? Please identify the issues. A clear definition of public consumption would codify legal and illegal behaviors.
5. What stakeholders would be positively or negatively impacted by this recommendation, and how would they be impacted? Since only 3.2% beer is currently allowed for public consumption in state statute, to clarify that other alcohol is not allowed, would be consistent with existing law, and should not impact stakeholders negatively.
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. We are unaware.

9. Are you aware of any statutory authority or regulation that supports the basis of this recommendation? If yes, please include it here.

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?

11. Will the recommendation have a cost to implement? If yes, please explain the reason for the cost and provide an estimate.

12. Provide an estimate of how long it would take to implement the recommendation. Legislative session 2018.