

**COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
NOTICE OF RULEMAKING HEARING**

The State Licensing Authority of the Colorado Department of Revenue, Liquor Enforcement Division, will consider the promulgation of amendments to its Rules and Regulations as authorized by the Colorado Liquor Code, sections 44-3-101 *et seq.*, C.R.S. For specific information and language concerning the proposed changes, please refer to the contents of this Notice and to the proposed rules that are set forth following this notice and are also at the Colorado Department of Revenue, Liquor Enforcement Division's website at www.colorado.gov/enforcement/liquor.

STATUTORY AUTHORITY FOR RULEMAKING

The State Licensing Authority promulgates these rules pursuant to the authority granted in subsections 44-3-102, 44-3-201(1), 44-3-202(1)(b), 44-3-202(2)(a), and 44-3-501(3)(a)-(b), (d), and (4), C.R.S., of the Colorado Liquor Code and section 24-4-103, C.R.S., of the Administrative Procedure Act.

SUBJECT OF RULEMAKING

The proposed rules and relevant information are posted on the Colorado Department of Revenue, Liquor Enforcement Division's website at www.colorado.gov/enforcement/liquor. In addition, the proposed rules attached to this Notice are fully incorporated herein.

The State Licensing Authority will consider the promulgation of the following list of new rules and/or existing rules with changes proposed. For specific information and language concerning the proposed changes, please refer to the proposed rules that are set forth with this notice, at the Colorado Department of Revenue, Liquor Enforcement Division's website, and on the Colorado Secretary of State website.

RULES TO BE CONSIDERED FOR AMENDMENT OR ADOPTION

Certain fees under Regulation 47-506, 1 C.C.R. 203-2 relating to liquor application fees established by the state licensing authority pursuant to Section 44-3-501(3), C.R.S. are described as follows:

Regulation 47-506. Fees.

Basis and Purpose. The statutory authority for this regulation is located at subsections 44-3-202(1)(b) and 44-3-501(3)-(4), C.R.S. The purpose of this regulation is to establish fees for certain applications, notices, reports, and services.

Below are the fees set by the State Licensing Authority pursuant to sections 44-3-501(3) and 44-3-501(4), C.R.S.

Alternating Proprietor Licensed Premises	\$150.00
Application for New License	\$550.00 \$1,100.00
Application for Transfer License	\$550.00 \$1,100.00
Application for Transfer & Conversion for an Additional Liquor-Licensed Drugstore.....	\$750.00 \$1,300.00
Branch Warehouse or Warehouse Storage Permit	\$100.00
Change of Corporate or Trade Name	\$50.00
Change of Location	\$150.00
Concurrent Review	\$100.00
Corporate/LLC Change (Per Person)	\$100.00
Duplicate Liquor License	\$50.00
Limited Liability Change	\$100.00
Manager Permit Registration (Liquor-Licensed Drugstore)	\$100.00
Master File Background	\$250.00
Master File Location Fee (Per Location)	\$25.00
Modification of License Premises (City or County)	\$150.00
New Product Registration (Per Unit)	\$0.00
Optional Premises Added to H&R License (Per Unit)	\$100.00
Retail Warehouse Storage Permit	\$100.00
Sole Source Registration	\$100.00
Winery Direct Shipment Permit	\$100.00
Subpoena Testimony (Per Hour)	\$50.00

Minimum of four (4) hours of appearance or on-call or travel time to court and mileage, meals, and lodging at state employee per-diem rate. Actual hourly rate for all hours in excess of four (4) hours.

These fees are effective January 1, 2019 by emergency rule, and are proposed to be decreased on a permanent basis.

RULEMAKING RECORD AND PUBLIC PARTICIPATION

1. **Official Rulemaking Record.** The official record for purposes of the rulemaking hearing to be held on February 4, 2019 will include any written comments or oral testimony submitted or presented.
2. **Written Comments.** The State Licensing Authority encourages interested parties to submit written comments on the proposed rules, including alternate proposals, by January 30, 2019 so that the State Licensing Authority can review comments prior to the rulemaking hearing. Written

comments will also be accepted after that date. The deadline to submit written comments is February 8, 2019 at 5:00 P.M.

The State Licensing Authority will accept all written comments which may be emailed to: dor_led@state.co.us. In addition, you may submit completed Rule Forms to:

Liquor Enforcement Division
Attn: Rules
1697 Cole Boulevard
Suite 200
Golden, Colorado 80401

Written comments will be accepted at the rulemaking hearing.

3. Oral Comments. At his/her discretion, the State Licensing Authority may afford interested parties an opportunity to make brief oral presentations at the rulemaking hearing. If allowed, oral presentations will likely be limited to two minutes or less per person. Individuals will not be allowed to cede their time to another person (for instance, one person speaking on behalf of five people will not be given ten minutes to speak). Organized groups of individuals are urged to identify one spokesperson and to be concise. The State Licensing Authority encourages interested parties to avoid duplicating previously-submitted material and testimony.

HEARING SCHEDULE

Date: February 4, 2019
Time: 1:00 P.M.
Location: Marijuana Enforcement Division
1707 Cole Blvd, Suite 300
Golden, CO 80401
"Red Rocks" Conference room

Location of the rulemaking hearing will also be posted on the Liquor Enforcement Division's website and the Secretary of State's website.

The hearing may be continued at such place and time as the State Licensing Authority may announce.

The State Licensing Authority shall deliberate upon testimony and written submissions presented at this hearing, as well as applicable legal provisions and any related matters properly submitted before the hearing record is closed. Pursuant to said hearing, in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the State Licensing Authority will adopt such rules as in its judgment are justified by the rulemaking record and applicable legal provisions.

If you are an individual with a disability who needs a reasonable accommodation in order to participate in this rulemaking hearing, please contact dor_led@state.co.us no later than January 30, 2019.

Dated this 27th day of December, 2018.

THE COLORADO DEPARTMENT OF REVENUE,
STATE LICENSING AUTHORITY,
LIQUOR ENFORCEMENT DIVISION



Michael S. Hartman
State Licensing Authority
Colorado Department of Revenue