

HOUSE BILL NO. HB0004

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.

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

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

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

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14 (e) Notwithstanding paragraph (b)(v) of this section
15 and W.S. 12-5-201, any person holding a winery permit as
16 provided by this section, may sell and ship no more than a

1 total of eighteen (18) liters of its manufactured wine
2 directly to any one (1) household in this state in any
3 twelve (12) month period.

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

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

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

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20 (ii) Offer to sell its manufactured wine to the
21 liquor division at wholesale prices if the winery ships
22 more than ninety (90) liters total of any of its
23 manufactured wine to any combination of households or
24 licensed retailers in this state;

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

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

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

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

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

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

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

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

(END)