



2018 LEGISLATIVE SUMMARY

The 2018 legislative session was a good year for the Colorado Restaurant Association. With control of the legislature being split, as Republicans controlled the Senate and Democrats controlled the house, negotiating was key to getting any legislation passed this year. This was extremely beneficial to the CRA's efforts to protect and advance the restaurant industry in Colorado. Here is a list of some key bills the CRA worked on in 2018.

Here you will find a summary of the legislation that the CRA monitored during the 2018 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

2018 SAW:

700+

**BILLS
TRACKED**

66

**BILLS
ACTIVE
POSITIONS**

6

**BILLS
SUPPORTED**

8

**BILLS
OPPOSED**

54

**BILLS
NEUTRAL**

85%

**SUCCESS
RATE**

KEY LEGISLATION

Auction Alcohol at Special Events

PASSED/CRA SUPPORTED

Senate Bill 67 by Sen Zenzinger (D-Westminster) and Sen Priola (R-Brighton) allows charities to utilize silent auctions containing sealed bottles of alcohol at on-premises liquor licensed locations. Currently, these types of events happen often in the State of Colorado, but were technically a violation of the Colorado Liquor Code. This bill codifies in law a practice that is already occurring. This legislation was signed into law by the Governor and was immediately effective.

What does this mean to you?

For the longest time, these types of events were happening on liquor licensed premises (technically illegally) with zero enforcement. Once the liquor enforcement division started enforcing this provision, the passage of this law became necessary. Now, you can host a private event that includes a silent auction with alcohol and not worry about losing your liquor license.

Transfer Alcohol on Surrendered License

PASSED/CRA SUPPORTED

Senate Bill 138 by Sen Gardner (R-Colorado Springs) and Sen Kerr (D-Lakewood) allows a restaurant or bar to sell their remaining alcohol stock to another liquor license with common ownership if their liquor license is surrendered, revoked or if they lose legal possession of the licensed premises. The licensee would have to offer the wholesalers the opportunity to purchase back any alcohol they may want and the selling location will have to pay for any alcohol that has not been paid for yet. Currently, when a business has to surrender their license, any alcohol not purchased back by the wholesaler becomes the personal property of the license holder and cannot be used at another location. This legislation was signed into law by the Governor and will go into effect in August.

What does this mean to you?

In the event that you have to shut down your establishment, for any of the reasons outlined in the bill, and you have a common ownership in another location, you will have the ability to maintain your alcohol stock and keep that investment in your business. Before the passage of this law, owners who had to shut down their establishment were stuck with all of the remaining alcohol stock and couldn't use it at any other location. In some cases this was up to \$6,000 worth of alcohol.

KEY LEGISLATION

Local Minimum Wage

KILLED/CRA OPPOSED

House Bill 1368 by Reps Melton (D-Aurora) and Danielson (D-Wheat Ridge) would have allowed local governments to set minimum wage higher than the state minimum wage for employees working in that jurisdiction. Additionally, local jurisdictions would have been able to create fines, penalties and fees at rates higher than in state law. This legislation was postponed indefinitely in the Senate State, Veterans, and Military Affairs Committee.

What does this mean to you?

The failure of this legislation means that restaurants are not going to unfairly have their cost of doing business increased compared to a competitor who may be across the street. This legislation would have led to a patchwork of wage and hour laws being created across the State of Colorado that would have closed many small businesses.

Homeless Bill of Rights/Right to Rest

KILLED/CRA OPPOSED

House Bill 1067 by Rep Melton (D-Aurora) and Rep Salazar (D-Thornton) would have created the “Colorado Right to Rest Act” which establishes basic rights for persons experiencing homelessness, including the right to use and move freely in public spaces, to rest in public spaces, to eat or accept food in public places and to have a reasonable expectation of privacy of one’s property. This bill was postponed indefinitely in the House Local Government Committee.

What does this mean to you?

This legislation had one of the broadest interpretations of “public place” of any legislation in the past. Had this legislation passed, the common areas of malls, and other similar locations, would have qualified as a public place, preventing anyone from passing a law or rule that would prohibit a person from living there.

Family and Medical Leave Insurance

KILLED/CRA SUPPORTED

House Bill 1001 by Rep Winter (D-Westminster) and Rep Gray (D-Broomfield) would have created a new program, funded by workers in the State of Colorado, which would provide wage replacement benefits to employees who qualify for Family and Medical Leave. 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 had the ability to issue a solvency surcharge if needed to ensure the soundness of the fund. This bill was postponed indefinitely in the Senate State, Veterans, & Military Affairs Committee.

What does this mean to you?

This legislation had many flaws in it that would have caused significant problems with Colorado’s budget and put businesses in a position where they could have easily violated wage and hour laws without knowing it. The failure of this legislation simply protects both the financial health of the state and protects Colorado’s businesses.

KEY LEGISLATION

Beef Country of Origin

KILLED/CRA OPPOSED

House Bill 1043 by Rep Lewis (R-Lamar) would have required retailers in Colorado, including restaurants who sell dishes containing raw beef, to post a placard at the location of sale identifying the country of origin of the beef being sold. This bill was postponed indefinitely in the House Agriculture, Livestock, & Natural Resources Committee.

What does this mean to you?

The failure of this legislation means that restaurants who wish to serve a dish containing raw beef, like carpaccio or beef tar tar, will not be forced to post a “placard” at each table and each stool at the bar. Killing this legislation saved money for restaurants who wish to take advantage of an allowance they are currently given.

Sale of 3.2 Beer

KILLED/CRA OPPOSED

Senate Bill 243 by Sen Holbert (R-Lone Tree) and Sen Guzman (D-Denver) would make significant changes to the sale of Fermented Malt Beverages (3.2% beer) by businesses licensed for off-premises sales. This bill was amended in the Senate to allow the liquor enforcement division to issue a rule that would allow for wholesalers to “black list” retailers if the retailer has credit extend past 30 days. Before the bill passed through both chambers, the CRA worked with allied organizations and was able to strip this amendment from the bill bringing our position back to neutral. This legislation passed out of the House of Representatives and the Senate and will now go to the Governor.

What does this mean to you?

Removing the amendment that would have allowed for “black listing” means that restaurants who happen to have a credit for more than 30 days, will still be able to purchase alcohol on credit from other wholesalers that are not owed money. Additionally, this was an attempt by the wholesalers to move closed to required “cash on delivery” and preventing this amendment from staying in the bill helps all retailers in Colorado.