

NOTICE OF RULEMAKING HEARING

Department of Revenue Liquor Enforcement Division

The State Licensing Authority of the Colorado Department of Revenue, Liquor Enforcement Division (“Division”), will consider the promulgation of amendments to its Rules and Regulations as authorized by the Colorado Liquor Code, sections 44-3-101 *et seq.*, C.R.S. For specific information and language concerning the proposed changes and new rules, please refer to the contents of this Notice and to the proposed rules that are set forth following this notice and are available on the Division’s website, www.colorado.gov/enforcement/liquor.

STATUTORY AUTHORITY FOR RULEMAKING

The State Licensing Authority promulgates these rules pursuant to the authority granted in section 44-3-202, C.R.S., of the Colorado Liquor Code and section 24-4-103, C.R.S., of the Administrative Procedure Act.

SUBJECT OF RULEMAKING

The proposed rules and relevant information are posted on Division’s website, www.colorado.gov/enforcement/liquor. In addition, the proposed rules attached to this Notice are fully incorporated herein.

The State Licensing Authority will consider the promulgation of the following list of new rules and/or existing rules with proposed changes. For specific information and language concerning the proposed changes, please refer to the proposed rules that are set forth with this Notice, posted on Division’s website, and posted on the Colorado Secretary of State’s website.

RULES TO BE CONSIDERED FOR AMENDMENT OR ADOPTION

The Rules to be considered for amendment or adoption are described as follows:

- Regulation 47-304. Transfer of Ownership and Changes in Licensed Entities.
- Regulation 47-307. Master Files.
- Regulation 47-309. Sports and Entertainment Venues.
- Regulation 47-310. Application – General Provisions.
- Regulation 47-311. Public Transportation System License.
- Regulation 47-312. Change of Location.
- Regulation 47-313. Tastings.
- Regulation 47-314. Limited Liability Company.
- Regulation 47-315. Lodging and Entertainment License.
- Regulation 47-316. Advertising Practices.
- Regulation 47-317. Market Research – Non-Licensed Locations.
- Regulation 47-318. Owner-Manager.
- Regulation 47-319. Liquor-Licensed Drugstore Manager Permit.
- Regulation 47-320. Signs and Interior Displays.

Notice of Rule Making Hearing
Department of Revenue
Liquor Enforcement Division

- Regulation 47-321. Bona Fide Loyalty or Rewards Programs – Discontinued Sales – Close Out Sales.
- Regulation 47-307. Master Files
- Regulation 47-310. Application – General Provisions.
- Regulation 47-313. Tastings.
- Regulation 47-314. Limited Liability Company.
- Regulation 47-315. Lodging and Entertainment License.
- Regulation 47-316. Advertising Practices.
- Regulation 47-318. Owner-Manager.
- Regulation 47-319. Liquor-Licensed Drugstore Manager Permit.
- Regulation 47-321. Bona Fide Loyalty or Rewards Programs – Discontinued Sales – Close-Out Sales.
- Regulation 47-322. Unfair Trade Practices and Competition.
- Regulation 47-323. Lawful Extension of Credit.
- Regulation 47-324. Concurrent Application Review.
- Regulation 47-326. Distance Restriction – Applicability and Measurement.
- Regulation 47-328. Entertainment Districts.
- Regulation 47-400. Licensed Breweries, Distilleries, and Wineries.
- Regulation 47-402. Confiscated Shipments.
- Regulation 47-406. Wholesale Dealer - Importation.
- Regulation 47-407. Liquor-Licensed Drugstore.
- Regulation 47-901. Public Consumption of Alcohol Beverages.
- Regulation 47-912. Identification.

RULEMAKING RECORD AND PUBLIC PARTICIPATION

1. Official Rulemaking Record. The official record for purposes of the rulemaking hearing to be held on October 16, 2019 will include any written comments or oral testimony submitted or presented.
2. Written Comments. The State Licensing Authority encourages interested parties to submit written comments on the proposed rules, including alternate proposals, by October 9, 2019 so that the State Licensing Authority can review comments prior to the rulemaking hearing. Written comments will also be accepted after that date. The deadline to submit written comments is 5:00 P.M. on October 18, 2019. The State Licensing Authority will consider comments submitted in connection with the Prior Hearing as part of the official record. The State Licensing Authority encourages interested parties to avoid duplicating comments previously submitted in connection with the Prior Hearing.

Written comments may be emailed to: dor_led@state.co.us. In addition, you may submit written comments to:

Liquor Enforcement Division
Attn: Rules
1697 Cole Boulevard
Suite 200
Golden, Colorado 80401

Written comments will be accepted at the rulemaking hearing as well.

3. Oral Comments. At his/her discretion, the State Licensing Authority may afford interested parties an opportunity to make brief oral presentations at the rulemaking hearing.

If allowed, oral presentations will likely be limited to two minutes or less per person. Individuals will not be allowed to cede their time to another person (for instance, one person speaking on behalf of five people will not be given ten minutes to speak). Organized groups of individuals are urged to identify one spokesperson and to be concise. The State Licensing Authority encourages interested parties to avoid duplicating material and testimony previously submitted in connection with the Prior Hearing.

HEARING SCHEDULE

Date: October 16, 2019
Time: 2:00 p.m.
Location: Marijuana Enforcement Division
1707 Cole Blvd, Suite 300
Golden, CO 80401
"Red Rocks" Conference room

Location of the rulemaking hearing will also be posted on the Division's website and the Secretary of State's website.

The hearing may be continued at such place and time as the State Licensing Authority may announce.

The State Licensing Authority shall deliberate upon the rulemaking record, including oral testimony and written submissions presented, as well as applicable legal provisions and any related matters properly submitted before the hearing record is closed. Pursuant to said hearing, in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the State Licensing Authority will adopt such rules as in its judgment are justified by the rulemaking record and applicable legal provisions.

If you are an individual with a disability who needs a reasonable accommodation in order to participate in this rulemaking hearing, please contact Chris Manning at Chris.Manning@state.co.us no later than October 9, 2019.

Notice of Rule Making Hearing
Department of Revenue
Liquor Enforcement Division

Dated this 13th day of September, 2019.

THE COLORADO DEPARTMENT OF REVENUE,
STATE LICENSING AUTHORITY,
LIQUOR ENFORCEMENT DIVISION



Heidi Humphreys
Deputy Executive Director/Chief Operating Officer
Colorado Department of Revenue
State Licensing Authority