

Opinion No. [30-31]

August 28, 1930

BY: J. A. MILLER, Assistant Attorney General

TO: Mr. T. A. Smith, Cortez, Colorado.

ITINERANT VENDORS -- Must have licenses.

OPINION

I have before me yours of the 23rd inst. in which you ask to be advised as to the law in the state relative to the sale of medicines in connection with a show.

Although you do not go into much detail as to your manner of doing business, I judge from what you do say that you would fall within the definition of itinerant vendor as that term is used in our statute.

An itinerant vendor in this state is required to take out first a state license. This he obtains from the Secretary of State. Next he must take out a county license in each county in which he does business and must deposit with the treasurer of each county in which he does business the sum of \$ 1,000.00 in cash. The license is procured from the county clerk and is good for one year. The deposit with the treasurer is for the protection of the public and must be held by the treasurer for eighteen months.

The fee required for the state license is \$ 25.00. The fee for county license varies somewhat with the manner of travel and the place of carrying on business, ranging from \$ 100.00 per year to \$ 300.00 per year.

Itinerant vendors who dispense medicine, ointments, lotions or other appliances of any kind for the treatment of disease, injury or bodily defect must also procure from the County Clerk in each county in which he does business a license for which he must pay the sum of \$ 100.00.

You should not attempt to carry on such business in this state until the licenses above mentioned have been procured, nor until you have made yourself familiar with the statutes relative to such business, as the penalties for doing business without a license or licenses are rather severe.