



**COLORADO**  
**Department of Revenue**  
Specialized Business Group—  
Liquor & Tobacco

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**BULLETIN 20-15**

**REFERENCE: Further Guidance on Executive Order D 2020 144 and Prohibition of “Token” or “Ticket” redemption after 10:00 p.m.**

DATE: August 13, 2020.

Executive Order D 2020 144 (EO 144) directs on-premises licensees who hold a liquor license pursuant to Articles 3, 4, and/or 5 of the C.R.S. Title 44, to cease all alcohol sales to end consumers, for consumption on the licensed premises, between the hours of 10:00 p.m. and 7:00 a.m. each day.

The purpose of Executive Orders in this series is to encourage the responsible adherence to social distancing guidelines in order to slow the spread of COVID-19, thereby keeping our families and most vulnerable neighbors safe, and preventing our medical facilities from being overwhelmed by the current pandemic.

LED has been made aware of on-premises licensees who are operating in contradiction of the Executive Order by offering a “token” or “ticket” system, under which an on-premises patron may purchase tokens or tickets to “redeem” for alcohol beverages past 10:00 p.m., as there is no prohibition on the service of alcohol beverages after that time (only the “sale” of such beverages).

While it is clear that such systems are not within the spirit of the Executive Order, they are also in technical violation of it. Colorado Revised Statute 44-3-103(52) defines “sell” or “sale” as: “To exchange, barter, or traffic in...to deliver for value or in any way other than gratuitously...to traffic in for any consideration promised or obtained, directly or indirectly.” Even if tokens or tickets are technically purchased prior to the sales deadline, when they are redeemed after that time, patrons and licensees are still “exchanging,” “bartering,” or procuring for “consideration promised or obtained” alcohol beverages. The tokens or tickets, having been purchased in the first instance, have and maintain value regardless of their status as legal tender. Therefore, the redemption of tokens/tickets for alcohol beverages after 10:00 p.m. is considered a “sale” of alcohol beverages and will be found to be a violation of the Executive Order.

LED encourages licensees to be vigilant regarding over service of alcohol beverages to patrons and to employ responsible business practices that complement the overarching health concerns that we are all facing during this pandemic. Service of multiple drinks at one time to any patron can quickly result in over intoxication and that intoxication, by its very nature, is incompatible with the proven social distancing guidelines that are currently in place and demonstrably slowing the spread of COVID-19. For example, a “ten shots in ten minutes” special at 9:50 p.m. that is clearly designed to sell as many drinks as possible without taking into account the effect on the consumer, is not a responsible business practice for any licensee. Alcohol beverage establishments are important staples in their communities, and we ask that they demonstrate good judgment in their business practices while serving those communities.

LED is aware of how difficult the pandemic has been on the whole of the liquor industry, and continues to advocate for the responsible sale of alcohol beverages in adherence to public health guidelines. We encourage licensees to practice and maintain responsible business policies during this time as we work together to ensure the safety of our communities.

As circumstances change, LED may need to amend or withdraw the guidance in this bulletin. LED will continue to provide updated guidance as promptly as possible.

Please do not hesitate to reach out to LED at [dor\\_led@state.co.us](mailto:dor_led@state.co.us), if you have any questions regarding this bulletin.

**Colorado Liquor Enforcement Division**