

SF0140 - Alcoholic beverages-direct sales.

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. SF0140

ENROLLED ACT NO. 54, SENATE

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

AN ACT relating to alcoholic beverages; amending provisions related to satellite manufacturer's permits; clarifying authority of local authorities to issue satellite manufacturer's permits; making conforming amendments; and providing for effective dates.

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

Section 1. W.S. 12-2-203(g), 12-2-301(a), 12-2-303 by creating a new subsection (d) and 12-4-103(a)(vi) 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, 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~~ may be obtained through the division as provided by W.S. 12-2-303(a). If the satellite location is situated within the property boundary of the manufacturing site, the product may be distributed directly from the permit holder's manufacturing site subject to W.S. 12-2-303(d). 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.

12-2-301. Generally.

(a) Except as provided in W.S. 12-2-203(g), 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 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.

12-2-303. Purchase and sale of alcoholic liquors; shortages.

(d) The holder of a manufacturer's license under W.S. 12-2-203(a) that sells alcoholic liquor not obtained through the division as provided in W.S. 12-2-203(g) shall, before the transfer of the product to the satellite location, remit to the division an assessment in an amount equal to the profit allowed under subsection (a) of this section and the associated excise tax assessed under W.S. 12-3-101 that would have been received by the division had the holder of a manufacturer's license first obtained the alcoholic liquor from the division as provided in subsection (a) of this section. The department shall by rule define the procedure under which a holder of a manufacturer's license shall report and remit the assessment under this subsection.

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);

Section 2. The department shall promulgate rules and regulations necessary to implement this act by July 1, 2019.

Section 3.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2019.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(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

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Sponsor:


Senator Perkins


Co-Sponsor:


Senator(s) Agar, Gierau


Representative(s) Loucks, Sweeney, Zwonitzer


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 104

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:

CH0104

Adopted: 2/26/2019

Effective: 7/1/2019

Date	Action	Location	Vote
02/26/2019	Assigned Chapter Number 104	LSO	
02/26/2019	Governor Signed SEA No. 0054	Governor	
02/22/2019	H Speaker Signed SEA No. 0054	House	
02/21/2019	S President Signed SEA No. 0054	Senate	
02/21/2019	Assigned Number SEA No. 0054	LSO	
02/21/2019	H 3rd Reading:Passed 54-4-2-0-0	House	Details
02/21/2019	H 2nd Reading:Passed	House	
02/20/2019	H COW:Passed	House	
02/13/2019	H Placed on General File	House	
02/13/2019	H03 - Revenue:Recommend Do Pass 9-0-0-0-0	House	Details
02/11/2019	H Introduced and Referred to H03 - Revenue	House	
02/08/2019	H Received for Introduction	House	
02/06/2019	S 3rd Reading:Passed 29-0-1-0-0	Senate	Details
02/05/2019	S 2nd Reading:Passed	Senate	
02/04/2019	S COW:Passed	Senate	
02/01/2019	S Placed on General File	Senate	
02/01/2019	S03 - Revenue:Recommend Amend and Do Pass 5-0-0-0-0	Senate	Details
01/25/2019	S Introduced and Referred to S03 - Revenue	Senate	
01/24/2019	S Received for Introduction	Senate	
01/23/2019	Bill Number Assigned	LSO	

House Amendments

[Amendment](#) [↑](#) [Origin](#) [Sponsor](#) [Status](#)

Senate Amendments

[Amendment](#) [↑](#) [Origin](#) [Sponsor](#) [Status](#)

[SF0140SS001](#) Standing Committee Senate Revenue Committee Adopted

Alcoholic beverages-direct sales.

19LSO-0666, 1.0

FISCAL NOTE

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

Prepared by: Dean Temte, LSO

Phone: 777-7881

SF0140

S03 - Revenue:Recommend Amend and Do Pass 5-0-0-0-0

Vote recorded: 2/1/2019 12:18PM

Ayes: BALDWIN, BITEMAN, DRISKILL, ELLIS, CASE

Nays:

Excused: 2/6/2019 2:32PM

Absent: GAR, ANDERSON, ANSELM, DALTON, BALDWIN, BEBOUT, BITEMAN, BONER, BOUCHARD, CASE, COE,

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

Total Ayes: 5 **Nays:** 0 **Excused:** 0 **Absent:** 0 **Conflict:** 0

Vote recorded: 2/1/2019 11:23AM

Ayes: BLACKBURN, CONNOLLY, DAYTON, HALLINAN, LAURSEN, ROSCOE, SWEENEY, WESTERN, ZWONITZER

Excused: DRISKILL

Excused: 2/21/2019 2:21PM

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

Conflict: DUROAN, ERLUND, FERRER, FETNER, FREEMAN, FURPHY, GRAY, GREEAR, HALEY, HALLINAN, HENDERSON,

Total Ayes: 9 **Nays:** 0 **Excused:** 0 **Absent:** 0 **Conflict:** 0

MILLER, NEWSOME, NICHOLAS, OBERMUELLER, OLSEN, PAXTON, PELKEY, POWNALL, ROSCOE, SALAZAR, SCHWARTZ, SOMMERS, STITH, STYVAR, SWEENEY, TASS, WALTERS, WASHUT, WESTERN, WILSON, WINTER, YIN, ZWONITZER

Nays: CLEM, EDWARDS, PIIPARINEN, SIMPSON

Excused: CLAUSEN, NORTHRUP

Absent:

Conflict: conforming amendments; and providing for effective dates.

Total: Ayes: 54 Nays: 4 Excused: 2 Absent: 0 Conflict: 0

1/23/2019 Bill Number Assigned
1/24/2019 S Received for Introduction
1/25/2019 S Introduced and Referred to S03 - Revenue
2/1/2019 S03 - Revenue:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

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

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

2/1/2019 S Placed on General File

SF0140SS001/ADOPTED

Page 2-line 10 After "12-2-303(a)" insert "_".

Page 2-line 11 Delete "or" and insert "If the satellite location is situated within the property boundary of the manufacturing site, the product may be distributed".

Page 3-line 18 Delete ", shall on or" and insert "shall,".

Page 3-line 19 Delete "last day of each month" and insert "transfer of the product to the satellite location,".

Page 3-line 20 After "profit" insert "allowed under subsection (a) of this section and the associated excise tax assessed under W.S. 12-3-101".

Page 4-line 3 Delete "appropriate". CASE, CHAIRMAN

2/4/2019 S COW:Passed
2/5/2019 S 2nd Reading:Passed
2/6/2019 S 3rd Reading:Passed 29-0-1-0-0

ROLL CALL

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

Excused: Senator Driskill

Ayes 29 Nays 0 Excused 1 Absent 0 Conflicts 0

2/8/2019 H Received for Introduction
2/11/2019 H Introduced and Referred to H03 - Revenue
2/13/2019 H03 - Revenue:Recommend Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Connolly, Dayton, Hallinan, Laursen, Roscoe, Sweeney, Western, Zwonitzer

Ayes 9 Nays 0 Excused 0 Absent 0 Conflicts 0

