

SENATE FILE NO. SF0054

Limited alcoholic beverage permit.

Sponsored by: Senator(s) Schiffer and Representative(s)
Berger

A BILL

for

1 AN ACT relating to alcoholic beverages; expanding current
2 special malt beverage permits provisions to include sales
3 of wine; changing the name of special malt beverage permits
4 to reflect the sale of wine; providing conforming
5 amendments; and providing for an effective date.

6

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

8

9 **Section** **1.** W.S. 12-1-101(a)(viii)(E),
10 12-4-103(a)(ix), 12-4-501(a), (c)(i), (vi) and (e),
11 12-4-502(a), (c) through (e) and by creating a new
12 subsection (f), 12-4-504(a), (b)(intro) and (c) and
13 12-4-505(a) and (c)(ii) are amended to read:

14

15 **12-1-101. Definitions.**

16

1 (a) As used in this title:

2

3 (viii) "Licensee" means a person holding a:

4

5 (E) Limited wine and malt beverage permit;

6

7 **12-4-103. Restrictions upon license or permit**
8 **applicants and holders; license limitation per person.**

9

10 (a) A license or permit authorized by this title
11 shall not be held by, issued or transferred to:

12

13 (ix) A chamber of commerce, except for twenty-
14 four (24) hour limited wine and malt beverage permits
15 issued pursuant to W.S. 12-4-502;

16

17 **12-4-501. Limited wine and malt beverage permit for**
18 **University of Wyoming; fee; rules and regulations.**

19

20 (a) Upon an application to the city of Laramie for a
21 limited wine and malt beverage permit, the city shall issue
22 a special limited wine and malt beverage permit to the
23 board of trustees of the University of Wyoming for sale of
24 wine and malt beverages ~~drawn only from kegs~~ dispensed only

1 at the student union on the campus of the University of
2 Wyoming. The issuance of a limited wine and malt beverage
3 permit shall not be considered an alcoholic beverage permit
4 issued on the basis of population as provided in W.S.
5 12-4-201.

6

7 (c) The board of trustees of the University of
8 Wyoming shall provide rules and regulations for the
9 following:

10

11 (i) Location of the dispensing rooms in which
12 wine and malt beverages may be sold;

13

14 (vi) Locations within the student union where
15 wine and malt beverages may be consumed; and

16

17 (e) The board of trustees may prohibit dispensing
18 wine and malt beverages by any seller designated under
19 paragraph (c)(iv) of this section, for any period less than
20 ninety (90) days, upon information that violations of state
21 law have occurred.

22

1 12-4-502. Twenty-four hour limited wine and malt
2 beverage permit and catering permit; restrictions;
3 application procedure; fees.

4
5 (a) A limited wine and malt beverage permit
6 authorizing the sale of wine and malt beverages only may be
7 issued by the appropriate licensing authority to any
8 responsible person or organization for sales at a picnic,
9 bazaar, fair, rodeo, special holiday or similar public
10 gathering. No person or organization holding the special
11 permit shall sell any alcoholic liquor other than wine and
12 malt beverages on the premises described on the permit, nor
13 shall any wine or malt beverage be sold or consumed off the
14 premises authorized by the permit. W.S. 12-5-201 does not
15 apply to this subsection.

16
17 (c) The permits authorized by this section shall be
18 issued for one (1) twenty-four (24) hour period, subject to
19 the schedule of operating hours provided by W.S. 12-5-101.
20 No person or organization shall receive more than a total
21 of twelve (12) limited wine and malt beverage and twenty-
22 four (24) catering permits for sales at the same premises
23 in any one (1) year, except that this limitation shall not
24 be applicable to limited wine and malt beverage permits

1 issued for sales at any fair, rodeo, pari-mutuel event or
2 other similar public event conducted by a public entity
3 upon public premises.

4
5 (d) The limited wine and malt beverage permit and the
6 catering permit shall be issued on application to the
7 appropriate licensing authority without public notice or
8 hearing. An application for a limited wine and malt
9 beverage permit or catering permit under this section shall
10 be accompanied by a designation of the event for which the
11 application is sought specifying the type of event and the
12 name of the sponsor. Any applicant applying for a permit
13 authorized by this section and having licensed premises
14 located within a jurisdiction other than that jurisdiction
15 to which application is made, shall secure the written
16 approval of the licensing authority of that jurisdiction in
17 which the licensed premises are located prior to filing an
18 application for a permit.

19
20 (e) The fee for the limited wine and malt beverage
21 permit and the catering permit shall be not less than ten
22 dollars (\$10.00) nor more than one hundred dollars
23 (\$100.00) per twenty-four (24) hour period, payable to the
24 appropriate licensing authority.

1

2 (f) Notwithstanding W.S. 12-2-301(a), the holder of a
3 limited wine and malt beverage permit issued pursuant to
4 this section may purchase wine or malt beverages for resale
5 under the conditions of the permit from any holder of a
6 retail liquor license under this act.

7

8 **12-4-504. Special limited wine and malt beverage**
9 **permit for public auditoriums, civic centers or events**
10 **centers.**

11

12 (a) The appropriate licensing authority in a county,
13 city or town may issue a special limited wine and malt
14 beverage permit to any responsible person or organization
15 for sales of wine and malt beverages at public auditoriums,
16 civic centers or events centers meeting the qualifications
17 of subsection (b) of this section.

18

19 (b) To qualify for a special limited wine and malt
20 beverage permit as authorized pursuant to this section the
21 appropriate licensing authority shall require that:

22

23 (c) No person or organization holding the special
24 limited wine and malt beverage permit shall sell any

1 alcoholic liquor other than wine and malt beverages on the
2 premises described on the permit, nor shall any wine or
3 malt beverage be sold for consumption off the premises
4 authorized by the permit. It shall be the duty and
5 obligation of the issuing body and the holder of the permit
6 to see that no sales are made to any person under the age
7 of twenty-one (21) years.

8

9 **12-4-505. Limited wine and malt beverage permit for**
10 **state fair.**

11

12 (a) Upon application, the appropriate licensing
13 authority shall issue to the director of the department of
14 agriculture a limited wine and malt beverage permit for the
15 sale of wine and malt beverages only on the state
16 fairgrounds during the state fair. W.S. 12-5-201 does not
17 apply to this subsection. The issuance of a limited wine
18 and malt beverage permit under this subsection shall not be
19 considered an alcoholic beverage permit issued on the basis
20 of population as provided in W.S. 12-4-201. Wine and malt
21 beverages shall only be sold for consumption on the state
22 fairgrounds in areas specifically designated by the
23 director of the department of agriculture.

24

1 (c) The director of the department of agriculture
2 shall promulgate rules and regulations concerning:

3

4 (ii) The location of areas where wine and malt
5 beverages may be consumed on the state fairgrounds;

6

7 **Section 2.** This act is effective July 1, 2013.

8

9

(END)