



COLORADO

Department of Revenue

Enforcement Division – Liquor & Tobacco

Physical Address:
1697 Cole Boulevard, Suite 200
Lakewood, CO 80401

Mailing Address:
P.O. Box 17087
Denver, CO 80217-0087
Fax: 303-866-2428

BULLETIN 20-16

REFERENCE: LED Guidance on Executive Order D 2020 170

DATE: AUGUST 24, 2020

LED is releasing this bulletin to clarify the parameters of the amended “last call” Executive Order that Governor Polis issued today to help curb the spread of COVID-19. [Executive Order D 2020 170](#) (EO 170) amends the “last call” provision of Executive Order D 2020 144. In EO 170, the Governor directs on-premises licensees who hold a liquor license pursuant to Articles 3, 4, and/or 5 of the C.R.S., Title 44, to cease all alcohol sales to end consumers, for takeout or for consumption on the licensed premises, between the hours of 11:00 p.m. and 7:00 a.m. each day. On-premises licensees with delivery privileges may continue delivery sales until 2 a.m.

The terms of EO 170 require that:

- **On-premises** liquor licensees must cease alcohol beverage sales for **on-premises consumption** (including sales for on-premises consumption by approved sales rooms) by 11:00 p.m., nightly, and may not resume alcohol beverage sales for on-premises consumption until 7 a.m. the following morning.
- **On-premises** liquor licensees must cease alcohol beverage sales offered through **takeout** by 11:00 p.m. nightly and may not resume alcohol beverage sales offered through takeout until 7 a.m. the following morning.
- **Sales rooms** may still offer “to-go” alcohol in manufacturer sealed containers, pursuant to the off-premises abilities granted to their license type, but mixed cocktails, and/or alcohol beverages that are not manufacturer sealed (draft beer, e.g.) may not be sold through takeout after 11:00 p.m. nightly.
- **Delivery** sales of alcohol beverages by both on and off-premises licensees who have that privilege may continue pursuant to the usual delivery restrictions applicable to their license type. These delivery sales do not need to cease by 11:00 p.m.
- Licensees licensed pursuant to 44-3-413, C.R.S. may continue sales and service of alcohol beverages to guests in sleeping rooms, via **room service**, past 11:00 p.m.
- Lastly, ALL licensees must make **meals** that are prepared by a retail food licensee available at all times that alcohol beverages are served for on-premises consumption, and all licensees remain subject to the requirements of any applicable, effective Public Health Orders.

Reminder on Prohibition of Over-Service

EO 170 preserves the prohibition contained in 44-3-901(1)(a), C.R.S. regarding service to visibly intoxicated persons. LED takes public safety concerns very seriously, and over-service violations may result in administrative action up to and including revocation of a liquor license.

As circumstances change, LED may need to amend or withdraw the guidance in this bulletin. LED will continue to provide updated guidance as promptly as possible.

Please do not hesitate to reach out to LED at dor_led@state.co.us, if you have any questions regarding this bulletin.

Colorado Liquor Enforcement Division