

SENATE BILL NO. 264

INTRODUCED BY K. REGIER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO AIRPORT ALL-BEVERAGES LICENSES; ALLOWING A LICENSEE TO LEASE THE AIRPORT ALL-BEVERAGES LICENSE TO UP TO THREE INDIVIDUALS OR ENTITIES; AMENDING AN AIRPORT'S MINIMUM TOTAL ANNUAL PASSENGERS TO QUALIFY FOR THE LICENSE; AND AMENDING SECTION 16-4-208, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 16-4-208, MCA, is amended to read:

"16-4-208. Airport all-beverages license. (1) The department of revenue shall issue one all-beverages license, to be known as a public airport all-beverages license, for use at each publicly owned airport served by scheduled airlines and enplaning and deplaning a minimum total of ~~20,000~~ 5,000 passengers annually when:

- (a) application is made;
- (b) upon finding that this license is justified by public convenience and necessity, including the convenience and necessity of the public traveling by scheduled airlines; and
- (c) following a hearing as provided in 16-4-207.

(2) Application must be made by the agency owning and operating the airport. The agency owning and operating the airport may lease the airport all-beverages license to ~~an individual or entity up to three~~ individuals or entities approved by the department.

~~(3)~~ The lessee of an airport all-beverages license may purchase alcohol and the lease may be based on the percentage of sales of alcoholic beverages by the lessee.

~~(3)(4)~~ A public airport all-beverages license and all retail alcoholic beverage sales under it are subject to all statutes and rules governing all-beverages licenses.

~~(4)(5)~~ The department of revenue shall issue a public airport all-beverages license to a qualified applicant regardless of the number of all-beverages licenses already issued within the all-beverages license

1 quota area in which the airport is situated.

2 ~~(5)~~(6) A license issued under this section may offer curbside pickup between 8 a.m. and 2 a.m. in

3 original packaging, prepared servings, or growlers."

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