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Authorizing the Issuance of Certain Limited Liquor Licenses to Municipalities Which Own Premises Used for Artistic or Cultural Performances.

Colorado General Assembly

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CHAPTER 143

PROFESSIONS AND OCCUPATIONS

FERMENTED MALT BEVERAGES — ALCOHOLIC BEVERAGES

HOUSE BILL NO. 1057. BY REPRESENTATIVES Spano, Castro, Davoren, Hastings, Herzog, Hudson, Larson, Lucero, McCroskey, Neale, Pena, and Wright;
also SENATORS Meiklejohn, Baca Barragan, Gallagher, D. Sandoval, and P. Sandoval.

AN ACT

AUTHORIZING THE ISSUANCE OF CERTAIN LIMITED LIQUOR LICENSES TO MUNICIPALITIES WHICH OWN PREMISES USED FOR ARTISTIC OR CULTURAL PERFORMANCES.

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

Section 1. 12-46-106, Colorado Revised Statutes 1973, 1978 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-46-106. Licensing - general provisions. (14) Licensees at facilities owned by a municipality may possess and serve any type of alcoholic beverage or fermented malt beverage as may be permitted pursuant to guidelines established by the local and state licensing authorities and need not have meals available for consumption. However, fermented malt beverages and alcoholic beverages may not be served on the same premises at the same time. Sales or deliveries of alcoholic beverages by or to such licensees shall not constitute a violation of subsection (3) of this section or section 12-46-112 (3).

Section 2. 12-47-106, Colorado Revised Statutes 1973, 1978 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

12-47-106. Licensing - general provisions. (7) Licensees at facilities owned by a municipality may possess and serve any type of alcoholic beverage or fermented malt beverage as may be permitted pursuant to guidelines established by the local and state licensing authorities and need not have meals available for consumption. However, fermented malt beverages and alcoholic beverages may not be served on the same premises at the same time.

Section 3. 12-47-120.5 (1), Colorado Revised Statutes 1973, 1978 Repl. Vol., is amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

12-47-120.5. Arts license. (1) (a) An arts license may be issued to any non-profit arts organization which sponsors and presents productions or performances of an artistic or cultural nature and shall permit the licensee to sell malt, vinous, and spirituous liquors only to patrons of such productions or performances for consumption on the licensed premises in connection with such productions and performances. No person licensed pursuant to this section shall permit any exterior or interior advertising concerning the sale of alcoholic beverages on such premises.

(b) AN ARTS LICENSE MAY BE ISSUED TO ANY MUNICIPALITY OWNING ARTS FACILITIES AT WHICH PRODUCTIONS OR PERFORMANCES OF AN ARTISTIC OR CULTURAL NATURE ARE PRESENTED, IN THE SAME MANNER AS PROVIDED FOR IN PARAGRAPH (a) OF THIS SUBSECTION (1) AND SUBJECT TO THE SAME RESTRICTIONS.

Section 4. 12-48-102, Colorado Revised Statutes 1973, 1978 Repl. Vol., is amended to read:

12-48-102. Qualifications of organizations for permit - qualifications of municipalities or municipalities owning arts facilities. (1) (a) A special event permit issued under this article may be issued only to an organization, whether or not presently licensed under articles 46 to 48 AND 47 of this title, which has been incorporated under the laws of this state for purposes of a social, fraternal, patriotic, political, or athletic nature, and not for pecuniary gain, or which is a regularly chartered branch, lodge, or chapter of a national organization or society organized for such purposes and being nonprofit in nature, or which is a regularly established religious or philanthropic institution.

(b) A SPECIAL EVENT PERMIT MAY BE ISSUED TO ANY MUNICIPALITY OWNING ARTS FACILITIES AT WHICH PRODUCTIONS OR PERFORMANCES OF AN ARTISTIC OR CULTURAL NATURE ARE PRESENTED FOR USE AT SUCH FACILITIES, SUBJECT TO THE PROVISIONS OF THIS ARTICLE.

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

Approved: May 26, 1981