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Amending 75-2-4 (18), 75-2-15, 75-2-16 (2), and 75-2-17, Colorado Revised Statutes 1963, Concerning the Regulation of Licensees Under "The Liquor Code of 1935".

Colorado General Assembly

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CHAPTER 195

INTOXICATING LIQUORS

LIQUOR CODE OF 1935

(House Bill No. 1513. By Representatives Bryant, Calabrese, and Mullen.)

A N A C T

AMENDING 75-2-4 (18), 75-2-15, 75-2-16 (2), AND 75-2-17, COLORADO REVISED STATUTES 1963, CONCERNING THE REGULATION OF LICENSEES UNDER "THE LIQUOR CODE OF 1935".

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

Section 1. 75-2-4 (18), Colorado Revised Statutes 1963, is amended to read:

75-2-4. Definitions.—(18) "Sell at wholesale" means selling to any other than the intended consumer of malt, vinous, or spirituous liquors. The words "sell at wholesale" shall not be construed to prevent a brewer or wholesale beer dealer from selling malt liquors to the intended consumer thereof, OR TO PREVENT A LICENSED MANUFACTURER OR IMPORTER FROM SELLING MALT, VINOUS, OR SPIRITUOUS LIQUORS TO A LICENSED WHOLESALE.

Section 2. 75-2-15 (1) and (8), Colorado Revised Statutes 1963, are amended to read:

75-2-15. Unlawful financial assistance.—(1) (a) It shall be unlawful for any manufacturer, wholesaler, or any person, partnership, association, organization, or corporation interested financially in or with any of the above described licensees, to be interested financially, directly or indirectly, in the business of any retail licensee licensed under this article, or for any retail licensee hereunder to be interested financially, directly or indirectly, in the business of any manufacturer, wholesaler, or any person, partnership, association, organization, or corporation interested in or with any of the said manufacturers or wholesalers licensed hereunder.

(b) IT SHALL BE UNLAWFUL FOR ANY MANUFACTURER OR IMPORTER OF VINOUS OR SPIRITUOUS LIQUORS, OR ANY PERSON, PARTNERSHIP, ASSOCIATION, ORGANIZATION, OR CORPORATION INTERESTED FINANCIALLY IN OR WITH ANY SUCH MANUFACTURER OR IMPORTER, TO BE INTERESTED FINANCIALLY, DIRECTLY OR INDIRECTLY, IN THE BUSINESS OF ANY WHOLESALE LICENSEE, OR FOR ANY WHOLESALE LICENSEE TO

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

BE SO INTERESTED FINANCIALLY IN ANY SUCH MANUFACTURER OR IMPORTER OR OTHER WHOLESALE LICENSEE; BUT ANY SUCH LICENSEES OR PERSONS INTERESTED FINANCIALLY IN OR WITH ANY OTHER SUCH LICENSEES OR PERSONS ON OR BEFORE THE EFFECTIVE DATE OF THIS PARAGRAPH (b) SHALL BE EXEMPT FROM THE PROVISIONS OF THIS PARAGRAPH (b).

(8) The purpose and intent of the provisions of this section is to prohibit and prevent the control of the ~~retail~~ outlets for the sale of alcoholic beverages defined in this article by any persons or parties other than the ~~retail~~ licensee licensed under the provisions of this article.

Section 3. 75-2-16 (2), Colorado Revised Statutes 1963, is amended to read:

75-2-16. Classes of licenses.—(2) Manufacturer's AND IMPORTER'S liquor license;

Section 4. 75-2-17 (1) (c) and (f), Colorado Revised Statutes 1963, are amended to read:

75-2-17. Manufacturer's and importer's liquor license.—(1) (c) To sell malt OR VINOUS liquors of his own manufacture within this state; provided, that BUT brewers OR WINERS licensed under this section may solicit business direct from licensed retail persons or consumers by procuring the wholesale license mentioned PROVIDED in the section 75-2-18;

(f) To sell for export to foreign countries if such export for beverage or medicinal purposes is permitted by the laws of the United States; provided, that BUT COLORADO distillers, rectifiers, winers, and Colorado brewers licensed under this section may solicit business direct from SELL THEIR PRODUCTS DISTILLED, RECTIFIED, OR BREWED IN THIS STATE DIRECTLY TO licensed retail persons by procuring the wholesale license mentioned PROVIDED in section 75-2-18.

Section 5. 75-2-17, Colorado Revised Statutes 1963, is amended BY THE ADDITION OF NEW SUBSECTIONS (3) AND (4) to read:

75-2-17. Manufacturer's and importer's liquor license.—(3) (a) Persons importing vinous or spirituous liquors into this state shall be deemed to be importers and shall be licensed only:

(b) To import and sell such liquors to wholesale liquor dealers licensed under section 75-2-18 (1);

(c) To solicit orders from retail dealers and fill such orders through licensed wholesale liquor dealers.

(4) (a) Persons licensed as importers under subsection (3) of this section shall pay to the department of revenue a fee of two hundred fifty dollars;

(b) Such license shall not permit the licensee to maintain stocks of alcoholic beverages in this state.

Section 6. 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: July 1, 1969