

APR 27 2016

MINIMUM AGE AT LIQUOR OUTLETS – CORRECTED FINAL #157 Colorado Secretary of State

S. WARD

*Be it enacted by the People of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **amend** section 12-47-901(5) (a) (l) and **add** (5) (p) as follows:

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

(a) (I) To sell an alcohol beverage to any person under the age of twenty-one years, to a habitual drunkard, or to a visibly intoxicated person, ~~or to permit any alcohol beverage to be sold or dispensed by a person under eighteen years of age, or to permit any such person to participate in the sale or dispensing thereof.~~ If a person who, in fact, is not twenty-one years of age exhibits a fraudulent proof of age, any action relying on such fraudulent proof of age shall not constitute grounds for the revocation or suspension of any license issued under this article or article 46 of this title. ~~Notwithstanding any provision in this subparagraph (I) to the contrary, no person under twenty one years of age shall be employed to sell or dispense malt, vinous, or spirituous liquors unless he or she is supervised by another person who is on premise and has attained twenty one years of age. No employee of a tavern licensed pursuant to section 12-47-412, that does not regularly serve meals as defined in section 12-47-103 (20), or a retail liquor store shall sell malt, vinous, or spirituous liquors unless such person is at least twenty one years of age.~~

(p) (I) (A) TO PERMIT A PERSON UNDER EIGHTEEN YEARS OF AGE TO SELL, DISPENSE, OR PARTICIPATE IN THE SALE OR DISPENSING OF ANY ALCOHOL BEVERAGE;

(B) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS SUBPARAGRAPH (p), TO EMPLOY A PERSON WHO IS AT LEAST EIGHTEEN YEARS OF AGE BUT UNDER TWENTY-ONE YEARS OF AGE TO SELL OR DISPENSE MALT, VINOUS, OR SPIRITUOUS LIQUORS UNLESS THE EMPLOYEE IS SUPERVISED BY ANOTHER PERSON WHO IS ON THE LICENSED PREMISES AND IS AT LEAST TWENTY-ONE YEARS OF AGE; OR

(C) IF LICENSED AS A TAVERN UNDER SECTION 12-47-412, TO PERMIT AN EMPLOYEE WHO IS UNDER TWENTY-ONE YEARS OF AGE TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS.

(II) IF THE PERSON IS LICENSED UNDER THIS ARTICLE TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS AT RETAIL ONLY IN SEALED CONTAINERS FOR CONSUMPTION OFF THE LICENSED PREMISES, TO EMPLOY A PERSON WHO IS LESS THAN TWENTY-ONE YEARS OF AGE TO:

(A) WORK ON THE LICENSED PREMISES WHERE MALT, VINOUS, OR SPIRITUOUS LIQUORS ARE OFFERED FOR SALE IN SEALED CONTAINERS FOR OFF-PREMISES CONSUMPTION; OR

(B) WORK ON OR OFF THE LICENSED PREMISES TO DELIVER MALT, VINOUS, OR SPIRITUOUS LIQUORS IN SEALED CONTAINERS THAT ARE PURCHASED FOR CONSUMPTION OFF THE LICENSED PREMISES.

THE PROVISIONS OF THIS SUBPARAGRAPH (II) SHALL NOT APPLY TO A MANUFACTURER LICENSED UNDER SECTION 12-47-402, A LIMITED WINERY LICENSED UNDER SECTION 12-47-403, A BREW PUB LICENSED UNDER SECTION 12-47-415, A VINTNER'S RESTAURANT LICENSED UNDER SECTION 12-47-420, A DISTILLERY PUB LICENSED UNDER SECTION 12-47-424, OR A LIQUOR WHOLESALER OR BEER WHOLESALER LICENSED UNDER SECTION 12-47-406.

**SECTION 2.** THIS ACT TAKES EFFECT JULY 1, 2017.