

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1016.01 Yelana Love x2295

SENATE BILL 18-189

SENATE SPONSORSHIP

Zenzinger and Priola,

HOUSE SPONSORSHIP

(None),

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF CERTAIN ORGANIZATIONS CONDUCTING
102 A SPECIAL EVENT TO SELL ALCOHOL BEVERAGES FOR
103 FUNDRAISING PURPOSES UNDER SPECIFIED CIRCUMSTANCES.

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>.)

Senate Bill 18-067 (enacted in 2018) allows certain organizations conducting a special event to auction alcohol beverages in sealed containers if certain conditions were met. The bill expands on SB 18-067 by also allowing organizations conducting a special event to open the sealed containers and sell the alcohol beverages by the drink to persons

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.

attending the special event, for consumption only on the licensed premises or unlicensed premises where the special event is held.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-47-107, **amend**
3 **as added by Senate Bill 18-067** (2)(a)(II) and (2)(b); and **add** (2)(a)(III)
4 and (2)(b.5) as follows:

5 **12-47-107. Permitted acts - auctions at special events -**
6 **definition.** (2) (a) An organization that is holding a special event
7 pursuant to article 48 of this title 12 may, subject to the requirements of
8 subsection (2)(b) of this section:

9 (II) Auction the alcohol beverages in sealed containers for
10 fundraising purposes while on the licensed premises or unlicensed
11 premises where the special event is held; AND

12 (III) OPEN THE SEALED CONTAINERS AND SELL THE ALCOHOL
13 BEVERAGES BY THE DRINK TO PERSONS ATTENDING THE SPECIAL EVENT,
14 FOR CONSUMPTION ONLY ON THE LICENSED PREMISES OR UNLICENSED
15 PREMISES WHERE THE SPECIAL EVENT IS HELD.

16 (b) FOR ALCOHOL BEVERAGES AUCTIONED IN ACCORDANCE WITH
17 SUBSECTION (2)(a)(II) OF THIS SECTION:

18 (I) An organization holding a special event and, if the special
19 event is held on a licensed premises, the licensee on whose licensed
20 premises the special event is held, or, if the special event is held on
21 unlicensed premises, the person on whose unlicensed premises the special
22 event is held, shall ensure that any alcohol beverages in sealed containers
23 brought onto, auctioned at, or removed from the premises remain sealed
24 at all times while on the premises.

25 (II) The licensee on whose licensed premises the special event is

1 held or the person on whose unlicensed premises the special event is held,
2 as applicable, shall not require or accept any fee for, percentage or portion
3 of the proceeds from, or other financial benefit specifically related to the
4 auction of alcohol beverages in sealed containers on the premises.

5 (b.5) FOR ALCOHOL BEVERAGES SOLD IN ACCORDANCE WITH
6 SUBSECTION (2)(a)(II) OF THIS SECTION, AN ORGANIZATION HOLDING A
7 SPECIAL EVENT AND, IF THE SPECIAL EVENT IS HELD ON A LICENSED
8 PREMISES, THE LICENSEE ON WHOSE LICENSED PREMISES THE SPECIAL
9 EVENT IS HELD, OR, IF THE SPECIAL EVENT IS HELD ON UNLICENSED
10 PREMISES, THE PERSON ON WHOSE UNLICENSED PREMISES THE SPECIAL
11 EVENT IS HELD, SHALL PROMPTLY REMOVE ALL OPEN AND UNCONSUMED
12 ALCOHOL BEVERAGES FROM THE PREMISES OR DESTROY THE BEVERAGES
13 IMMEDIATELY FOLLOWING THE COMPLETION OF THE SPECIAL EVENT.

14 **SECTION 2.** In Colorado Revised Statutes, 12-47-901, **add**
15 (5)(i)(III) as follows:

16 **12-47-901. Unlawful acts - exceptions - definitions.** (5) It is
17 unlawful for any person licensed to sell at retail pursuant to this article 47
18 or article 46 of this title 12:

19 (i) (III) NOTWITHSTANDING SUBSECTION (5)(i)(I) OF THIS SECTION,
20 IT IS NOT UNLAWFUL FOR AN ORGANIZATION HOLDING A SPECIAL EVENT
21 PURSUANT TO ARTICLE 48 OF THIS TITLE 12 TO SELL ALCOHOL BEVERAGES
22 FOR CONSUMPTION ON A LICENSED PREMISES OR UNLICENSED PREMISES
23 WHERE THE SPECIAL EVENT IS HELD IN ACCORDANCE WITH SECTION
24 12-47-107 (2).

25 **SECTION 3. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.