

Colorado Liquor & Tobacco Enforcement Division

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COLORADO
Department of Revenue
Specialized Business Group—
Liquor & Tobacco

2024 Legislative Overview

- **HB24-1156** - Concerning Authorization to Hold Special Event Permits Where Substances that Minors are Prohibited from Purchasing are Served
- **SB24-048** - Concerning recovery from substance use disorders, and, in connection therewith, making an appropriation.
- **SB24-020** - Concerning authorization for certain persons licensed to sell alcohol beverages at retail to sell alcohol beverages for consumption off the licensed premises.
- **SB24-231** - Concerning implementing consensus recommendations of the liquor advisory group convened by the Department of Revenue to conduct a comprehensive review of Colorado's liquor laws, and, in connection therewith, making an appropriation.



2024 Legislative Links

- HB24-1156 - https://leg.colorado.gov/sites/default/files/2024a_1156_signed.pdf
- SB24-048 - https://leg.colorado.gov/sites/default/files/2024a_048_signed.pdf
- SB24-020 - https://leg.colorado.gov/sites/default/files/2024a_020_signed.pdf
- SB24-231 - https://leg.colorado.gov/sites/default/files/2024a_231_signed.pdf



HB24-1156

44-5-102. Qualification for permit (SEP)

- Permits a Chamber of Commerce to obtain a Special Event Permit with its members as participants.
- Businesses that cannot participate:
 - Sell firearms, motor vehicles, marijuana, gasoline or diesel fuel
 - Educates students from kindergarten to 12th grade or provide child care.
 - Convenience Stores
 - Holds a liquor license
- Retail Establishment Permits



HB24-1156 (cont.)

44-5-102(1)(d)(II)(D)

- Donation of products and services.

44-5-105

- Food Requirement



HB24-1156 (cont.)

44-7-105.5 Tobacco festival - rules

- LED will be holding extensive rulemaking for the implementation of this section.
- Basic statutory requirements:
 - 30 Day notice to LED
 - Age restricted
 - Limits on the number of permits issued
 - Fees
- Next Wednesday (7/31) we will be considering this in our Tob. Working Group.



SB24-048

Requires LED to review the advertising rules with Substance Use Disorder Recovery Stakeholders.

LED will hold three working group sessions with members of the recovery community to address substance use disorder recovery.

Summer/ Fall Rulemaking 2024: First meeting is July 30, 2024 at 9am.



SB24-020

44-3-911 (3.5)(7)

- Expiration date repealed.
- Takeout and delivery made permanent.



SB24-020 (cont.)

There is no change to current practices.

Warning labels and unopened containers are still required.



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WARNING:

Do not open or remove seal while in transit!
Purchasers are subject to state and local laws prohibiting drinking or possessing open containers of alcoholic beverages in motor vehicles, including section 42-4-1305, C.R.S



SB24-020 (cont.)

Licensees that may do takeout [44-3-911(6)(a)(I)]

- Manufacturer/ Wholesaler Sales Rooms
- Beer and Wine
- Hotel and Restaurant
- Tavern
- Brew Pub
- Club License
- Vinter's Restaurant
- Distillery Pub
- Lodging Facility
- Entertainment Facility
- FMB Off
- FMB On/ Off

Licensees that may do delivery [44-3-911(6)(a)(II)]

- Beer and Wine
- Bed and Breakfast
- Hotel and Restaurant
- Tavern
- Optional Premises
- Retail Gaming Tavern
- Brew Pub
- Club License
- Arts License
- Racetrack
- Public Transportation System
- Vinter's Restaurant
- Distillery Pub
- Lodging Facility (not to sleeping rooms)
- Entertainment Facility



SB24-231

Liquor Advisory Group Recommendations Bill

Changes:

- Lodging and Entertainment Facility
- Noncontiguous Locations
- Retail - Retail Purchase Cap
- Online Portal
- LLA Delegation to SLA
- Tastings and Educational Classes
- Two-Year Renewal
- “Husband and Wife”
- LLA Hearings
- Common Alcohol Modifiers
- Festival Permit Notice
- Importer’s License
- Trade Shows
- Retail - Retail Inventory Sale
- LLDS Electronic Funds Transfer
- Arts License Advertisements
- Retail Establishment Permit
- Alcohol Shipper Permit
- Catering License
- SLA Investigation Fee
- Christmas Day Sales
- Controlled Substances



SB24-231 (cont.)

Lodging and Entertainment Facility

- 8/7/24: SLA/ LLA no longer issues Lodging and Entertainment License and will issue one or the other.
- Current L&E licensees will remain unchanged until they renew, then they will convert.
- Licensees must decide which license they will apply for and may not hold both.
- Letter to current licensees.



SB24-231 (cont.)

Lodging Facility

- A lodging facility sells alcoholic beverages by the drink to customers for consumption on the licensed premises.
- Sleeping rooms are not a part of the licensed premises.
- Sale of alcoholic beverages in sleeping rooms is prohibited: room service, delivery to rooms, mini bars are not permitted.
- Snacks and sandwiches must be available for purchase on the licensed premises.



SB24-231 (cont.)

Entertainment Facility

- A facility that provides the public with sports or entertainment activities on its licensed premises and where the sale of alcohol is incidental to its business.
- Snacks and sandwiches must be available for purchase.



SB24-231 (cont.)

Noncontiguous Locations

- Permits a manufacturer (winery, limited winery, brewery, or distillery) to have up to two noncontiguous locations within a 10 mile radius for the purpose of manufacturing.
- A sales room may be operated at one location.



SB24-231 (cont.)

Retail to Retail Purchase Limit

- Has been \$2,000 annually, but has been moved to \$7,000 effective 1/1/25.
- SLA will change this limit each year to adjust for inflation.

Online Portal

- LED will study the feasibility of adopting an online application/ renewal system and report back to the General Assembly by 2028.
- LED will work with Locals and Industry to estimate the cost and feasibility of adopting this system.



SB24-231 (cont.)

LLA Delegation to SLA

- A local licensing authority may delegate its licensing authority to the state if the proposed licensed premises is on State-owned land.
 - Not mandatory



SB24-231 (cont.)

Tastings

- May now start at 10am (was 11am)
- All products must come from current inventory.
- Not more than 4 oz of malt and vinous, 2 oz of spirituous per day.

Christmas Day Sales

- Alcohol sales are now legal on Christmas Day.

Educational Classes

- An off-premise retailer may offer educational classes.
- Showcase alcohol to instruct on origin, history, flavor profiles, food pairings, etc.
- Closed event
- May not charge per drink
- Must track the number of drinks consumed by each patron
- Responsible Vendor Training
- Patrons may not participate in other tasting events that day



SB24-231 (cont.)

Common Alcohol Modifiers

- At a tasting a distiller sales room may use common modifiers (vermouth, amaros, liquors, etc) to make cocktails.
- May sell RTD cocktails of their own creation.
- The modifier cannot be sold on its own.
- Rulemaking



SB24-231 (cont.)

Two-Year Renewal

- Only for licensees in good standing
- State licenses only
 - Two year renewal for local licenses must be adopted by ordinance/resolution
- Fees remain annual
- Expired licenses will revert back to one year renewal
- Rulemaking



SB24-231 (cont.)

“Husband and wife” changed to “spouse or partner in a civil union.”

Festival Permit Notice: required notice changed from 30 business days to calendar days.

LLDS EFT: Clarifies that Electronic Funds Transfers are not an extension of credit.

LLA Hearings: Locals will no longer be required to hold hearings for new liquor licenses.

- Language change from “shall” to “may”

Wholesaler Trade Shows

- A wholesaler may hold a trade show on its premises that is not open to the general public and is only for retailers to sample products.
- May not take place in a docking, delivery, or warehousing location.



SB24-231 (cont.)

Retail to Retail Inventory Sale

- A retail liquor store that is going out of business may now sell its inventory to another retail liquor store, not less than the cost of the product.
- The seller must sell all of its product to only one acquiring licensee.
- Must first offer back to the wholesaler.
- Any money received from the sale must first be used to pay any debts to the wholesaler.



SB24-231 (cont.)

Retail to Retail Inventory Sale (cont.)

- After the seller sells all the product, its license is canceled, invalid, and considered surrendered.
- SLA and LLA shall not issue a new RLS license at the location of the premises or within 1,000ft of the premise for the next five years.
- SLA and LLA may approve a transfer of ownership that enables a licensee to operate on that premises
 - If the premises is less than 10,000 sqft
 - The SLA and LLA approve the change of ownership



SB24-231 (cont.)

Retail to Retail Inventory Sale (cont.)

- If the acquiring licensee owns more than one RLS, the acquiring licensee may allocate the product across multiple licensees.
- Notice of a pending sale must be made to the Liquor Enforcement Division and LED must post the notice on its website.
- The acquiring licensee may only transport the purchased inventory to its other liquor licensed locations.



SB24-231 (cont.)

- An Arts License may advertise the availability of alcohol, but it may not be the focus of the promotion.
- The process time for a retail establishment permit is increased from 15 to 30 calendar days.



SB24-231 (cont.)

Alcohol Beverage Shipper Permit

- Not effective until LED is appropriated the necessary funds to administer the permit.
- Required for any business shipping wine on behalf of a Wine Direct Shipper's Permit.
- Must check ID, obtain a signature, and see that the recipient is not intoxicated.



SB24-231 (cont.)

Catering License

- Not effective until LED is appropriated the necessary funds to administer the license.
- Extensive rulemaking is still required.
- Will permit a catering company to serve alcoholic beverages at events on an unlicensed premises.
- There will be a difference between large and small or public and private events.



SB24-231 (cont.)

Sale of Controlled Substances

- It is illegal to allow for the sale or negotiation of sale of controlled substances on a licensed premises.
- Does not impact controlled substance sales on an LLDS (pharmacy) premises.



Questions?



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Contact Information

Any questions?

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Or call: (303) 205-2300 for more information.

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