

Version 5

Be it enacted by the People of the State of Colorado:

SECTION 1. Declaration of Purpose.

The People of the State of Colorado find and declare that it is in the interest of Colorado to create a more level playing field for the different business types that sell alcohol for off-premises consumption by allowing an equal number of licenses for drugstores, grocery stores and liquor stores. Creating parity and an orderly expansion for all businesses will foster competition, create jobs, increase selection and consumer choice, and lower costs for Coloradans.

SECTION 2. In Colorado Revised Statutes, 44-3-409, **amend** (4)(b)(III) as follows:

44-3-409. Retail liquor store license – rules.

(4)(b)(III) For a retail liquor store licensed on or before January 1, 2016, and whose license holder is a Colorado resident, additional retail liquor store licenses as follows, but only if the premises for which a license is sought satisfies the distance requirements specified in subsection (1)(a)(II) of this section:

(A) On or after January 1, 2017, and before January 1, 2022, one additional retail liquor store license, for a maximum of up to two total retail liquor store licenses; AND

(B) On or after January 1, 2022, ~~and before January 1, 2027~~, up to ~~two~~ ELEVEN additional retail liquor store licenses, for a maximum of ~~three~~ TWELVE total retail liquor store licenses. ~~and~~

~~(C) On or after January 1, 2027, up to three additional retail liquor store licenses, for a maximum of four total retail liquor store licenses;~~

SECTION 3. In Colorado Revised Statutes, 44-3-410, **amend** (4)(b)(IV) and (4)(V) as follows:

44-3-410. Liquor-licensed drugstore license – multiple licenses permitted – requirements – rules. (4)(b)(IV) For a liquor-licensed drugstore licensed on or before January 1, 2016, or a liquor-licensed drugstore licensee that was licensed as a liquor-licensed drugstore on February 21, 2016, that converted its license to a retail liquor store license after February 21, 2016, and that applied on or before May 1, 2017, to convert its retail liquor store license back to a liquor-licensed drugstore license, additional liquor-licensed drugstore licenses as follows, but only if obtained in accordance with subsection (1)(b) of this section:

(A) On or after January 1, 2017, and before January 1, 2022, four additional liquor-licensed drugstore licenses, for a maximum of five total liquor-licensed drugstore licenses; AND

(B) On or after January 1, 2022, ~~and before January 1, 2027~~, up to ~~seven~~ ELEVEN additional liquor-licensed drugstore licenses, for a maximum of ~~eight~~ TWELVE total liquor-licensed drugstore licenses.

~~(C) On or after January 1, 2027, and before January 1, 2032, up to twelve additional liquor-licensed drugstore licenses, for a maximum of thirteen total liquor-licensed drugstore licenses;~~

~~(D) On or after January 1, 2032, and before January 1, 2037, up to nineteen additional liquor licensed drugstore licenses, for a maximum of twenty total liquor licensed drugstore licenses; and~~

~~(E) On or after January 1, 2037, an unlimited number of additional liquor licensed drugstore licenses.~~

(V) For a liquor-licensed drugstore that submitted an application for a new liquor-licensed drugstore license before October 1, 2016, additional liquor-licensed drugstore licenses as follows, but only if obtained in accordance with subsection (1)(b) of this section:

(A) On or after January 1, 2019, and before January 1, 2022, four additional liquor-licensed drugstore licenses, for a maximum of five total liquor-licensed drugstore licenses; AND

(B) On or after January 1, 2022, ~~and before January 1, 2027~~, up to ~~seven~~ ELEVEN additional liquor-licensed drugstore licenses, for a maximum of ~~eight~~ TWELVE total liquor-licensed drugstore licenses.

~~(C) On or after January 1, 2027, and before January 1, 2032, up to twelve additional liquor licensed drugstore licenses, for a maximum of thirteen total liquor licensed drugstore licenses;~~

~~(D) On or after January 1, 2032, and before January 1, 2037, up to nineteen additional liquor licensed drugstore licenses, for a maximum of twenty total liquor licensed drugstore licenses; and~~

~~(E) On or after January 1, 2037, an unlimited number of additional liquor licensed drugstore licenses.~~

SECTION 4. In Colorado Revised Statutes, 44-4-104, **amend** (1)(c)(I)(A), (1)(c)(II)(B) and (1)(c)(III)(A) and **add** (1)(c)(VI) as follows:

44-4-104. Licenses – state license fees – requirements- definition.

(1)(c)(I)(A) A MAXIMUM OF TWELVE retailer's license LICENSES shall be granted and issued to any person, partnership, association, organization, or corporation qualifying under section 44-3-301 and not prohibited from licensure under section 44-3-307 to sell at retail fermented malt beverages either for consumption off the licensed premises or for consumption on the licensed premises or, subject to subsection (1)(c)(III) of this section, for consumption on and off the licensed premises, upon paying an annual license fee of seventy-five dollars to the state licensing authority. NO PERSON, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR CORPORATION QUALIFYING UNDER SECTION 44-3-301 AND NOT PROHIBITED FROM LICENSURE UNDER SECTION 44-3-307 TO SELL AT RETAIL FERMENTED MALT BEVERAGES EITHER FOR CONSUMPTION OFF THE LICENSED PREMISES OR FOR CONSUMPTION ON THE LICENSED PREMISES OR, SUBJECT TO SUBSECTION (1)(C)(III) OF THIS SECTION, FOR CONSUMPTION ON AND OFF THE LICENSED PREMISES SHALL BE ENTITLED TO MORE THAN TWELVE LICENSES TO SELL AT RETAIL FERMENTED MALT BEVERAGES EITHER FOR CONSUMPTION OFF THE LICENSED PREMISES OR FOR CONSUMPTION ON THE LICENSED PREMISES.

(1)(c)(II)(B) Any licensee holding a fermented malt beverage license authorizing the sale of fermented malt beverages for consumption on and off the licensed premises that was issued by the state licensing authority under this subsection (1)(c) before June 4, 2018, that applies to renew the license on or after June 4, 2018, and whose licensed premises is located in a county with a population of thirty-five thousand or more and not in an underserved area must

simultaneously apply to for convert A MAXIMUM OF TWELVE ~~the license~~ LICENSES either to a license the sale of fermented malt beverages at retail for consumption off the licensed premises or to a license for the sale of fermented malt beverages at retail for consumption on the licensed premises.

(1)(c)(III)(A) The state licensing authority may issue a new or renew a fermented malt beverage retailer's license, UP TO A MAXIMUM OF TWELVE LICENSES PER RETAILER, for the sale of fermented malt beverages for consumption on and off the licensed premises if the licensed premises is located in a county with a population of less than thirty-five thousand or in an underserved area.

(1)(c)(VI) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES AS NECESSARY TO DETERMINE HOW PREVIOUSLY ISSUED LICENSES EXCEEDING THE MAXIMUM OF TWELVE RETAILER'S LICENSES ALLOWED BY ANY PERSON, PARTNERSHIP, ASSOCIATION, ORGANIZATION OR CORPORATION SHALL BE SURRENDERED.

SECTION 5. Effective date. This measure shall go into effect on March 1, 2023.