



# 2017 LEGISLATIVE SUMMARY

The 2017 legislative session was a good year for the Colorado Restaurant Association. With both chambers of the legislature controlled by different parties, Democrats and Republicans needed to compromise in order to get things accomplished. This helped the CRA protect the restaurant industry from some potentially harmful legislation, while at the same time allowing us to get smart legislation through the process.

Here you will find a summary of the legislation that the CRA monitored during the 2017 Colorado Legislative Session, descriptions of some of the key legislation CRA worked on, CRA positions, the outcome of the legislation, and links directly to the bills.

Every year the CRA works diligently to track, monitor, and analyze the hundreds of pieces of legislation that are introduced each year. By prioritizing the bills that are affecting the restaurant community and business climate in Colorado, we are able to educate lawmakers and impact their opinions to ensure policy outcomes are favorable for restaurants and thousands of workers.

If you would like to know more about what the CRA does at the Colorado legislature or if you would like to participate on the CRA's legislative committee, please contact [Nick Hoover](#) at 303-830-2972.

## RESTAURANTS LEAD COLORADO'S ECONOMY

- \$12 billion total restaurant sales
- 275,000 workers
- 11,250 locations
- 12% Colorado's labor force
- 75% independently owned
- 23% restaurant sales from tourism

# CRA WORKING FOR YOU

2017 SAW:

**700+**

**BILLS  
TRACKED**

**77**

**BILLS  
ACTIVE  
POSITIONS**

**9**

**BILLS  
SUPPORTED**

**7**

**BILLS  
OPPOSED**

**61**

**BILLS  
NEUTRAL**

**87%**

**SUCCESS  
RATE**

## KEY LEGISLATION

### EMPLOYEES PURCHASING ALCOHOL

#### **PASSED/CRA SUPPORTED**

Senate Bill 58 by Sen Baumgardner (R-Steamboat Springs) allows an employee or an agent of a licensee (in addition to the Registered Manager associated with the liquor license) to purchase alcohol for the licensee. This is important to restaurants because it formally legalizes practices that are currently industry standard but haven't consistently been allowed by liquor enforcement.

#### *What does this mean to you?*

*The passage of this legislation prevents the Colorado Liquor Enforcement division from being able to assess your business a violation because alcohol wasn't ordered by the owner or the registered manager for the license. Because of an interpretation made by LED in the summer of 2016, most liquor licenses would have seen a violation for not having their registered manager or owner order alcohol for the license.*

### AGE OF TAVERN EMPLOYEES

#### **PASSED/CRA SUPPORTED**

Senate Bill 237 by Sen Gardner (R-Colorado Springs) fixed a mistake from legislation last year that removed language allowing employees of a Tavern that serves meals, to be between the ages of 18-20, if they are supervised by someone over 21. Senate bill 237 restored that provision.

#### *What does this mean to you?*

*The passage of Senate Bill 197 in 2016 screwed up at what age employees can handle alcohol in a Tavern Liquor License. The passage of this bill fixed the mistake that happened the previous year so Taverns that serve full meals can continue to hire 18-20 year old employees.*

### MUSIC LICENSING

#### **PASSED/CRA SUPPORTED**

House Bill 1092 by Rep Lebsack (D-Thornton) applies new requirements for the operation of music licensing companies in the State of Colorado. Those requirements include:

- Music licensing companies need to register with the Secretary of State in Colorado.
- Music licensing companies need to publish their contract rates on the Secretary of State's website. A music licensing company is not be able to execute a contract with a restaurant or bar in Colorado without the rates being published first.
- Music licensing companies need to publish an accurate list of the music licensed by their companies on the Secretary of State's website.

#### *What does this mean to you?*

*The passage of this bill was the first time in almost a decade that restaurants in Colorado were given relief from aggressive performing rights organizations. Now, there are new standards they have to meet in order for them to do business in the State of Colorado.*

# KEY LEGISLATION

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## MANUFACTURER'S SALES ROOMS

### **KILLED/CRA OPPOSED**

Senate Bill 253 by Sen Marble (R-Mead) and Sen Guzman (D-Denver) would have expand the number of sales rooms alcohol manufacturers could have where they sell directly to the public. These sales rooms would not have been licensed through the local licensing authority, they would have no food sales requirement, and they would not have to go through needs and desires hearing. Additionally, the bill would have given the ability for manufacturers to have a movable temporary sales room license that could not last more than 3 days in one location

### *What does this mean to you?*

*The failure of this legislation to pass means that restaurants in Colorado will not have to compete with more and more manufacturer sales rooms that act like bars but don't have to abide by the same rules and regulations as restaurants.*

## FAMILY AND MEDICAL LEAVE WAGE REPLACEMENT

### **KILLED/CRA OPPOSED**

House Bill 1307 by Rep Winter (D-Westminster) would have created a new program, funded by workers in the State of Colorado that would provide wage replacement benefits to employees who qualify for Family and Medical Leave and need to utilize it. The program would have been funded by a premium based on a percentage of the employee's yearly wages, not to exceed .99%. Additionally, the Department of Labor would have the ability to issue a solvency surcharge by rules if needed to ensure the soundness of the fund.

### *What does this mean to you?*

*The failure of this legislation to pass means that businesses in Colorado will not be burdened with the obligation of managing a new mandated benefit for each of their employees. Additionally, with this bill failing to pass, the State of Colorado won't have to raise everyone's income taxes to a regional high in order to keep this new fund solvent.*

## ELIMINATE SALES TAX ON NONESSENTIAL FOOD ITEMS

### **KILLED/CRA SUPPORTED**

House Bill 1009 by Rep Van Winkle (R-Highlands Ranch) would have reinstated Colorado sales and use taxes exemptions for nonessential articles sold to restaurants and bars intended for human consumption or to be given to customers. This would include paper goods, single use condiments, to go containers, and more. This is important to restaurants because it would have reduced your sales and use taxes.

### *What does this mean to you?*

*The failure of this bill to pass means that restaurants in Colorado will have to continue paying sales tax on non-essential food items they purchase from a food wholesaler.*

# FULL LIST OF CRA MONITORED LEGISLATION

## Alcohol Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1084</a>	Hotel Wine Alcohol Sales	Dead	Oppose
<a href="#">HB17-1120</a>	Alcohol Beverage License Higher Education Campus	Became Law	Monitored
<a href="#">HB17-1123</a>	Extend On-premises Retail Alcohol Beverages Sales Hours	Dead	Monitored
<a href="#">HB17-1145</a>	Amateur Winemaker Tastings Contests & Judgings	Became Law	Monitored
<a href="#">HB17-1189</a>	Colorado Wine Development Board Term Limits	Became Law	Monitored
<a href="#">HB17-1335</a>	Liquor Licensee Wine Sales	Dead	Support
<a href="#">HB17-1370</a>	Retail Sales Of Alcohol Beverages	Dead	Monitored
<a href="#">SB17-058</a>	Employee Agent Purchase of Alcohol Beverages	Became Law	Support
<a href="#">SB17-077</a>	Government Agency Special Event Permit Eligibility	Became Law	Monitored
<a href="#">SB17-134</a>	Alcohol Beverage Licensee Penalty Application	Became Law	Monitored
<a href="#">SB17-143</a>	Cleanup Alcohol Beverage Retail Sales	Dead	Support
<a href="#">SB17-195</a>	Retail Liquor Stores Additional Licenses	Dead	Monitored
<a href="#">SB17-199</a>	Retail Liquor Stores Additional Licenses	Dead	Monitored
<a href="#">SB17-237</a>	Age Of Employees Serving Alcohol On Premises	Became Law	Support
<a href="#">SB17-253</a>	Alcohol Manufacturer Customer Sales	Dead	Oppose
<a href="#">SB17-269</a>	Retail Liquor Store Sales Revenue Nonalcohol Goods	Became Law	Monitored

## Retail Food Establishment Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1079</a>	Continue Fees Wholesale Food Manufacture And Storage	Became Law	Monitored
<a href="#">HB17-1234</a>	Beef Country Of Origin Retail Placard	Dead	Oppose
<a href="#">SB17-244</a>	Retail Food Establishment Fees	Became Law	Monitored

## Marijuana Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1034</a>	Medical Marijuana License Issues	Became Law	Monitored
<a href="#">SB17-017</a>	Allow Medical Marijuana Use For Stress Disorders	Became Law	Monitored
<a href="#">SB17-025</a>	Marijuana Education Materials Resource Bank	Became Law	Monitored
<a href="#">SB17-063</a>	Marijuana Club License	Dead	Monitored
<a href="#">SB17-184</a>	Private Marijuana Clubs Open And Public Use	Dead	Monitored
<a href="#">SB17-192</a>	Marijuana Business Efficiency Measures	Became Law	Monitored

# FULL LIST OF CRA MONITORED LEGISLATION

## Labor Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1001</a>	Employee Leave Attend Child's Academic Activities	Dead	Monitored
<a href="#">HB17-1021</a>	Wage Theft Transparency Act	Became Law	Oppose
<a href="#">HB17-1119</a>	Payment Of Workers' Compensation Benefits	Became Law	Monitored
<a href="#">HB17-1229</a>	Workers' Compensation For Mental Impairment	Became Law	Monitored
<a href="#">HB17-1290</a>	Colorado Secure Savings Plan	Dead	Monitored
<a href="#">HB17-1307</a>	Family And Medical Leave Insurance Program Wage Replacement	Dead	Oppose
<a href="#">SB17-055</a>	Prohibit Discrimination Labor Union Participation	Dead	Monitored
<a href="#">SB17-131</a>	Uniform Wage Garnishment Act	Dead	Monitored

## Tax Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1007</a>	Tax Benefit Employer Collegeinvest Contribution	Dead	Oppose
<a href="#">HB17-1009</a>	Restore Nonessential Articles Tax Exemptions	Dead	Support
<a href="#">HB17-1018</a>	Extend Voter Approval Window For RTA Regional Transportation Authority Mill Levy	Became Law	Monitored
<a href="#">HB17-1019</a>	Property Tax Redemption Third Party Costs	Became Law	Monitored
<a href="#">HB17-1049</a>	Eliminate Property Tax Abatement Refund Interest	Became Law	Monitored
<a href="#">HB17-1063</a>	Reduce Business Personal Property Taxes	Dead	Support
<a href="#">HB17-1066</a>	Conservation Easement Tax Credit Landowner Relief	Dead	Monitored
<a href="#">HB17-1090</a>	Advanced Industry Investment Tax Credit Extension	Became Law	Monitored
<a href="#">HB17-1091</a>	Tax Credit Employer-assisted Housing Projects	Dead	Monitored
<a href="#">HB17-1136</a>	Consistent Statutes For Electronic Filing Of Taxes	Became Law	Monitored
<a href="#">HB17-1216</a>	Sales And Use Tax Simplification Task Force	Became Law	Monitored
<a href="#">SB17-009</a>	Business Personal Property Tax Exemption	Dead	Support
<a href="#">SB17-054</a>	Create Rotation Schedule For Tax Checkoff Programs	Dead	Monitored
<a href="#">SB17-112</a>	Sales & Use Tax Payment To Wrong Local Government	Became Law	Monitored
<a href="#">SB17-287</a>	Income Tax Credit For Donation To Endowment Fund	Dead	Monitored

# FULL LIST OF CRA MONITORED LEGISLATION

## Business Related Bills

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1037</a>	Deadly Force Against An Intruder At A Business	Dead	Monitored
<a href="#">HB17-1092</a>	Retail Establishment And Performing Rights	Became Law	Support
<a href="#">HB17-1214</a>	Encourage Employee Ownership Of Existing Small Business	Became Law	Monitored
<a href="#">HB17-1305</a>	Limits On Job Applicant Criminal History Inquiries	Dead	Monitored
<a href="#">SB17-001</a>	Alleviate Fiscal Impact State Rules Small Business	Dead	Support
<a href="#">SB17-002</a>	Compulsory Review Of Rules By Each Principal Department	Dead	Monitored
<a href="#">SB17-022</a>	Rural Economic Advancement Of Colorado Towns	Dead	Monitored
<a href="#">SB17-072</a>	Convenience Fees Prohibition	Dead	Monitored
<a href="#">SB17-080</a>	Reduce Amount Of Wages Subject To Garnishment	Dead	Monitored
<a href="#">SB17-116</a>	Concealed Handgun Carry Without A Permit	Dead	Monitored
<a href="#">SB17-186</a>	Reduce Regulatory Burden Rules On Businesses	Dead	Monitored
<a href="#">SB17-204</a>	Improper Denial Of Property And Casualty Claims	Dead	Monitored
<a href="#">SB17-276</a>	Alleviate Fiscal Impact State Rules Small Business	Dead	Monitored

## Other Issues

Bill #	Short Title	Most Recent Status	Position
<a href="#">HB17-1029</a>	Open Records Subject To Inspection Denial	Dead	Monitored
<a href="#">HB17-1041</a>	Inform Students And Parents Of Education Leading To Jobs	Became Law	Monitored
<a href="#">HB17-1069</a>	Subcommittee On Data Privacy	Dead	Monitored
<a href="#">HB17-1155</a>	Cure Campaign Finance Reporting Deficiencies	Became Law	Monitored
<a href="#">HB17-1230</a>	Protect Colorado Residents From Federal Government Overreach	Dead	Monitored
<a href="#">HB17-1242</a>	New Transportation Infrastructure Funding Revenue	Dead	Monitored
<a href="#">HB17-1288</a>	Penalties For Felony DUI Offenders	Became Law	Monitored
<a href="#">HB17-1314</a>	Colorado Right To Rest Act	Dead	Oppose
<a href="#">SB17-003</a>	Repeal Colorado Health Benefit Exchange	Dead	Monitored
<a href="#">SB17-040</a>	Public Access To Government Files	Became Law	Monitored
<a href="#">SB17-056</a>	Reporting Requirements By Colorado Department Of Public Health And Environment To General Assembly	Became Law	Monitored
<a href="#">SB17-079</a>	Limit Amendments To Initiated Statutory Laws	Dead	Monitored
<a href="#">SB17-118</a>	Information On Private Occupational Schools	Dead	Monitored
<a href="#">SB17-119</a>	Restoration Of School District Mill Levies	Dead	Monitored
<a href="#">SB17-152</a>	Implement Changes Made By Amendment 71	Became Law	Monitored
<a href="#">SB17-283</a>	Clarify Discrimination And Right To Disagree	Dead	Monitored