

HOUSE BILL NO. HB0096

Microbrewery permits.

Sponsored by: Representative(s) Greear, Blake, Henderson,
Laursen, Lindholm, Madden and Pownall and
Senator(s) Agar, Driskill and Wasserburger

A BILL

for

1 AN ACT relating to microbrewery permits; authorizing
2 holders of a microbrewery permit to dispense malt beverages
3 in areas adjacent to its site as specified; providing for a
4 licensing fee; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 12-4-412(a)(i), (c)(iii), by creating
9 a new paragraph (v), (e)(ii) and by creating a new
10 paragraph (iv) and 12-5-201(a) are amended to read:

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12 **12-4-412. Microbrewery and winery permits;**
13 **authorized; conditions; dual permits and licenses;**
14 **satellite permits; direct shipment of wine; fees.**

15

1 (a) Subject to restrictions imposed under W.S.
2 12-4-103 excluding W.S. 12-4-103(a)(vi), a local licensing
3 authority may issue:

4
5 (i) A microbrewery permit authorizing a permit
6 holder to brew a malt beverage and dispense the brewed malt
7 beverage for on-premises and limited off-premises personal
8 consumption. Notwithstanding W.S. 12-5-201, "on-premises"
9 may include a fenced or enclosed area immediately adjacent
10 to its licensed manufacturing site as approved by the local
11 licensing authority. The dispensing of malt beverages in
12 an immediately adjacent area authorized by this paragraph
13 shall be subject to the schedule of operating hours
14 provided in W.S. 12-5-101;

15
16 (c) W.S. 12-4-410 shall apply to any person holding a
17 microbrewery or winery permit and a restaurant liquor
18 license pursuant to subparagraph (b)(iii)(B) of this
19 section, except the dual holder:

20
21 (iii) May upon cessation of full service
22 restaurant operations, serve a limited menu and continue to

1 serve malt beverages authorized under the microbrewery
2 permit or wines authorized under the winery permit; ~~and~~

3
4 (v) May dispense the brewed malt beverage in
5 areas immediately adjacent to its licensed manufacturing
6 site as authorized by paragraph (a) (i) of this section.

7
8 (e) The provisions of W.S. 12-4-413 shall apply to
9 any person holding a microbrewery or winery permit and a
10 bar and grill liquor license pursuant to subparagraph
11 (b) (iii) (F) of this section, except the dual holder:

12
13 (ii) May upon cessation of full service
14 restaurant operations serve a limited menu and continue to
15 serve malt beverages authorized under the microbrewery
16 permit or wines authorized under the winery permit; ~~and~~

17
18 (iv) May dispense the brewed malt beverage in
19 areas immediately adjacent to its licensed manufacturing
20 site as authorized by paragraph (a) (i) of this section.

21
22 **12-5-201. Location, regulation and restrictions as to**
23 **place of sale; inspections; additional dispensing rooms.**

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2 (a) Except as otherwise provided in this section and
3 W.S. 12-4-412(a)(i), the principal place in which alcoholic
4 liquor and malt beverages are sold under a license shall be
5 located in one (1) room upon the premises for which the
6 license is issued and as approved by the licensing
7 authority. Upon payment of an additional license fee equal
8 to two-thirds (2/3) of the fee paid for the original
9 license, a licensee may have and maintain one (1)
10 additional dispensing room in the same building under the
11 authority of the original license. Alcoholic beverages
12 secured in the licensed room by a server may be served only
13 in the building in which the licensed room is located and
14 in an immediately adjacent fenced or enclosed area as
15 approved by the local licensing authority. This area shall
16 not be in another building and shall be located on the
17 licensed premises. Only alcoholic and malt beverages,
18 nonalcoholic beverages, food, tobacco, alcoholic liquor and
19 malt beverage promotional sales items sold to the licensee
20 bearing the name and trademark of the alcoholic liquor and
21 malt beverage firm or company whose product the item is
22 advertising, promotional products bearing the name of the
23 licensed retailer, billiard and dart supplies, newspapers,

1 magazines and periodicals may be sold and served in the
2 licensed room. The licensing authority shall, as often as
3 necessary, inspect the licensed room and adjoining rooms
4 where alcoholic beverages are served to insure that the
5 licensee is in compliance with sanitation and fire hazard
6 requirements and other applicable laws. A licensee may
7 separate the facility for the sale of alcoholic liquor and
8 malt beverages for off-premise consumption from the
9 facility used to serve customers for on-premise consumption
10 without payment of an additional fee. A separated facility
11 for making sales for off-premise consumption shall be
12 located adjoining the facility for making sales for
13 on-premise consumption. The two (2) facilities may be
14 separated by a glass or other suitable partition.

15

16 **Section 2.** This act is effective July 1, 2017.

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(END)