

ENROLLED ACT NO. 69, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to alcoholic beverages; modifying requirements on liquor licensees to demonstrate a business or enterprise will be operational or open for business; and providing for an effective date.

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

Section 1. W.S. 12-1-101(a)(xxi) and 12-4-103(a)(iv) are amended to read:

12-1-101. Definitions.

(a) As used in this title:

(xxi) "Operational" means offering for sale on an ongoing weekly basis to the general public alcoholic liquor and malt beverages as authorized under a license or permit issued under this title; ~~for not less than three (3) consecutive months during any calendar year;~~

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:

(iv) Any licensee who fails to demonstrate that his licensed alcoholic or malt beverage enterprise will be operational in a planned but not physically functional building within ~~two (2) years~~ one (1) year after a license or permit has been issued or transferred, or if holding a license, fails to open his business in a functional building within ~~two (2) years~~ one (1) year after license issuance or transfer and remain operational thereafter. Upon a showing of good cause by the licensee and for an

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additional period of not to exceed one (1) year, the local licensing authority may extend the time period in which the business or enterprise of the licensee is required to become operational or open for business pursuant to this paragraph. Any license or permit in violation of this paragraph shall not be renewed by the local licensing authority and once the enterprise is operational or open for business, no licensee shall be eligible to repeat the grace periods made available by this paragraph without the consent of the local licensing authority due to extraordinary circumstances. For purposes of this paragraph "remain operational" means operational consecutively, in any license term year, for twelve (12) months or for not less than three (3) months if determined by the local licensing authority to be a seasonal operation;

ORIGINAL SENATE
FILE NO. SF0014

ENGROSSED

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

(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