

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

SB20-213 be amended as follows:

1 Amend reengrossed bill, page 3 line 21, strike "A PERMIT" and substitute  
2 "ANY APPLICABLE PERMITS".

3 Page 5, after line 21, insert:

4 "(c) (I) THE LOCAL LICENSING AUTHORITY MAY CREATE A PERMIT  
5 FOR TAKEOUT AND DELIVERY OF ALCOHOL BEVERAGES TO IMPLEMENT THIS  
6 SECTION. IF A LOCAL LICENSING AUTHORITY DOES NOT CREATE A PERMIT  
7 UNDER THIS SUBSECTION (4)(c), A LICENSEE NEED NOT OBTAIN A LOCAL  
8 PERMIT TO SELL AND DELIVER AN ALCOHOL BEVERAGE OR TO ALLOW A  
9 CUSTOMER TO REMOVE AN ALCOHOL BEVERAGE FROM THE LICENSED  
10 PREMISES.

11 (II) A LOCAL LICENSING AUTHORITY MAY ESTABLISH FEES FOR THE  
12 PROCESSING AND APPROVAL OF A TAKEOUT OR DELIVERY PERMIT  
13 APPLICATION, BUT THE AMOUNT OF THE FEE MUST NOT EXCEED THE  
14 AMOUNT OF THE FEE SET BY THE STATE LICENSING AUTHORITY UNDER  
15 SUBSECTION (4)(a)(III) OF THIS SECTION.

16 (III) IF A LOCAL LICENSING AUTHORITY CREATES A TAKEOUT OR  
17 DELIVERY PERMIT:

18 (A) THE LICENSEE MUST OBTAIN THE PERMIT TO SELL AND DELIVER  
19 AN ALCOHOL BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN  
20 ALCOHOL BEVERAGE FROM THE LICENSED PREMISES AS EITHER IS  
21 AUTHORIZED UNDER SUBSECTION (1) OF THIS SECTION; AND

22 (B) THE LOCAL LICENSING AUTHORITY SHALL ISSUE A PERMIT TO  
23 A LICENSEE TO SELL ALCOHOL BEVERAGES FOR TAKEOUT AND DELIVERY  
24 IF THE LICENSEE DEMONSTRATES THE ABILITY TO COMPLY WITH THIS  
25 SECTION.

26 (IV) A PERMIT ISSUED UNDER THIS SUBSECTION (4)(c) IS SUBJECT  
27 TO THE SUSPENSION AND REVOCATION PROVISIONS SET FORTH IN SECTION  
28 44-3-601.

29 (V) A MANUFACTURER LICENSED UNDER SECTION 44-3-402 THAT  
30 OPERATES A SALES ROOM OR A WHOLESALER LICENSED UNDER SECTION  
31 44-3-407 THAT OPERATES A SALES ROOM NEED NOT OBTAIN A PERMIT  
32 FROM THE LOCAL LICENSING AUTHORITY TO SELL AND DELIVER AN  
33 ALCOHOL BEVERAGE OR TO ALLOW A CUSTOMER TO REMOVE AN ALCOHOL  
34 BEVERAGE FROM THE LICENSED PREMISES.

35 (d) THE LICENSEE SHALL SUBMIT AN APPLICATION FOR A PERMIT  
36 ISSUED UNDER THIS SECTION TO THE STATE LICENSING AUTHORITY AND THE  
37 LOCAL LICENSING AUTHORITY, IF APPLICABLE, SIMULTANEOUSLY.  
38 APPROVAL BY EITHER THE STATE LICENSING AUTHORITY OR A LOCAL  
39 LICENSING AUTHORITY DOES NOT GUARANTEE APPROVAL BY THE OTHER  
LICENSING AUTHORITY."

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