

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0957.02 Kristen Forrestal x4217

HOUSE BILL 14-1346

HOUSE SPONSORSHIP

Pabon and McNulty, Priola, Rosenthal, Gerou, Saine

SENATE SPONSORSHIP

Tochtrop and Renfroe, Jahn

House Committees

Business, Labor, Economic, & Workforce Development

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORIZATION FOR PERSONS LICENSED TO**
102 **MANUFACTURE, SELL, OR DISTRIBUTE ALCOHOL BEVERAGES TO**
103 **DISTRIBUTE HARD CIDER IN THIS STATE.**

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>.)

If a person complies with specific sections of the liquor code, the bill authorizes a malt liquor importer or a person who holds a nonresident manufacturer's license for malt liquor and who also manufactures hard cider to:

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.

- ! Import and sell hard cider of its own manufacture, for which it has obtained a federal bonded winery basic permit, to persons licensed as liquor wholesalers;
- ! Maintain stocks of hard cider and operate warehouses in which it has a financial interest by procuring a wholesaler's license; and
- ! Solicit orders from retail licensees and fill the orders through the licensed wholesalers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-405, **add** (4.5)
3 as follows:

4 **12-47-405. Nonresident manufacturers and importers of malt**
5 **liquor and hard cider.** (4.5) (a) NOTWITHSTANDING ANY OTHER
6 PROVISION OF LAW TO THE CONTRARY, A NONRESIDENT MANUFACTURER
7 LICENSED PURSUANT TO SUBSECTION (1) OF THIS SECTION ON OR BEFORE
8 JUNE 1, 2014, OR A MALT LIQUOR IMPORTER LICENSED PURSUANT TO
9 SUBSECTION (2) OF THIS SECTION ON OR BEFORE JUNE 1, 2014, MAY:

10 (I) IMPORT AND SELL HARD CIDER OF ITS OWN MANUFACTURE, FOR
11 WHICH IT HAS OBTAINED A FEDERAL BONDED WINERY BASIC PERMIT, TO
12 PERSONS LICENSED PURSUANT TO SECTION 12-47-406 (1) (a) TO SELL
13 HARD CIDER AT WHOLESALE;

14 (II) MAINTAIN STOCKS OF HARD CIDER AND OPERATE WAREHOUSES
15 IN WHICH IT HAS A FINANCIAL INTEREST BY PROCURING A WHOLESALER'S
16 LIQUOR LICENSE PURSUANT TO SECTION 12-47-406 (1) (a); AND

17 (III) SOLICIT ORDERS FROM RETAIL LICENSEES AND FILL THE
18 ORDERS THROUGH WHOLESALERS LICENSED PURSUANT TO SECTION
19 12-47-406 (1) (a).

20 (b) A NONRESIDENT MANUFACTURER OR MALT LIQUOR IMPORTER
21 THAT ENGAGES IN THE ACTIVITIES DESCRIBED IN PARAGRAPH (a) OF THIS

1 SUBSECTION (4.5) SHALL COMPLY WITH THE REQUIREMENTS OF
2 SUBSECTION (5) OF THIS SECTION AND SECTIONS 12-47-406 (1) (d) AND (1)
3 (e) AND 12-47-406.3 FOR THE DISTRIBUTION AND SALE OF HARD CIDER IN
4 THE SAME MANNER AS MALT LIQUOR.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.