

The City of Boulder understands that the State is looking at many options to streamline application review processes and provide flexibility in how those process can evolve. We support seeking ways to be more efficient as well as improving license issuance turnaround time and improving the customer service experience, however, offer the following comments and concerns.

In response to Proposal 20 regarding timelines for sharing applications with the state, the City of Boulder understands the need to share applications with the state in a timely manner. However, any required timeframes must include adequate time for local licensing authorities to hold public hearings on applications. The 21- and 30-day deadlines would not provide enough time for our local licensing authority to hold a public hearing and make a final determination before sending the application the state. Additionally, we see the high probability of confusion for the applicant/licensees once a notice is issued for missing items as our staff already have had questions on State Notices that licensees have received on their applications. This notification issue adds additional layers of staff processing time.

The City of Boulder already provides an informational coversheet for New, Transfer and Change of Class application types and strives to ensure a legally complete application is submitted for all license application types for a smooth State approval process as do many of our municipal colleagues. To create a coversheet for each application that is submitted would be an extremely heavy lift for the larger municipalities (such as Boulder with a current license list of 248 licensees and 11 more new or transfer applications pending) as well as an unnecessary step as we work to always provide a complete application as previously noted.

To have incomplete applications submitted will result in multiple communications between the municipality and the licensee/applicant as well as the State communications which the local level staff will undoubtedly be answering is an unnecessary step that will require additional staff time for processing, one which most municipalities cannot afford with current staffing levels.

Additionally, to add a timetable to license applications as presented, it appears to also negate the existing Concurrent Review process. Will this mean that each application would then have an additional fee for reviewing or would the State opt to cease requiring the \$100.00 Concurrent Review fee going forward?

As to Proposal 21, the City of Boulder does not see a benefit to circumventing the existing legislative rulemaking process. Clerk and Licensing staff would not have a lot of options should our opinions not be considered, because rulemaking authority would not necessarily require the general assembly to then approve changes. It is extremely important to retain the ability to have important discussions, open meetings, and public comment on proposals for change with a multi-layer review and approval process rather than a unilateral one. Proposal 21 as provided would open the licensing process to the potential for changes that could impact the way municipalities perform their work under their local ordinances which could be in direct conflict of set local rules in Home Rule municipalities. This could create additional staffing requirements to handle additional licensing processes with no funding for the extra work that could be required of any changes. As it stands now, the municipalities cannot increase the fees at this level to support current processes let alone potential changes that could occur if the State had absolute authority to change the licensing process without direct clerk/license staff and legislative input and rulemaking processes.

## **Proposal 20: Timelines for sharing applications with the state**

### **Current Statutory Language:**

- 44-3-302(1)(b) - License renewal - rules
- 44-3-303(1)(c)(I) - Transfer of ownership and temporary permits.
- 44-3-309 - Local licensing authority - applications - optional premises licenses.

### **Proposal from Subgroup**

● Add statutory language requiring local licensing authorities to transmit applications to the state licensing authority within the following timeframes:

- Renewals - twenty-one (21) days
- New applications - thirty (30) days
- Transfer applications - thirty (30) days
- Modification of premises - thirty (30) days

## **Proposal 21: Division rulemaking authority for application review timelines and process**

### **Current Statutory Language:**

- 44-3-202(2)(a)(I) - Duties of the state licensing authority - rulemaking subjects

### **Proposal from Subgroup**

● Add statutory authority in 44-3-202(2)(a)(I), C.R.S. to give the Division rulemaking authority over the timeline and process for review and transmittal between the state and local licensing authorities of all liquor applications.