

HOUSE BILL NO. HB0083

Bar and grill liquor license.

Sponsored by: Representative(s) Illoway, Martin, McOmie,
Mercer, Olsen and Walsh and Senator(s)
Decaria, Hanes, Meier and Mockler

A BILL

for

1 AN ACT relating to liquor licenses; providing for bar and
2 grill liquor licenses; specifying conditions for licensure;
3 exempting bar and grill liquor licenses from certain
4 restrictions; authorizing dual holding of microbrewery or
5 winery permit and bar and grill liquor license as
6 specified; making conforming amendments; and providing for
7 an effective date.

8

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

10

11 **Section 1.** W.S. 12-4-413 is created to read:

12

13 **12-4-413. Bar and grill liquor license; authorized;**
14 **requirements.**

15

1 (a) Restaurants as defined by W.S. 12-1-101(a)(xiv)
2 may be licensed by the appropriate licensing authority in
3 counties, cities and towns under a bar and grill liquor
4 license. In addition to the application requirements
5 required by this title, the license applicant shall submit
6 a valid food service permit upon application.

7
8 (b) The number of bar and grill liquor licenses for
9 cities and towns shall be based on the following population
10 formula:

11
12 (i) Not more than one (1) license in
13 incorporated cities or towns of seven thousand five hundred
14 (7,500) or less;

15
16 (ii) Not more than two (2) licenses for
17 population in incorporated cities between seven thousand
18 five hundred one (7,501) and fifteen thousand (15,000); and

19
20 (iii) Not more than three (3) for population in
21 incorporated cities between fifteen thousand one (15,001)
22 and twenty-seven thousand five hundred (27,500); and

1 (iv) Not more than one (1) additional license
2 for each additional twelve thousand five hundred (12,500)
3 population in incorporated cities over twenty-seven
4 thousand five hundred (27,500).

5

6 (c) Bar and grill liquor licenses may be granted by
7 the county commissioners as the appropriate licensing
8 authority in a county outside of incorporated cities and
9 towns as follows:

10

11 (i) One (1) license for each seven thousand five
12 hundred (7,500) population residing outside incorporated
13 cities and towns.

14

15 (d) The license fee assessed for a bar and grill
16 liquor license shall be not less than one thousand five
17 hundred dollars (\$1,500.00) nor more than ten thousand five
18 hundred dollars (\$10,500.00).

19

20 (e) A bar and grill liquor license shall not be sold,
21 transferred or assigned by the holder.

22

23 (f) Bar and grill liquor licenses shall be subject to
24 the provisions of W.S. 12-4-408 and 12-4-410(c) to the same

1 extent those provisions are applicable to restaurant liquor
2 licenses. Bar and grill liquor licensees shall not sell
3 alcoholic or malt beverages for consumption off the
4 premises owned or leased by the licensee except as allowed
5 under W.S. 12-4-410(e).

6
7 **Section 2.** W.S. 12-1-101(a)(viii)(F), (G) and by
8 creating a new subparagraph (H), 12-4-101(a) and (c),
9 12-4-412(b)(iii)(D), (E), by creating a new subparagraph
10 (F) and by creating a new subsection (e) and 12-4-602(d)
11 are amended to read:

12
13 **12-1-101. Definitions.**

14
15 (a) As used in this title:

16
17 (viii) "Licensee" means a person holding a:

18
19 (F) Restaurant liquor license;~~or~~

20
21 (G) Catering permit;~~or~~ or

22
23 (H) Bar and grill liquor license.

1 **12-4-101. Authority of cities, towns and counties;**
2 **population figures; number of available licenses and**
3 **permits; assessment and payment of fees.**

4
5 (a) Incorporated cities, towns and counties within
6 Wyoming shall license and regulate or prohibit the retail
7 sale of alcoholic and malt beverages under this title.
8 Nothing in this title prohibits a licensing authority of an
9 incorporated city, town or county from issuing less than
10 the total number of allowable retail liquor licenses
11 pursuant to W.S. 12-4-201, less than the allowable bar and
12 grill liquor licenses pursuant to W.S. 12-4-413 or from
13 refusing to issue any license or permit authorized by this
14 title.

15
16 (c) Population figures and estimates required by
17 subsection (b) of this section shall be furnished to the
18 appropriate licensing authorities within the state by the
19 department of administration and information. The maximum
20 number of licenses and permits available for issuance by a
21 licensing authority pursuant to the population formula
22 provided by W.S. 12-4-201 and 12-4-413, shall be certified
23 and distributed by the commission.

1 **12-4-412. Microbrewery and winery permits;**
2 **authorized; conditions; dual permits and licenses;**
3 **satellite winery permits; fees.**

4
5 (b) The local licensing authority:

6
7 (iii) May approve the dual holding of a
8 microbrewery permit or winery permit and one (1) of the
9 following:

10
11 (D) A microbrewery permit as provided under
12 paragraph (a)(i) of this section;~~or~~

13
14 (E) A winery permit as provided under
15 paragraph (a)(ii) of this section;or

16
17 (F) Subject to subsection (e) of this
18 section, a bar and grill liquor license as provided in W.S.
19 12-4-413.

20
21 (e) The provisions of W.S. 12-4-413 shall apply to
22 any person holding a microbrewery or winery permit and a
23 bar and grill liquor license pursuant to subparagraph
24 (b)(iii)(F) of this section, except the dual holder:

1
2 (i) May sell the brewed malt beverage or
3 manufactured wine for limited off-premise personal
4 consumption pursuant to paragraphs (b)(iv) and (v) of this
5 section;

6
7 (ii) May upon cessation of full service
8 restaurant operations serve a limited menu and continue to
9 serve malt beverages authorized under the microbrewery
10 permit or wines authorized under the winery permit; and

11
12 (iii) Shall not include sales of malt beverages
13 or wines authorized under the malt beverage or winery
14 permit, or sales other than food service and alcoholic
15 beverages, in the annual gross sales report required under
16 W.S. 12-4-408(c).

17
18 **12-4-602. Annexations; transfer of licensing**
19 **jurisdiction; licenses transferred exempt from population**
20 **formula.**

21
22 (d) A license transferred pursuant to annexation
23 shall be exempt from the population formula restrictions
24 provided by W.S. 12-4-201 and 12-4-413.

1

2 **Section 3.** This act is effective July 1, 2006.

3

4

(END)