

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0393.01 Yelana Love x2295

SENATE BILL 21-133

SENATE SPONSORSHIP

Coram,

HOUSE SPONSORSHIP

(None),

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING ALCOHOL BEVERAGES DONATED FOR THE PURPOSE OF A**
102 **SPECIAL EVENT HELD AT A CLUB LICENSED TO SELL ALCOHOL**
103 **BEVERAGES BY THE DRINK TO CLUB MEMBERS FOR**
104 **CONSUMPTION ON THE CLUB PREMISES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill authorizes a person with a club license (licensee) that allows the sale of alcohol beverages by the drink to members of the club and their guests for consumption on the premises of the club to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- Commingle any donated alcohol beverages with the licensee's inventory of alcohol beverages; and
- Retain and sell donated alcohol beverages that remain on the licensee's premises after a special event.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 44-3-418, **add** (2)(c)
3 as follows:

4 **44-3-418. Club license - legislative declaration.** (2) (c) THE
5 REQUIREMENTS OF THIS SUBSECTION (2) DO NOT PROHIBIT A CLUB
6 LICENSEE FROM ACQUIRING ALCOHOL BEVERAGES THROUGH DONATION
7 AND SELLING DONATED ALCOHOL BEVERAGES AS AUTHORIZED IN SECTION
8 44-5-109.

9 **SECTION 2.** In Colorado Revised Statutes, **add** 44-5-109 as
10 follows:

11 **44-5-109. Donated alcohol beverages - authority of club
12 licensee to retain and sell.** (1) IF ALCOHOL BEVERAGES ARE DONATED TO
13 THE HOLDER OF A SPECIAL EVENT PERMIT FOR A SPECIAL EVENT HELD ON
14 THE PREMISES OF A PERSON LICENSED UNDER SECTION 44-3-418:

15 (a) NEITHER THE HOLDER OF THE SPECIAL EVENT PERMIT NOR THE
16 PERSON LICENSED UNDER SECTION 44-3-418 IS REQUIRED TO STORE THE
17 DONATED ALCOHOL BEVERAGES SEPARATELY FROM THE LICENSEE'S
18 INVENTORY; AND

19 (b) NOTWITHSTANDING SECTION 44-3-418 (2), THE PERSON
20 LICENSED UNDER SECTION 44-3-418 MAY KEEP ANY DONATED ALCOHOL
21 BEVERAGES REMAINING AFTER THE SPECIAL EVENT AND SELL THE
22 ALCOHOL BEVERAGES BY THE DRINK ONLY TO MEMBERS OF THE CLUB AND
23 MEMBERS' GUESTS AND ONLY FOR CONSUMPTION ON THE LICENSED

1 PREMISES OF THE CLUB AS AUTHORIZED IN SECTION 44-3-418.

2 **SECTION 3. Act subject to petition - effective date -**
3 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
4 the expiration of the ninety-day period after final adjournment of the
5 general assembly; except that, if a referendum petition is filed pursuant
6 to section 1 (3) of article V of the state constitution against this act or an
7 item, section, or part of this act within such period, then the act, item,
8 section, or part will not take effect unless approved by the people at the
9 general election to be held in November 2022 and, in such case, will take
10 effect on the date of the official declaration of the vote thereon by the
11 governor.

12 (2) This act applies to special event permits issued on or after the
13 applicable effective date of this act.