

SF0113 - Retail purchases of alcoholic liquors for resale.

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 SENATE
FILE NO. SF0113

ENGROSSED

ENROLLED ACT NO. 38, SENATE

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

AN ACT relating to the sale of alcoholic liquors; authorizing purchases from retail liquor licensees for resale as specified; and providing for an effective date.

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

Section 1. W.S. 12-2-301(a) and 12-4-201(a) and by creating a new subsection (j) are amended to read:

12-2-301. Generally.

(a) The division is the exclusive wholesale distributor and seller of alcoholic liquor within Wyoming. It is granted the sole right to sell alcoholic liquors at wholesale, and no licensee or permittee who is granted the right to sell, distribute or receive alcoholic liquors at retail shall purchase any alcoholic liquors from any source other than the division, unless as authorized pursuant to W.S. 12-4-201(j) or as otherwise expressly authorized by state law. Any out-of-state shipment of alcoholic liquor or malt beverage into this state is prohibited unless otherwise expressly authorized by state law.

12-4-201. Retail liquor licenses and malt beverage permits; population formulas; fees.

(a) A retail liquor license is the authority under which a licensee is permitted to sell alcoholic liquor or malt beverages for use or consumption but not for resale, except as otherwise provided for by this section.

(j) Licensees authorized to sell alcoholic liquors at retail may purchase for resale not more than nine (9) liters of alcoholic liquors per week from a retail licensee authorized pursuant to this section. Purchases of alcoholic liquors authorized pursuant to this subsection shall be conducted in accordance with the following:

(i) The seller shall record on a form furnished by the division all of the following:

(A) The name and signature of the licensee making the purchase;

(B) The date and time of the purchase;

(C) The purchaser's Wyoming state tax resale number.

(ii) The form collected pursuant to paragraph (i) of this subsection shall be provided to the Wyoming state liquor division within thirty (30) days of the sale and shall be maintained by the seller of the alcoholic liquor for not less than one (1) year after the date of the sale. The form shall be available upon request for the division to inspect.

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 Senate.

Chief Clerk







Sponsor:

Senator Gierau

Co-Sponsor:

Senator(s) Anselmi-Dalton, Driskill
Representative(s) Schwartz, Sweeney, Walters

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.
-

Last Action:

Assigned Chapter Number 72

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:

CH0072

Adopted: 2/26/2019

Effective: 7/1/2019

Date	Action	Location	Vote
02/26/2019	Assigned Chapter Number 72	LSO	
02/26/2019	Governor Signed SEA No. 0038	Governor	
02/19/2019	H Speaker Signed SEA No. 0038	House	
02/15/2019	S President Signed SEA No. 0038	Senate	
02/15/2019	Assigned Number SEA No. 0038	LSO	
02/14/2019	S Concur:Passed 29-0-0-0-1	Senate	Details
02/14/2019	S Received for Concurrence	Senate	
02/14/2019	H 3rd Reading:Passed 46-10-4-0-0	House	Details
02/13/2019	H 2nd Reading:Passed	House	
02/12/2019	H COW:Passed	House	
02/11/2019	H Placed on General File	House	
02/11/2019	H09 - Minerals:Recommend Amend and Do Pass 9-0-0-0-0	House	Details
02/08/2019	H Introduced and Referred to H09 - Minerals	House	
01/30/2019	H Received for Introduction	House	
01/29/2019	S 3rd Reading:Passed 28-1-0-0-1	Senate	Details
01/28/2019	S 2nd Reading:Passed	Senate	
01/25/2019	S COW:Passed	Senate	
01/24/2019	S Placed on General File	Senate	
01/24/2019	S03 - Revenue:Recommend Amend and Do Pass 4-0-0-0-1	Senate	Details

01/18/2019 S Introduced and Referred to S03 - Revenue

Senate

01/18/2019 S Received for Introduction

Senate

01/17/2019 Bill Number Assigned

LSO

House Amendments

<u>Amendment</u> ↑	<u>Origin</u>	<u>Sponsor</u>	Status
SF0113HS001	Standing Committee House Minerals, Business and Economic Development		Adopted

Senate Amendments

<u>Amendment</u> ↑	<u>Origin</u>	<u>Sponsor</u>	Status
SF0113SS001	Standing Committee Senate Revenue Committee		Adopted
	Retail purchases of alcoholic liquors for resale.		19LSO-0597, 1.0

FISCAL NOTE

The fiscal or personnel impact is not determinable due to insufficient time to complete the fiscal note process.

Prepared by: Matthew Sackett, LSO

Phone: 777-7881

SF0113

S03 - Revenue:Recommend Amend and Do Pass 4-0-0-1

Vote recorded: 1/24/2019 3:28PM

Ayes: BALDWIN, BITEMAN, DRISKILL, ELLIS

Nays:

Vote recorded: 1/29/2019 10:31AM

Absent: GARI, ANSELM, DALTON, BALDWIN, REBOUT, BITEMAN, BONER, BOUCHARD, COE, DOCKSTADER, DRISKILL,

Conflict: CASE, HICKS, HUTCHINGS, JAMES, KINSKEY, KOST, LANDEN, MONIZ, NETHERCOTT, PAPPAS, PERKINS,

Total: Ayes: 4 Nays: 0 Excused: 0 Absent: 7 Conflict: 1

Vote recorded: 2/14/2019 9:41AM

Nays: ANDERSON, CRANK, DUNCAN, EYRE, FURPHY, HENDERSON, LOUCKS, MACGUIRE, GREAR

Excused:

Vote recorded: 2/14/2019 11:50AM

Conflict: GAST, BACKBURN, BLAKE, BROWN, BURKHART, BURLINGAME, CLAUSEN, CONNOLLY, CRANK, DAYTON-

Conflict: DUONG, NAYS: 1 Excused: 0 Absent: 0 Conflict: 1

Vote recorded: 2/12/2019 11:59AM

Ayes: GARR, ANDERSON, COFFMAN, DALTON, BALDWIN, BONER, STEINMAN, BONER, BOUCHARD, DOCKSTADER,

Conflict: HICKS, HUTCHINGS, JAMES, KINSKEY, KOST, LANDEN, MONIZ, NETHERCOTT, PAPPAS,

Nays: OSBORN, EDWARDS, BUSBY, SCHULTERS, CONNINGE, NARSEN, MOYDA, ARSEN, SARBURGINEN, SIMPSON, STYVAR

Excused: CLIFFORD, GREAR, Schwartz, Sweeney and Walters

Absent:

Conflict: AN ACT relating to the sale of alcoholic liquors; authorizing purchases from retail liquor

licenses for resale as specified; and providing for an effective date.

Total: Ayes: 29 Nays: 0 Excused: 0 Absent: 0 Conflict: 1

- 1/17/2019 Bill Number Assigned
- 1/18/2019 S Received for Introduction
- 1/18/2019 S Introduced and Referred to S03 - Revenue
- 1/24/2019 S03 - Revenue:Recommend Amend and Do Pass 4-0-0-0-1

ROLL CALL

Ayes: Senator(s) Baldwin, Biteman, Driskill, Ellis

Conflicts: Senator Case

Ayes 4 Nays 0 Excused 0 Absent 0 Conflicts 1

1/24/2019 S Placed on General File

1/25/2019 S COW:Passed
 1/28/2019 S 2nd Reading:Passed
 1/29/2019 S 3rd Reading:Passed 28-1-0-0-1

ROLL CALL

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

Nays: Senator Anderson

Conflicts: Senator Case

Ayes 28 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 1

1/30/2019 H Received for Introduction
 2/8/2019 H Introduced and Referred to H09 - Minerals
 2/11/2019 H09 - Minerals:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhart, Crank, Duncan, Eyre, Furphy, Greear, Henderson, Loucks, Macguire

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/11/2019 H Placed on General File

SF0113HS001/ADOPTED (TO ENGROSSED COPY)

Page 3-line 7 After "purchase" delete "." and insert ";".

Page 3-after line 7 Insert:

"(C) The purchaser's Wyoming state tax resale number."

Page 3-line 10 After "shall" insert "be provided to the Wyoming state liquor division within thirty (30) days of the sale and shall". GREEAR, CHAIRMAN

2/12/2019 H COW:Passed
 2/13/2019 H 2nd Reading:Passed
 2/14/2019 H 3rd Reading:Passed 46-10-4-0-0

ROLL CALL

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

Nays: Representative(s) Clem, Edwards, Eyre, Flitner, Jennings, Larsen Lloyd, Laursen Dan, Piiparinen, Simpson, Styvar

Excused: Representative(s) Clifford, Greear, Northrup, Walters

Ayes 46 **Nays** 10 **Excused** 4 **Absent** 0 **Conflicts** 0

2/14/2019 S Received for Concurrence
 2/14/2019 S Concur:Passed 29-0-0-0-1

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen,

Conflicts: Senator Case

Ayes 29 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 1

2/15/2019 Assigned Number SEA No. 0038
2/15/2019 S President Signed SEA No. 0038
2/19/2019 H Speaker Signed SEA No. 0038
2/26/2019 Governor Signed SEA No. 0038
2/26/2019 Assigned Chapter Number 72

Chapter No. 72 Session Laws of Wyoming 2019

Bill No.: SF0113 **Effective:** July 1, 2019

LSO No.: **19LSO-0597**

Enrolled Act No.: SEA No. 0038

Chapter No.: 72

Prime Sponsor: Gierau

Catch Title: **Retail purchases of alcoholic liquors for resale.**

Subject: Alcoholic liquors-resale

Summary/Major Elements:

- Current law generally requires retailers of alcoholic liquors to purchase alcoholic liquors from the Liquor Division of the Department of Revenue. This bill provides that a licensed liquor retailer may purchase alcoholic liquors for resale from another licensed liquor retailer subject to the following limitations:
 - Purchases may not exceed nine (9) liters of alcoholic liquors per week from a retail licensee;
 - The seller is required to record sales on a form provided by the Liquor Division, which must include the purchaser's Wyoming tax resale number;
 - The seller must submit the form to the Liquor Division within thirty (30) days of the sale. Additionally, the form must be maintained for not less than one (1) year after the date of sale and be kept available for the Division to inspect.

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