

HB0219 - Alcoholic beverages-24 hour permit.

The current version of the bill text is displayed below. To view all versions of the bill with page and line numbers, use the PDF documents located to the right, under "Bill Versions & Resources."

ORIGINAL HOUSE
BILL NO. HB0219

ENROLLED ACT NO. 69, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to alcoholic beverages; authorizing alcoholic liquor manufacturers to obtain off-premises permits; making a conforming amendment; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 12-2-203(g), 12-4-103(a)(vi) and 12-5-401 are amended to read:

12-2-203. Manufacturing and rectifying; importing and industry representatives; licensing; fees.

(g) The local licensing authority may issue to the holder of a manufacturer's license granted under subsection (a) of this section who is a federally licensed distiller or rectifier:

(i) A satellite manufacturer's permit which allows the permittee to sell product manufactured at the site identified on the manufacturer's license at not more than one (1) satellite location within Wyoming separate from its manufacturing site under the original permit. All products sold at a manufacturer's satellite location shall be obtained through the division. The satellite manufacturer's permit may be issued on application to the appropriate licensing authority. The local licensing authority may require a public hearing and the payment of an additional permit fee not to exceed one hundred dollars (\$100.00). The satellite manufacturer's permit shall be subject to the terms and conditions of W.S. 12-4-106, the schedule of operating hours set pursuant to W.S. 12-5-101 and the licensed building provisions pursuant to W.S. 12-5-201.

(ii) A manufacturer's off-premises permit authorizing the permittee to sell product manufactured at the site identified on the manufacturer's license only for sales at meetings, conventions, private parties, dinners and

other similar gatherings to promote their product. No permittee holding a manufacturer's off-premises permit shall sell or permit consumption of any of their manufactured product off the premises described in the permit. An off-premises permit shall be issued for one (1) twenty-four (24) hour period, subject to the schedule of operating hours set pursuant to W.S. 12-5-101. No holder of a manufacturer's license shall receive more than twelve (12) off-premises permits in any one (1) calendar year. An off-premises permit may be issued on application to the appropriate licensing authority. The local licensing authority may require payment of an additional permit fee of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) per twenty-four (24) hour period.

12-4-103. Restrictions upon license or permit applicants and holders; license limitation per person.

(a) A license or permit authorized by this title shall not be held by, issued or transferred to:

(vi) A manufacturer of alcoholic beverages or wholesaler of malt beverages, except as authorized under W.S. 12-2-203(g);

12-5-401. Interests in licenses or permits to sell.

No industry representative shall hold any interest, stock or ownership directly or indirectly, in any license to sell products of the industry at retail under privileges of a license or permit to sell any beverage or liquor in Wyoming or in any premises so licensed. This section shall not apply to any person holding a microbrewery or winery permit pursuant to W.S. 12-4-412. This section shall also not apply to a person holding a manufacturer's license under W.S. 12-2-203(a) to the extent he may be permitted one (1) satellite manufacturer's permit pursuant to W.S. ~~12-2-203(g)~~ 12-2-203(g)(i) or an off-premises permit pursuant to W.S. 12-2-203(g)(ii).

Section 2. This act is effective July 1, 2019.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.







Sponsor:

Representative Zwonitzer

Co-Sponsor:

Representative(s) Burlingame, Duncan, Harshman, Schwartz, Walters
Senator(s) Biteman

Bill Versions and Resources:

- Introduced  Version initially introduced on the floor for debate.
 - Engrossed  Version that includes adopted amendments from first chamber.
 - Enrolled  Version passed in both chambers with all adopted amendments.
 - Fiscal note  Estimate of the fiscal and personnel impact to the state for the bill.
 - Digest  A summary of proceedings for the bill as it moves through the process.
 - Summary  A high level synopsis of the bill once it is signed into law.
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Last Action:

Assigned Chapter Number 126

Last Action Date:

02/26/2019

Scheduled Committee Meetings

No Meetings Currently Scheduled

Scheduled Floor Sessions

No Floor Sessions Currently Scheduled

Session Laws Chapter Number:

CH0126
Adopted: 2/26/2019
Effective: 7/1/2019

Date	Action	Location	Vote
02/26/2019	Assigned Chapter Number 126	LSO	
02/26/2019	Governor Signed HEA No. 0069	Governor	
02/22/2019	S President Signed HEA No. 0069	Senate	
02/22/2019	H Speaker Signed HEA No. 0069	House	
02/21/2019	Assigned Number HEA No. 0069	LSO	

02/21/2019 S 3rd Reading:Passed 30-0-0-0	Senate	Details
02/20/2019 S 2nd Reading:Passed	Senate	
02/19/2019 S COW:Passed	Senate	
02/19/2019 S Placed on General File	Senate	
02/19/2019 S07 - Corporations:Recommend Do Pass 5-0-0-0	Senate	Details
02/06/2019 S Introduced and Referred to S07 - Corporations	Senate	
02/06/2019 S Received for Introduction	Senate	
02/05/2019 H 3rd Reading:Passed 57-3-0-0	House	Details
02/04/2019 H 2nd Reading:Passed	House	
02/04/2019 H COW:Passed	House	
01/29/2019 H07 - Corporations:Recommend Amend and Do Pass 5-4-0-0	House	Details
01/29/2019 H Placed on General File	House	
01/22/2019 H Introduced and Referred to H07 - Corporations	House	
01/22/2019 H Received for Introduction	House	
01/19/2019 Bill Number Assigned	LSO	

House Amendments

Amendment ↑	Origin	Sponsor	Status
HB0219HS001	Standing Committee House Corporations, Elections & Political Subdivis	Adopted	

Senate Amendments

Amendment ↑	Origin	Sponsor	Status
Alcoholic beverages-24 hour permit.			19LSO-0615, 0.3

FISCAL NOTE

No fiscal or personnel impact.

HB0219

[H07 - Corporations:Recommend Amend and Do Pass 5-4-0-0](#)

Vote recorded: 1/29/2019 12:00AM

Ayes: BLACKBURN, CLAUSEN, CLIFFORD, DUNCAN, FURPHY

Nays: CLEM, EDWARDS, EYRE, LINDHOLM

Excused: 2/5/2019 11:47AM

Absent: BARLOW, BLACKBURN, BLAKE, BROWN, BURKHART, BURLINGAME, CLAUSEN, CLIFFORD, CONNOLLY, CRANK,

Conflict: SELMAN, DUNCAN, EKLUND, EYRE, FLITNER, FREEMAN, FURPHY, GRAY, GREEAR, HALEY, HALLINAN,

Present: AYES: 19 NAYS: 4 EXCUSED: 0 ABSENT: 9 CONFLICT: 0

Ayes: BARLOW, EDWARDS, EYRE, KIRKBRIDE, LARSEN LLOYD, LAURSEN DAN, LINDHOLM, LOUCKS, MAGGURE, WETHERS, SOMMERS, HULLER, CAS, NORTHEN

Nays: NALL, ROSCOE, SALAZAR, SCHWARTZ, SOMMERS, STITH, STYVAR, SWEENEY, TASS, WALTERS, WASHUT,

Excused: WESTERN, WILSON, WINTERBORN, ZWONITZER

Present: 19 NAYS: 4 EXCUSED: 0 ABSENT: 9 CONFLICT: 0

Ayes: BARLOW, ANDERSON, ANSELMI, DALTON, BALDWIN, DEBOUT, BITEMAN, BONER, BOUCHARD, CASE, COE,

Conflict: RADER, DRISKILL, ELLIS, GIERAU, HICKS, HUTCHINGS, JAMES, KINSKEY, KOST, LANDEN, MONIZ, NETHERCOTT,

Ayes: 19 NAYS: 4 EXCUSED: 0 ABSENT: 9 CONFLICT: 0

Present: BARLOW, ANDERSON, ANSELMI, DALTON, BALDWIN, DEBOUT, BITEMAN, BONER, BOUCHARD, CASE, COE, RADER, DRISKILL, ELLIS, GIERAU, HICKS, HUTCHINGS, JAMES, KINSKEY, KOST, LANDEN, MONIZ, NETHERCOTT, NORTHEN, SOMMERS, HULLER, CAS, NORTHEN, WALTERS and Senator(s) Biteman

AN ACT relating to alcoholic beverages; authorizing alcoholic liquor manufacturers to obtain off-premises permits; making a conforming amendment; and providing for an effective date.

Conflict:

Total Ayes: 30 Nays: 0 Excused: 0 Absent: 0 Conflict: 0

1/22/2019 H Received for Introduction
1/22/2019 H Introduced and Referred to H07 - Corporations
1/29/2019 H07 - Corporations:Recommend Amend and Do Pass 5-4-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Clausen, Clifford, Duncan, Furphy

Nays: Representative(s) Clem, Edwards, Eyre, Lindholm

Ayes 5 Nays 4 Excused 0 Absent 0 Conflicts 0

1/29/2019 H Placed on General File

HB0219HS001/ADOPTED

Page 1-line 2 Delete "catering" and insert "off-premises".

Page 1-line 7 After "W.S." insert "12-2-203(g),"; delete ", 12-4-502(b)".

Page 1-after line 8 Insert:

"12-2-203. Manufacturing and rectifying; importing and industry representatives; licensing; fees.

(g) The local licensing authority may issue to the holder of a manufacturer's license granted under subsection (a) of this section who is a federally licensed distiller or rectifier:

(i) A satellite manufacturer's permit which allows the permittee to sell product manufactured at the site identified on the manufacturer's license at not more than one (1) satellite location within Wyoming separate from its manufacturing site under the original permit. All products sold at a manufacturer's satellite location shall be obtained through the division. The satellite manufacturer's permit may be issued on application to the appropriate licensing authority. The local licensing authority may require a public hearing and the payment of an additional permit fee not to exceed one hundred dollars (\$100.00). The satellite manufacturer's permit shall be subject to the terms and conditions of W.S. 12-4-106, the schedule of operating hours set pursuant to W.S. 12-5-101 and the licensed building provisions pursuant to W.S. 12-5-201.

(ii) A manufacturer's off-premises permit authorizing the permittee to sell product manufactured at the site identified on the manufacturer's license only for sales at meetings, conventions, private parties, dinners and other similar gatherings to promote their product. No permittee holding a manufacturer's off-premises permit shall sell or permit consumption of any of their manufactured product off the premises described in the permit. An off-premises permit shall be issued for one (1) twenty-four (24) hour period, subject to the schedule of operating hours set pursuant to W.S. 12-5-101. No holder of a manufacturer's license shall receive more than twelve (12) off-premises permits in any one (1) calendar year. An off-premises permit may be issued on application to the appropriate licensing authority. The local licensing authority may require payment of an additional permit fee of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) per twenty-four (24) hour period."

Page 2-line 3 Delete "and 12-4-502(b)".

Page 2-lines 5 through 21 Delete entirely.

Page 3-line 11 Strike "12-2-203(g)" and insert "12-2-203(g)(i)".

2/4/2019 H COW:Passed
 2/4/2019 H 2nd Reading:Passed
 2/5/2019 H 3rd Reading:Passed 57-3-0-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Clem, Edwards, Simpson

Ayes 57 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/6/2019 S Received for Introduction
 2/6/2019 S Introduced and Referred to S07 - Corporations
 2/19/2019 S07 - Corporations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Case, Landen, Nethercott, Schuler, Scott

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/19/2019 S Placed on General File
 2/19/2019 S COW:Passed
 2/20/2019 S 2nd Reading:Passed
 2/21/2019 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins Pres, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/21/2019 Assigned Number HEA No. 0069
 2/22/2019 H Speaker Signed HEA No. 0069
 2/22/2019 S President Signed HEA No. 0069
 2/26/2019 Governor Signed HEA No. 0069
 2/26/2019 Assigned Chapter Number 126

Chapter No. 126 Session Laws of Wyoming 2019

Bill No.: HB0219 **Effective:** July 1, 2019

LSO No.: 19LSO-0615

Enrolled Act No.: HEA No. 0069

Chapter No.: 126

Prime Sponsor: Zwonitzer

Catch Title: Alcoholic beverages-24 hour permit.

Subject: Creating a new twenty-four (24) permit for licensed alcohol distillers and rectifiers to promote their product at specified types of gatherings.

Summary/Major Elements:

- This act creates a new twenty-four (24) permit for licensed alcohol distillers and rectifiers, allowing for the promotional sale of their product at meetings, conventions, private parties, dinners and other similar gatherings.
- The new temporary permit—a "manufacturer's off-premises permit"—is issued under the discretion of local licensing authorities upon application by the licensee, and no more than twelve (12) off-premises permits may be issued in any one (1) calendar year to the same licensee.
- Under the act, local licensing authorities may require the licensee to pay not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for the issuance of a manufacturer's off-premises permit.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.

Wyoming Legislature Online Hotline will not be available until the Legislature Reconvenes in 2020