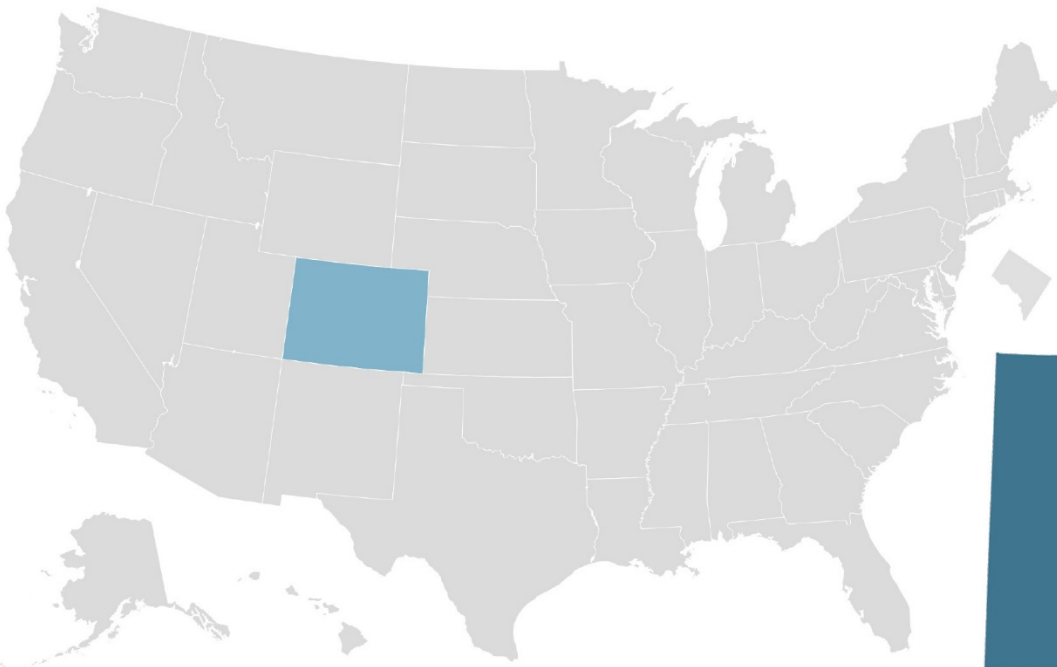




SAMHSA
Substance Abuse and Mental Health
Services Administration

Colorado

2021 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2020. Regional and state profile data were drawn from the most recently available federal survey data as of 2019. State legal data reflect the status of the law as of January 1, 2020. State survey data, collected in 2020, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2016 through 2019 National Surveys on Drug Use and Health (NSDUH), the Substance Abuse and Mental Health Services Administration’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2020). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2011–2015 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2019 data used to present statistics about fatalities among 15- to 20-year-old drivers.

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Colorado

State Population: 5,758,736

Population Ages 12–20: 645,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	140,000 (21.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	83,000 (12.9%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	7,000 (3.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,000 (1.1%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	36,000 (17%)
Past-Month Binge Alcohol Use – Number (Percentage)	23,000 (11%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	97,000 (45.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	57,000 (26.7%)
Adults Ages 18 +	
Past-Month Alcohol Use – (Percentage)	(64.9%)
Past-Month Binge Alcohol Use – (Percentage)	(31.2%)
Age of Initiation of Alcohol Use	
Average Age of Initiation	16.0
Alcohol-Related Deaths	
Alcohol-Attributable Deaths (under 21)	58
Years of Potential Life Lost (under 21)	3,489
Fatal Crashes Involving a 15- to 20-Year-Old Driver with Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver with BAC > 0.01%	19
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	(24%)

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health System Overview³

The Colorado public behavioral health care system includes substance use and mental health services and is administered and funded primarily by three separate executive branch departments: the Department of Health Care Policy and Financing (the state Medicaid authority), the Department of Human Services (CDHS) Office of Behavioral Health (OBH) (the single state authority (SSA) for substance abuse prevention and treatment and the state mental health authority (SMHA)), and the Colorado Department of Public Health and Environment (CDPHE) (the state public health authority). Other departments and state agencies such as the Department of Regulatory Agencies, Department of Corrections, CDHS Division of Child Welfare, and the Colorado Department of Education provide and/or fund population-specific behavioral health services. OBH regulates behavioral health facilities and programs, purchases behavioral health services, and provides valuable information for citizens through data collection and analysis.

OBH

OBH under CDHS executes the state's federal responsibilities as SMHA and SSA and is responsible for the administration of the Mental Health Block Grant and the Substance Abuse Prevention and Treatment Block Grant (SABG). OBH is responsible for administering, licensing, and regulating the provision of community-based public behavioral health services, specifically, substance use prevention, substance use treatment, and mental health treatment services. OBH licenses approximately 300 substance use disorder provider agencies in over 600 treatment sites; designates 17 community mental health centers, 27 community mental health clinics, and 44 residential childcare facilities with mental health services; and designates 40 health facilities that can accept individuals under the mental health involuntary commitment statutes

OBH is led by the director who is designated as the state's behavioral health commissioner (the SHMA and the SSA). The OBH director provides oversight across the entire agency and provides leadership for policy development, service provision and coordination, program monitoring and evaluation, and administrative oversight for the public behavioral health system. The director is also responsible for the direct supervision of four directors that comprise the executive team: the deputy director, the division director of community behavioral health, the division director of the mental health institutes, and the director of strategy, communications, and policy.

The Division of Community Behavioral Health (CBH) within OBH oversees all of the community behavioral health programs with five units led by directors of each unit area: Prevention and Early Intervention, Adult Treatment and Recovery Services, Child and Family Services, Criminal Justice Services, and Workforce Development and Innovation. CBH staff work on specific program and service areas to manage the quality and content of the public behavioral health system; connect service providers to internal and external training and technical assistance; and implement programs and federally funded discretionary grants.

³ Extracted from fiscal year (FY) 2020/2021 – (Colorado) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment (CSAT), Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Substance Use Disorder System

OBH contracts with four Managed Services Organizations (MSOs) for the provision of community substance use prevention, treatment, and recovery services contracted to approximately 80 substance use treatment providers. Substance use treatment providers that are licensed but not contracted with the MSOs may take other third-party payments through public or private insurance or self-pay but are not funded by OBH or the block grant. Modes of service delivery include prevention, outpatient, residential, recovery, and withdrawal management services primarily targeted toward priority populations as outlined in federal and state law. Prevention services are delivered to address individual, family, and community needs through evidence-based programs that support the federally designated prevention strategies. These services are delivered through substance use treatment providers, schools, community non-profits, health agencies, recovery providers, and contracted communications partners.

Prevention Services

OBH developed three priority areas for primary prevention community-based programs, practices and approaches:

- Prevention and delaying onset of first use for of alcohol, tobacco and other drug use.
- Changing community norms regarding alcohol, tobacco and other drug use.
- Addressing population-based needs regarding alcohol, tobacco and other drug use.

Expenditures for Substance Abuse Prevention and Treatment

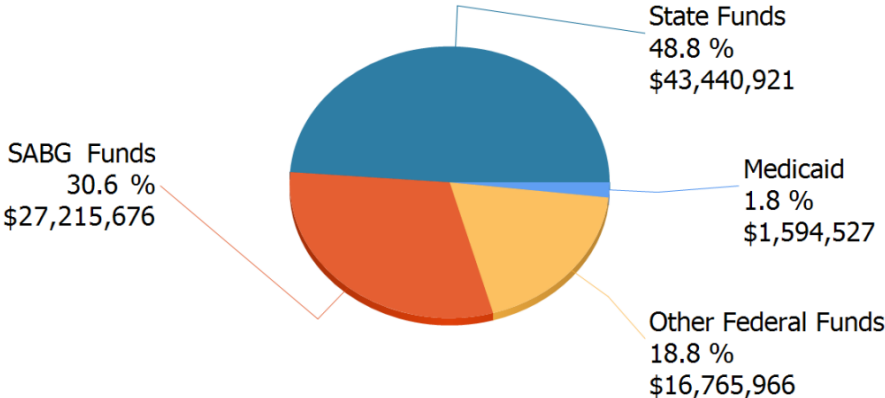
All states receive federal funds for substance abuse prevention through SABG funds, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Colorado used for expenditures on substance abuse prevention and treatment in 2020. As indicated, state funds and SABG funds account for the largest sources (48.8 percent and 30.6 percent, respectively).⁴

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2020–2021, Colorado designated reducing substance use among youth, young adults, and their families as priority number seven for use of SABG funds.⁵

⁴ WebBGAS State Profile, 2020 SABG and Community Mental Health Block Grant (MHBG) Reports – Colorado 2020.

⁵ FY 2020/2021 – (Colorado) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, CSAT, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Colorado’s 2020 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Colorado's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

The following sections address these measures:

State Laws and Policies: These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

1. Underage possession or purchase of alcohol.
2. Underage drinking and driving.
3. Alcohol availability.
4. Sales and delivery to consumers at home.
5. Alcohol pricing.
6. Enforcement policies.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Underage Possession or Purchase of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> • Is possession allowed if parent or guardian is present or consents? • Is possession allowed if spouse is present or consents? 	Yes, in specified locations – see below No
Is there an exception based on location?	Yes, in any private location if parent/guardian is present or consents
Notes: Colorado's exception requires the knowledge and consent of the owner of the private property when minors possess alcohol (in addition to the consent and presence of a parent or guardian).	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> • Is consumption allowed if parent or guardian is present or consents? • Is consumption allowed if spouse is present or consents? 	Yes, in specified locations – see below No
Is there an exception based on location?	Yes, in any private location if parent/guardian is present or consents
Notes: Colorado's exception requires the knowledge and consent of the owner of the private property when minors consume alcohol (in addition to the consent and presence of a parent or guardian).	

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> • Is internal possession allowed if parent or guardian is present or consents? • Is internal possession allowed if spouse is present or consents? 	Yes, in specified locations – see below No
Is there an exception based on location?	Yes, in any private location if parent/guardian is present or consents
Notes: Colorado's exception requires the knowledge and consent of the owner of the private property when minors possess or consume alcohol (in addition to the consent and presence of a parent or guardian).	

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	Yes
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	Yes
Notes: In Colorado, the license revocation period for a first conviction of obtaining or attempting to obtain an alcoholic beverage by misrepresentation of age is twenty-four hours of public service, if ordered by the court, or three months.	

Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	12
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12:00 AM
Can law enforcement stop a driver for night driving violation as a primary offense?	No
Are there restrictions on passengers?	Yes; for first 6 months, no passenger under 21 who is not an immediate family member unless accompanied by driver's parent or guardian; second 6 months, only one passenger under 21 who is not an immediate family member unless accompanied by driver's parent or guardian
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17

Alcohol Availability

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> • Is furnishing allowed if the parent or guardian supplies the alcohol? • Is furnishing allowed if the spouse supplies the alcohol? 	Yes, in specified locations No
Is there an exception based on location?	Yes, in any private location, if parent/guardian/spouse supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Responsible Beverage Service (RBS)-Mandatory	
Is there a state law pertaining to Beverage Service Training?	Yes, mandatory
If training is mandatory, who must participate?	Licensee, manager, server/seller
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	Unspecified
Notes: A liquor-licensed drugstore that sells alcohol beverages must obtain certification as a responsible alcohol beverage vendor. A training program must be attended by the resident on-site owner (if applicable) or manager, and all employees selling alcohol beverages.	

Responsible Beverage Service (RBS)-Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A

If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present when an underage person is selling beverages?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes
Notes: Persons under 21 years of age employed to sell or dispense malt, vinous, or spirituous liquors are required to be supervised by another person who is on premise and is at least 21 years of age.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 500 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 500 feet
To which alcohol products does requirement apply?	Beer, wine, spirits
Notes: Exception is "campus liquor complex."	
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 500 feet
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 500 feet
To which alcohol products does requirement apply?	Beer, wine, spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$350,000 per person.)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of underage status.)
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	Yes (\$350,000 per person.)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of underage status.)
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A

Does host’s preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Sales and Delivery to Consumers at Home

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser’s age before sale?	No

Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted
Notes: State permit required for all beverage types.	

Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.08
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.32
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.28
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant

Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	

Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Notes: Wholesalers may not sell below cost. A liquor-licensed drugstore may not purchase alcohol beverages on credit.	

Enforcement Policies

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20.5
Are there appearance requirements for the decoy?	Yes, age-appropriate appearance with no age enhancements.
Does decoy carry ID during compliance check?	Discretionary
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third and subsequent offenses?	1 year
What is the penalty for the first offense?	Written warning, Assurance of Voluntary Compliance, or up to 15-day license suspension. Accepting a fine in lieu of actual suspension or holding a portion of the suspension time in abeyance are both at the discretion of the licensing authority.
What is the penalty for the second offense?	5- to 25-day license suspension. At the discretion of the licensing authority, licensee may pay fine in lieu of suspension, or suspension may be held in abeyance if no fine was paid or suspension served at time of 1st offense.
What is the penalty for the third offense?	15- to 40-day license suspension
What is the penalty for the fourth offense?	45-day license suspension or license revocation

Notes: A two-year time period is allowed for the third and fourth offenses. All penalties are for compliance check violations only. Under first offense, the following is added: "...it is recommended that, where there are no aggravating circumstances, a licensee who has fulfilled the requirements of a Responsible Vendor pursuant to 44-3-1002, C.R.S. be issued a warning, Assurance of Voluntary Compliance, or up to five (5) days suspension on the first violation."

Colorado State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Colorado Department of Revenue Liquor Enforcement Division

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws

Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors

Colorado Liquor Enforcement
Division for Wine Direct
Shipping
Don't know

Such laws are also enforced by local law enforcement agencies

Don't know

Enforcement Statistics

State collects data on the number of minors found in possession

Yes

Number of minors found in possession¹ by state law enforcement agencies

659

Number pertains to the 12 months ending

03/31/2020

Data include arrests/citations issued by local law enforcement agencies

Yes

State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors

Yes

Data are collected on these activities

Yes

Number of retail licensees in state³

11,651

Number of licensees checked for compliance by state agencies

1,748

(including random checks)

Number of licensees that failed state compliance checks

94

Numbers pertain to the 12 months ending

04/30/2020

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments

Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations

Yes

Number of licensees subject to **random** state compliance checks/decoy operations

1,748

Number of licensees that failed **random** state compliance checks

94

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors

Yes

Data are collected on these activities

Yes

Number of licensees checked for compliance by local agencies

85

Number of licensees that failed local compliance checks

9

Numbers pertain to the 12 months ending

04/01/2020

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors

Yes

Number of fines imposed by the state⁴

73

Total amount in fines across all licensees	\$130,897.71
Smallest fine imposed	\$200
Largest fine imposed	\$5,000
Numbers pertain to the 12 months ending	04/01/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	11
Total days of suspensions across all licensees	87
Shortest period of suspension imposed (in days)	5
Longest period of suspension imposed (in days)	15
Numbers pertain to the 12 months ending	No data
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	04/01/2020

Additional Clarification

For suspension days, I only provide the actual days the liquor license was suspended. The Division includes abeyance time with a violation. The Division may issue a 25-day suspension where the licensee is suspended for 25 days. 15 of those days have to be served and 10 held in abeyance. I only provided the 15 days.

Direct Shipping: The Liquor Enforcement Division issues wine direct shipping permits that allow for in-state and out-of-state direct shipping of wine with the proper permit. Direct shipping of malt and spirits is prohibited. The Liquor Enforcement Division conducts statewide compliance checks at retailer and wholesale/manufacture sites that have sales rooms. These checks are conducted at random unless the Division receives a specific complaint of underage sales against a license holder. In that instance, we conduct a target check, which is not tracked separately.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Substance Abuse Block Grant

Number of youth served	52,946
Number of parents served	82,490
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report	Not applicable
URL for more program information	https://www.colorado.gov/pacific/cdhs/substance-abuse-prevention-block-grant-sabg#:~:text=The%20Colorado%20Department%20of%20Human,primary%20prevention%20by%20providing%20universal%2C

Program Description: The Colorado Department of Human Services, Office of Behavioral Health, Community Programs (OBH) administers a portion of the Federal Substance Abuse Prevention and Treatment Block Grant (SABG) from the Substance Abuse and Mental Health Services Administration (SAMHSA) to fund primary prevention by providing universal, selective, and indicated prevention activities and services for persons not identified as needing treatment.

The SABG program’s objective is to help plan, implement, and evaluate activities that prevent and treat substance use disorders. The SABG is authorized by section 1921 of Title XIX, Part B, Subpart II and III of the Public Health Service (PHS) Act. The PHS Act required the secretary of the U.S. Department of Health and Human Services to create regulations as a precondition to making funds available to the states and other grantees under the SABG. Title 45 Code of Federal Regulations Part 96 was published on March 31, 1993, and the Tobacco Regulations for Substance Abuse Prevention and Treatment Block Grant, Final Rule, 61 Federal Register 1492 was published on January 19, 1996.

SAMHSA's Center for Substance Abuse Treatment’s (CSAT) Performance Partnership Branch, in collaboration with the Center for Substance Abuse Prevention’s (CSAP) Division of State Programs, administers the SABG. The federal block grant guidelines include primary prevention activities that are directed at individuals who do not require treatment for substance use disorder. Comprehensive primary prevention programs, policies, practices, and approaches target both general population and subgroups that are at high risk for substance misuse and abuse.

Botvin Lifeskills Training

Number of youth served	Not available
Number of parents served	Not available
Number of caregivers served	Not available
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report	Not applicable
URL for more program information	https://www.lifeskillstraining.com/

Program Description: LifeSkills Training has a model-plus” rating through Blueprints for Healthy Youth Development. It is a classroom-based, three-year, middle school substance abuse prevention program to prevent teenage drug and alcohol abuse, adolescent tobacco use, violence, and other risky behaviors by teaching students self-management skills, social skills, and drug awareness and resistance skills. The Colorado Department of Public Health and Environment (CDPHE) funds LifeSkills Training implementation and fidelity monitoring in 31 middle schools across the state.

Communities That Care

Number of youth served	data not available
Number of parents served	data not available
Number of caregivers served	data not available
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://www.colorado.gov/pacific/cdphe/communities-care-risk-and-protective-factor-profile-reports
URL for more program information	https://www.colorado.gov/pacific/cdphe/ctc

Program Description: Communities That Care (CTC) is directed through the CDPHE Prevention Services Division, Violence and Injury Prevention. It is a population-based primary prevention program that utilizes community organization based in prevention science, addressing the risk and protective factors predictive of future substance misuse and violence. Forty-six funded communities are focused on increasing the number of evidence-based programs and environmental change strategies currently taking place in their communities.

Sources of Strength

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	64
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	https://sourcesofstrength.org/

Program Description: Sources of Strength is a universal suicide prevention program designed to build socioecological protective influences among youth to reduce the likelihood that vulnerable students become suicidal. The program empowers students as peer leaders and connects them with adult advisors at school and in the community. Peers and school staff select peer leaders to represent all subgroups within the school population. With support from adult advisors, peer leaders create messages and conduct activities intended to change norms that influence coping practices and problem behaviors for all students. Activities are designed to reduce the acceptability of suicide as a response to distress, increase the acceptability of seeking help, improve communication between youth and adults, and to develop healthy coping attitudes among youth.

The Office of Suicide Prevention works to expand the implementation of the program in Colorado by braiding funding streams and leveraging partnerships. In Fiscal Year 2018-19, the Office of Suicide Prevention supported 83 schools to implement Sources of Strength and trained 64 youth-serving personnel in the Sources of Strength Advanced Skills Training session (training for trainers).

Persistent Drunk Driving/Law Enforcement Assistance Funds Impaired Driving Prevention

Number of youth served	11,717
Number of parents served	No data
Number of caregivers served	21,712
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	https://www.colorado.gov/pacific/cdhs/persistent-drunk-driving-law-enforcement-assistance-funds

Program Description: In 2017 the Prevention Persistent Drunk Driving (PDD) funds and Law Enforcement Assistance Funds (LEAF), two state cash fund allocations, were combined together to award three separate community coalition contracts, designated as No DUI Colorado Coalitions. Newly awarded contracts must support primary prevention efforts to prevent impaired driving and/or the local conditions that facilitate this behavior at all levels of the community, especially among young drivers. Awardees will employ comprehensive primary prevention programs and practices, including OBH's "No DUI Colorado" campaign strategies that target both general population and subgroups that are at high risk for substance misuse and abuse for those ages 15-34.

The Law Enforcement Assistance Fund is state funds financed from DUI offenses for community substance abuse prevention programs and projects. Monies allocated to the Office of Behavioral Health Prevention are used to establish a statewide program for the prevention of driving after drinking; training of teachers, health professionals, and law enforcement in the dangers of driving after drinking; preparing and disseminating educational materials dealing with the effects of alcohol and other drugs on driving behavior; and preparing and disseminating education curriculum materials for use at all levels of school. Pursuant to legislation passed in 1998, penalties were increased for high BAC and repeat DUI offenders. Referred to as the Persistent Drunk Driver Act of 1998, this legislation defined the PDD and created the PDD Cash Fund, which is funded by a surcharge imposed on convicted DWAI/DUI offenders. Monies in the PDD fund are subject to annual appropriation by the general assembly with the scope of their use stipulated by statute. Overall, the primary purpose of the fund is to support programs that are intended to deter persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers, regarding the dangers of persistent drunk driving. In recent years the scope of the fund was expanded to include assisting indigent DUI offenders with the cost for required treatment or intervention services.

The grant funding period is five years (November 1, 2017 to June 30, 2022), with an annual funding amount of \$156,500 for each awarded community.

Tony Grampsas Youth Services

Number of youth served	86,156
Number of parents served	10,335
Number of caregivers served	2,157
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	https://urldefense.proofpoint.com/v2/url?u=https-3A__drive.google.com_drive_u_1_folders_1vWUVVyaVPx864L13mpukDIVzsQq87qF-5F&d=DwMFaQ&c=sdnEM9SRGFuMt5z5w3AhsPNahmNicq64TgF1JwNR0cs&r=VKVZ_7NnHTEYjVk_7n9TmlG-4lScLorbsojgTrpGb04&m=b5Fvd47jnKHwFt0ztq6kQmZn0Q1b5PUFJyXsz44ikO4&s=s6gQxcKXs7yb1iVkiO6c1_GHonL9KkDDRqbM8V_jFX8&e=https://www.colorado.gov/pacific/cdhs/tony-grampsas-youth-services-program
URL for more program information	https://www.colorado.gov/pacific/cdhs/tony-grampsas-youth-services-program

Program Description: Tony Grampsas Youth Services (TGYS) is a project of the Colorado Office of Children, Youth and Families, Division of Child Welfare. TGYS receives a percentage of general tax funds, tobacco master settlement funds, and marijuana tax funds. The project is currently funding 98 grantees, nine of which have been funded to provide substance abuse prevention services/programs with a focus on marijuana use prevention, but also inclusive of underage drinking prevention. TGYS requires grantees to describe prevention work and evaluates

program outcomes (i.e., numbers served, goal accomplishments) through survey results that are based on National Outcome Measure Survey (NOMs) as well as shared risk and protective factors.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: CDPHE offers Sources of Strength primary prevention programming on the Ute Mountain Nation. Through Substance Abuse Block Grant funding, Archuleta County School District collaborates with the Apache Jicarilla Nation to deliver The Great Bodyshop primary prevention programming in a culturally appropriate way to students who attend the schools but live on the Apache Jicarilla Nation.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing Yes

Description of program: Some communities that receive SABG funds implement Media Ready, an evidence-based program that teaches teens media literacy to critically examine alcohol advertisements and placement in entertainment media.

State collaborates with/participates in media campaigns to prevent underage drinking Yes

Federal campaigns: No

Regional and local media campaigns: Healthy Youth, Fill Your World With Good Yes

Local school district efforts: Sources of Strength Yes

Other: No

State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You." (TTHY) No

State officially endorses TTHY efforts Not applicable

State commits state resources for TTHY Not applicable

State forwards TTHY materials to local areas Not applicable

Other: Not applicable

State procures funding for TTHY Not applicable

Pro bono Not applicable

Donated air time Not applicable

Earned media Not applicable

Other: Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:

Federal agency(ies): SAMHSA, CDC Yes

Agency(ies) within your state: No

Nongovernmental agency(ies): Rise Above, Sources of Strength Yes

Other: No

Best practice standards description:

Use data to inform decisions.

Avoid scare tactics.

Emphasize the positive (how many youth have not drank in the past 30 days versus how many youth have.)

Incorporate health equity and cultural responsiveness into all messaging.

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Ryan Templeton
 Email: Ryan.Templeton@state.co.us
 Address: 3824 W Princeton Circle Denver, Colorado 80236
 Phone: 303-866-7405

Agencies/organizations represented on the committee:

Colorado Department of Human Services Division of Child Welfare
 Colorado Department of Human Services Office of Behavioral Health
 Law enforcement agencies
 Emergency response agencies
 Colorado Department of Public Health and Environment
 Substance abuse and mental health treatment providers
 Substance abuse recovery providers
 People with lived experience
 Family members of people with lived experience

A website or other public source exists to describe committee activities Yes

URL or other means of access: <https://www.colorado.gov/pacific/cdhs-boards-committees-collaboration/behavioral-health-planning-and-advisory-council#:~:text=The%20Colorado%20Behavioral%20Health%20Planning,issues%20related%20to%20behavioral%20health.>

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last three years Yes

Prepared by: Colorado Department of Human Services Office of Behavioral Health. "Putting Prevention Science to Work: Colorado's Statewide Strategic Plan for Primary Prevention of Substance Abuse" (2019-2024) Plan can be accessed via: <https://drive.google.com/file/d/1mjLh0-fQXFA71-nr4xZD9bgUv9lpwFnR/view>

State has prepared a report on preventing underage drinking in the last three years Yes

Prepared by: Colorado Department of Public Health and Environment, Healthy Kids Colorado Survey (2017) Report can be accessed via: <https://drive.google.com/file/d/1mjLh0-fQXFA71-nr4xZD9bgUv9lpwFnR/view>

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended \$9,817.60
 Estimate based on the 12 months ending 04/01/2020

Checkpoints and saturation patrols:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

K-12 school-based programs to prevent underage drinking:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs targeted to institutes of higher learning:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included: Data not available	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No data
Fines	Yes
Fees	No data
Other: No data	No data

Description of funding streams and how they are used:

The Persistent Drunk Driving and Law Enforcement Assistance Funds come from fines imposed by judges onto people who have been convicted of impaired driving. These funds are used in part to support impaired driving prevention efforts, along with underage drinking prevention efforts, in communities across Colorado.

Additional Clarification

Expenditure for compliance checks: Minor Operative pay is \$7,633.60 and fake ID technology costs \$2,184.00.



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

