



Keeping Your Restaurant Compliant – Alcohol for Takeout and Delivery

Current as of May 2024

SB24-020, which passed into law during the 2024 Colorado Legislative Session, repealed the July 2025 sunset provision included in the 2021 alcohol-to-go law, allowing Colorado restaurants to sell alcohol for takeout and delivery on a permanent basis. Here's what that means for restaurants:

How much alcohol can I sell?

SB24-020 kept in place the 2021 law's volume limits per transaction, which have been in effect since summer 2023, when the COVID-19 pandemic state-of-emergency declaration expired.

Those limits are:

- 1.5 liters of wine (two standard bottles)
- 144 fluid ounces of beer (approx. two standard six packs)
- 1 liter of spirits

Wine and beer: Practically speaking, this means that a customer can, for instance, order two entrees, a bottle of wine, and two six-packs of beer and/or two cocktails for takeout or delivery in one transaction. Alternatively, a customer can order two entrees and two bottles of wine in one transaction, and then order another bottle of wine or two six-packs of beer and/or two cocktails in a separate transaction.

Spirits: For batched cocktails or any drinks containing spirituous liquor, the per-transaction cap includes any fluid containing any amount of spirit. In other words, a customer buying a 1-liter bottle of margarita mix that contains a single shot of tequila is considered to be buying a liter of spirits for the purposes of the per-transaction limit. Alternatively, a customer can buy a liter of tequila along with two gallons (or more) of margarita mix that contains no alcohol in a single transaction and remain in compliance.

How can I sell it?

SB24-020 added a requirement prohibiting tavern or restaurant licensees from selling alcohol in manufacturer-sealed containers for takeout or delivery without the assistance of an employee. In other words, you cannot set up liquor-store-like areas in your establishment where customers can self-select sealed bottles or cans of alcohol for takeout purchases without the assistance of an employee.

In addition, in order to sell alcohol for takeout and delivery, you must provide an approved container. All containers must comply with the following:

- The container must be rigid and cannot be made of paper or polystyrene foam.
- The lid or cap on the container must be designed to prevent consumption without the removal of the lid or cap.
- Containers must be sealed in a way that is "tamper evident" in order to tell if the container has been opened.
- Manufacturer-sealed bottles of beer, wine, and spirits are approved containers and considered tamper evident.



- The lid of the container can have a straw or sipping hole *only if* the hole is covered with a “tamper evident” seal or sticker. Masking tape, scotch tape, or a sticker that is not designed to be “tamper evident” is not an acceptable covering for a straw or sipping hole.
- All takeout and delivery orders shall be affixed with a label containing a warning statement, with a minimum fourteen (14) font size, stating: “WARNING: DO NOT OPEN OR REMOVE SEAL WHILE IN TRANSIT. Purchasers are subject to state and local law prohibiting drinking or possessing open containers of alcoholic beverages in motor vehicles, including section 42-4-1395, C.R.S.
- It does not matter if the warning label is adhesive and affixed to the container or is physically printed on the container as long as the information is clearly visible.
- Beverages sold in plastic bags or baggies *are not allowed*.

When can I sell it?

Alcohol takeout and delivery services from restaurants may only be performed between the hours of 7:00 a.m. and midnight.

How can I deliver it?

- For delivery orders, the individuals placing the order must be 21 years of age or older, and must provide their name, date of birth, and delivery address. This information must be verified upon delivery.
- Deliveries may only be made to the address provided at the time of the order.
- Persons making the delivery must be 21 years of age or older and must be an employee of the licensee.
- Third-party delivery companies (such as Uber Eats, Doordash, etc.) *cannot* deliver alcohol from restaurants – **all restaurant alcohol deliveries must be done by an employee of the business.**
- Licensees must retain all records regarding the delivery of alcohol beverages.

How can I offer takeout and curbside pickup?

You are required to check customer identification when selling alcohol for takeout or curbside pickup, but you do not need to collect and maintain that information as you do with delivery. Curbside pickup is allowed in designated areas outside the licensed premise, not to exceed 150 feet from the licensed premise.

How can I sign up?

Liquor licensed businesses are required to obtain a separate permit in addition to their existing license to offer alcohol for takeout or delivery. [This permit can be accessed on the Liquor Enforcement Division's webpage.](#)