

WORKING DRAFT

HOUSE BILL NO. _____

Direct shipment - winery.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to alcoholic beverages; allowing direct
2 shipment of wine; providing limitations; and providing for
3 an effective date.

4

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

6

7 **Section 1.** W.S. 12-4-412 by creating new subsections
8 (e) through (g) is amended to read:

9

10 **12-4-412. Microbrewery and winery permits;**
11 **authorized; conditions; dual permits and licenses;**
12 **satellite winery permits; direct shipment of wine; fees.**

13

14 (e) Notwithstanding subsection (b)(v) of this section
15 and W.S. 12-5-201, any person holding a winery permit as

1 provided by this section, may sell and ship its
2 manufactured wine directly to any household in this state
3 in an amount totaling not more than eighteen (18) liters of
4 its manufactured wine in any twelve (12) month period.

5
6 (f) Notwithstanding subsection (b)(v) of this section
7 and W.S. 12-5-201, any person holding a winery permit as
8 provided by this section, may sell and ship its
9 manufactured wine which is not listed with the liquor
10 division as part of its inventory and distribution
11 operation to any Wyoming retail establishment which holds a
12 liquor license in this state.

13
14 (g) Any licensed winery holding a winery permit
15 pursuant to this section shall:

16
17 (i) Not ship more than a total of eighteen (18)
18 liters of its own manufactured wine to any one (1)
19 household in this state during any twelve (12) month
20 period;

21
22 (ii) Offer to sell its manufactured wine to the
23 liquor division at wholesale prices if the winery ships
24 more than ninety (90) liters total of any of its

1 manufactured wine to any combination of households or
2 licensed retailers in this state;

3

4 (iii) Ship its manufactured wine only to
5 individuals who are at least twenty-one (21) years of age
6 for such individual's personal use and not for resale;

7

8 (iv) Ensure that all shipping containers of
9 manufactured wine shipped pursuant to this section are
10 conspicuously labeled with the words: "CONTAINS ALCOHOLIC
11 BEVERAGES. ADULTS (OVER 21) SIGNATURE REQUIRED FOR
12 DELIVERY";

13

14 (v) Ensure that all its shipments within this
15 state are made by a duly licensed carrier and further
16 ensure that such carriers comply with the requirement to
17 obtain an adult signature;

18

19 (vi) File a monthly report of wines shipped out
20 of state on a form provided by the liquor division and
21 include a copy of the invoice for each shipment of their
22 own manufactured wine subject to the following:

23

1 (A) The report shall be filed with the
2 liquor division not later than the tenth of the month
3 following the month in which the shipment was made;

4
5 (B) Any report filed late with the liquor
6 division shall be subject to a late filing fee of twenty-
7 five dollars (\$25.00);

8
9 (vii) Maintain records for at least three (3)
10 years that will permit the liquor division to ascertain the
11 truthfulness of the information filed and permit the
12 division to perform an audit of the licensee's records upon
13 reasonable request.

14
15 **Section 2.** This act is effective July 1, 2006.

16

17

(END)