

HOUSE BILL NO. HB0002

Liquor licenses.

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

A BILL

for

1 AN ACT relating to alcoholic beverages; modifying the
2 population formula for retail liquor licenses and malt
3 beverage permits; restricting transfer of certain new
4 licenses; modifying the number of authorized licenses and
5 permits issued by county commissioners; providing for
6 county malt beverage permit locations; and providing for an
7 effective date.

8

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

10

11 **Section 1.** W.S. 12-4-201(d)(iii), (f)(ii), (iii) and
12 by creating a new section (j) and 12-4-601(b) are amended
13 to read:

14

15 **12-4-201. Retail liquor licenses and malt beverage**
16 **permits; population formulas; fees.**

1

2 (d) Effective January 1, 1986, the number of retail
3 liquor licenses issued shall be based on the following
4 population formula:

5

6 (iii) Not more than one (1) additional license
7 for each additional full ~~three thousand (3,000)~~ two
8 thousand five hundred (2,500) population over nine thousand
9 five hundred (9,500).

10

11 (f) Retail liquor licenses and malt beverage permits
12 may be granted by the county commissioners as the
13 appropriate licensing authority in a county outside of
14 incorporated cities and towns as follows:

15

16 (ii) No more than ~~three (3)~~ six (6) retail
17 liquor licenses issued for locations within five (5) miles
18 of the corporate limits of a city or town; and

19

20 (iii) Malt beverage permits may be issued for
21 county locations ~~beyond a five (5) mile zone around~~
22 ~~incorporated cities and towns~~ without regard to population,
23 with no more than three (3) malt beverage permits being

1 issued for locations within the five (5) mile zone around
2 incorporated cities and towns.

3
4 (j) A retail liquor license first issued on or after
5 July 1, 2006 shall not be sold, transferred or assigned by
6 the holder.

7
8 **12-4-601. Transfer of license location; transfer of**
9 **ownership; fee.**

10
11 (b) Except as provided in W.S. 12-4-201(j) with
12 respect to retail liquor licenses first issued on or after
13 July 1, 2006, a licensee, or the executor or administrator
14 of the estate of a deceased licensee, may assign and
15 transfer the license or permit by a sale made in good
16 faith. The assignment and transfer shall first have the
17 approval of the licensing authority, which consideration
18 shall be based in part upon a public hearing and an
19 application filed under oath by the assignee or transferee
20 showing the person or entity to be qualified to hold a
21 license or permit under Wyoming law. The approval of the
22 transfer shall not be given by the licensing authority if
23 proceedings, including an action to collect delinquent
24 sales tax payments pursuant to W.S. 12-2-306, are pending

1 to suspend, revoke or otherwise penalize the original
2 license or permit holder. A transfer of a license or permit
3 shall require the payment of an additional license fee to
4 the appropriate licensing authority of not more than one
5 hundred dollars (\$100.00) for the transfer, and upon
6 assignment the assignee may exercise the privilege of
7 continuing the business authorized by the license or
8 permit.

9

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

11

12 (END)