

**NOTE: The governor signed this measure on 3/30/2015.**

# An Act

HOUSE BILL 15-1031

BY REPRESENTATIVE(S) Windholz, Brown, Melton, Pabon, DelGrosso, Duran, Esgar, Fields, Ginal, Kraft-Tharp, Landgraf, Lawrence, McCann, Priola, Rankin, Rosenthal, Singer, Tate, Williams, Wilson, Hullinghorst;  
also SENATOR(S) Todd.

CONCERNING A BAN ON POWDERED ALCOHOL.

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

**SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend** (36); and **add** (23.7) as follows:

**12-47-103. Definitions.** As used in this article and article 46 of this title, unless the context otherwise requires:

(23.7) "POWDERED ALCOHOL" MEANS ALCOHOL THAT IS PREPARED OR SOLD IN A POWDER OR CRYSTALLINE FORM FOR EITHER DIRECT USE OR RECONSTITUTION.

(36) "Spirituous liquors" means any alcohol beverage obtained by distillation, mixed with water and other substances in solution, and includes among other things brandy, rum, whiskey, gin, POWDERED

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

ALCOHOL, and every liquid or solid, patented or not, containing at least one-half of one percent alcohol by volume and which is fit for use for beverage purposes. Any liquid or solid containing beer or wine in combination with any other liquor, except as provided in subsections (19) and (39) of this section, shall not be construed to be fermented malt or malt or vinous liquor but shall be construed to be spirituous liquor.

**SECTION 2.** In Colorado Revised Statutes, 12-47-401, **add** (2) as follows:

**12-47-401. Classes of licenses.** (2) IF THE FEDERAL ALCOHOL AND TOBACCO TAX AND TRADE BUREAU APPROVES THE PURCHASE, SALE, POSSESSION, OR MANUFACTURING OF POWDERED ALCOHOL IN THE UNITED STATES, THE STATE LICENSING AUTHORITY SHALL ADOPT RULES ESTABLISHING A MECHANISM FOR REGULATING THE MANUFACTURE, PURCHASE, SALE, POSSESSION, AND USE OF POWDERED ALCOHOL.

**SECTION 3.** In Colorado Revised Statutes, 12-47-503, **add** (1) (a.5) as follows:

**12-47-503. Excise tax - records.** (1) (a.5) THE DEPARTMENT OF REVENUE SHALL PROMULGATE RULES CONCERNING THE EXCISE TAX APPLIED TO POWDERED ALCOHOL AT 60.26 CENTS PER LITER FOR THE AMOUNT OF LITERS OF WATER SUGGESTED TO BE ADDED BY THE MANUFACTURER'S PACKAGING.

**SECTION 4. 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.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO