

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0717.01 Christy Chase x2008

HOUSE BILL 14-1132

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

Steadman,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A LOCAL GOVERNMENT TO ESTABLISH**
102 **THE HOURS DURING WHICH ALCOHOL BEVERAGES MAY BE SOLD**
103 **FOR CONSUMPTION ON A LICENSED 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://www.leg.state.co.us/billsummaries>.)

Current law prohibits a person licensed to sell alcohol beverages for on-premises consumption from serving alcohol beverages between the hours of 2 a.m. and 7 a.m.

The bill allows a local government to establish the hours during

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

which alcohol beverages may be sold for on-premises consumption at establishments within the local government's jurisdiction.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-47-314 as
3 follows:

4 **12-47-314. Hours of operation for establishments licensed for**
5 **on-premises alcohol beverage consumption- determination by local**
6 **government.** (1) NOTWITHSTANDING SECTION 12-47-901 (5) (b) (I), THE
7 GOVERNING BODY OF A MUNICIPALITY, CITY AND COUNTY, OR COUNTY
8 MAY ESTABLISH, BY THE ADOPTION OF AN ORDINANCE OR RESOLUTION,
9 THE HOURS DURING WHICH ESTABLISHMENTS WITHIN THE JURISDICTION OF
10 THE MUNICIPALITY, CITY AND COUNTY, OR COUNTY THAT ARE LICENSED
11 TO SELL ALCOHOL BEVERAGES FOR CONSUMPTION ON THE LICENSED
12 PREMISES MAY SERVE ALCOHOL BEVERAGES FOR ON-PREMISES
13 CONSUMPTION, BUT THE GOVERNING BODY SHALL NOT:

14 (a) ALLOW A LICENSED ESTABLISHMENT TO SERVE ALCOHOL
15 BEVERAGES BETWEEN THE HOURS OF 4:30 A.M. AND 7 A.M.; OR

16 (b) PROHIBIT A LICENSED ESTABLISHMENT FROM SERVING
17 ALCOHOL BEVERAGES BETWEEN THE HOURS OF 7 A.M. AND 2 A.M.

18 **SECTION 2.** In Colorado Revised Statutes, 12-47-901, **amend**
19 (5) (b) (I) as follows:

20 **12-47-901. Unlawful acts - exceptions.** (5) It is unlawful for any
21 person licensed to sell at retail pursuant to this article:

22 (b) To sell, serve, or distribute any malt, vinous, or spirituous
23 liquors at any time other than the following:

24 (I) For consumption on the premises on any day of the week,
25 **except:**

1 (A) Between the hours of 2 a.m. and 7 a.m.; OR
2 (B) BETWEEN THE HOURS ESTABLISHED BY THE GOVERNING BODY
3 OF A MUNICIPALITY, CITY AND COUNTY, OR COUNTY, BY THE ADOPTION OF
4 AN ORDINANCE OR RESOLUTION PURSUANT TO SECTION 12-47-314, BUT IN
5 NO CASE MAY A PERSON LICENSED UNDER THIS ARTICLE SERVE ALCOHOL
6 BEVERAGES FOR ON-PREMISES CONSUMPTION BETWEEN THE HOURS OF
7 4:30 A.M. AND 7 A.M. THIS SUB-SUBPARAGRAPH (B) DOES NOT PERMIT A
8 GOVERNING BODY TO PROHIBIT A LICENSED ESTABLISHMENT FROM
9 SERVING ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION BETWEEN
10 THE HOURS OF 7 A.M. AND 2 A.M.

11 **SECTION 3. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2014 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.