



COLORADO

Department of Revenue

Enforcement Division - Liquor & Tobacco

Physical Address:
1881 Pierce Street
Lakewood, CO 80214

Mailing Address:
P.O. Box 173350
Denver, CO 80217-3350

BULLETIN 18-04

REFERENCE: SENATE BILL 18-067 - AUCTIONS BY ORGANIZATIONS THAT QUALIFY FOR SPECIAL EVENT PERMITS

March 6, 2018

COLORADO LIQUOR ENFORCEMENT DIVISION

On March 1, 2018, Governor Hickenlooper signed SB 18-067, which became effective immediately upon signature. The purpose of this Bulletin is to provide general information about SB 18-067. For more details, please see [SB 18-067](#).

1. *General*

Pursuant to section 12-47-107(2)(a), C.R.S., an organization holding a special event permit may:

- Bring onto and remove from the special event premises sealed alcohol beverage containers that were donated or otherwise lawfully obtained by the organization for fundraising purposes.
- Auction the alcohol beverages in sealed containers for fundraising purposes while on the special event premises.

Pursuant to section 12-47-107(2)(e), C.R.S., an organization authorized to hold a special event permit, have a charity event at a retail premises licensed for on-premises consumption may:

- Bring onto and remove from the special event premises sealed alcohol beverage containers that were donated or otherwise lawfully obtained by the organization for fundraising purposes.
- Auction the alcohol beverages in sealed containers for fundraising purposes while on the special event premises.

2. *Responsible Control*

Pursuant to section 12-47-107(2)(b)(I), C.R.S., the following parties are responsible for ensuring that any alcohol beverages brought onto, auctioned at, or removed from the special event premises shall remain sealed:

- The organization holding the special event permit.
- The licensee on whose licensed premises the special event is held, if applicable.
- The person on whose unlicensed premises the special event is held, if applicable.

3. *Prohibited Financial Benefits*

Pursuant to section 12-47-107(2)(b)(II), C.R.S., the following parties shall not require or accept any fee, percentage, proceeds, or other financial benefit specifically related to the auction of alcohol beverages in sealed containers:

- The licensee on whose licensed premises the special event is held, if applicable.
- The person on whose unlicensed premises the special event is held, if applicable.

4. *Annual Purchase Limit*

Pursuant to section 12-47-107(2)(c), C.R.S., the retail value of alcohol beverages donated to an organization holding a special event permit by a fermented malt beverage retail licensee, a retail liquor store licensee, or a liquor-licensed drugstore licensee, does not count against the \$2,000 annual limit on purchases from a:

- Beer and wine licensee
- Hotel and restaurant licensee
- Tavern licensee
- Retail gaming tavern licensee
- Brew pub licensee

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- Club licensee
- Arts licensee
- Racetrack licensee
- Vintner's restaurant licensee
- Distillery pub licensee
- Lodging and entertainment licensee

5. *Liability*

Pursuant to section 12-47-107(d)(I), C.R.S., a retail licensee that donates alcohol beverages to an organization holding a special event permit is not liable for any violation of section 12-47-901, C.R.S., if:

- The violation was committed by the organization holding the special event permit or other person on the special event premises; or
- The violation involved the donated alcohol beverages if the retail licensee that donated the alcohol beverages was not involved in the violation and did not engage in any violation of section 12-47-901, C.R.S.

If you have any questions about this Bulletin, please contact the LED at (303) 205-2306.