

HOUSE BILL NO. HB0067

Limited alcoholic beverage permit.

Sponsored by: Representative(s) Zwonitzer, Dn., Blake,
Byrd, Greene, Illoway, Madden and Roscoe and
Senator(s) Driskill and Von Flatern

A BILL

for

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

7

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

9

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

16

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

2

3 (a) As used in this title:

4

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

6

7 (G) Catering permit;~~or~~

8

9 (H) Bar and grill liquor license;~~;~~ or

10

11 (J) Limited alcoholic and malt beverage

12 permit.

13

14 **12-4-103. Restrictions upon license or permit**
15 **applicants and holders; license limitation per person.**

16

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

19

20 (ix) A chamber of commerce, except for twenty-
21 four (24) hour limited alcoholic and malt beverage permits
22 issued pursuant to W.S. 12-4-502;

23

1 12-4-501. Limited alcoholic and malt beverage permit
2 for University of Wyoming; fee; rules and regulations.

3
4 (a) Upon an application to the city of Laramie for a
5 limited alcoholic and malt beverage permit, the city shall
6 issue a special limited alcoholic and malt beverage permit
7 to the board of trustees of the University of Wyoming for
8 sale of alcoholic beverages and malt beverages ~~drawn only~~
9 ~~from kegs at the student union~~ on the campus of the
10 University of Wyoming. The issuance of a limited alcoholic
11 and malt beverage permit shall not be considered an
12 alcoholic beverage permit issued on the basis of population
13 as provided in W.S. 12-4-201.

14
15 (c) The board of trustees of the University of
16 Wyoming shall provide rules and regulations for the
17 following:

18
19 (i) Location of the dispensing rooms in which
20 alcoholic and malt beverages may be sold;

21
22 (vi) Locations ~~within the student union~~ where
23 alcoholic and malt beverages may be consumed; and

24

1 (e) The board of trustees may prohibit dispensing
2 alcoholic and malt beverages by any seller designated under
3 paragraph (c)(iv) of this section, for any period less than
4 ninety (90) days, upon information that violations of state
5 law have occurred.

6
7 **12-4-502. Twenty-four hour limited alcoholic and malt**
8 **beverage permit and catering permit; restrictions;**
9 **application procedure; fees.**

10
11 (a) A limited alcoholic and malt beverage permit
12 authorizing the sale of alcoholic and malt beverages ~~only~~
13 may be issued by the appropriate licensing authority to any
14 responsible person or organization for sales at a picnic,
15 bazaar, fair, rodeo, special holiday or similar public
16 gathering. No person or organization holding the special
17 permit shall sell any alcoholic liquor or malt beverage
18 other than ~~malt beverages~~ on the premises described on the
19 permit, nor shall any alcoholic or malt beverage be sold or
20 consumed off the premises authorized by the permit. W.S.
21 12-5-201 does not apply to this subsection.

22
23 (c) The permits authorized by this section shall be
24 issued for one (1) twenty-four (24) hour period, subject to

1 the schedule of operating hours provided by W.S. 12-5-101.
2 No person or organization shall receive more than a total
3 of twelve (12) limited alcoholic and malt beverage and
4 twenty-four (24) catering permits for sales at the same
5 premises in any one (1) year, except that this limitation
6 shall not be applicable to limited alcoholic and malt
7 beverage permits issued for sales at any fair, rodeo, pari-
8 mutuel event or other similar public event conducted by a
9 public entity upon public premises.

10

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

1

2 (e) The fee for the limited alcoholic and malt
3 beverage permit and the catering permit shall be not less
4 than ten dollars (\$10.00) nor more than one hundred dollars
5 (\$100.00) per twenty-four (24) hour period, payable to the
6 appropriate licensing authority.

7

8 (f) Notwithstanding W.S. 12-2-301(a), the holder of a
9 limited alcoholic and malt beverage permit pursuant to this
10 section may purchase alcoholic or malt beverages for resale
11 under the conditions of the permit from any holder of a
12 retail liquor license under this act.

13

14 **12-4-504. Special limited alcoholic and malt beverage**
15 **permit for public auditoriums, civic centers or events**
16 **centers.**

17

18 (a) The appropriate licensing authority in a county,
19 city or town may issue a special limited alcoholic and malt
20 beverage permit to any responsible person or organization
21 for sales of alcoholic and malt beverages at public
22 auditoriums, civic centers or events centers meeting the
23 qualifications of subsection (b) of this section.

24

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

(c) No person or organization holding the special limited alcoholic and malt beverage permit shall sell any alcoholic liquor or malt beverage other than ~~malt beverages~~ on the premises described on the permit, nor shall any alcoholic or malt beverage be sold for consumption off the premises authorized by the permit. It shall be the duty and obligation of the issuing body and the holder of the permit to see that no sales are made to any person under the age of twenty-one (21) years.

12-4-505. Limited alcoholic and malt beverage permit for state fair.

(a) Upon application, the appropriate licensing authority shall issue to the director of the department of agriculture a limited alcoholic and malt beverage permit for the sale of alcoholic and malt beverages ~~only~~ on the state fairgrounds during the state fair. W.S. 12-5-201 does not apply to this subsection. The issuance of a limited alcoholic and malt beverage permit under this

1 subsection shall not be considered an alcoholic beverage
2 permit issued on the basis of population as provided in
3 W.S. 12-4-201. Alcoholic and malt beverages shall only be
4 sold for consumption on the state fairgrounds in areas
5 specifically designated by the director of the department
6 of agriculture.

7

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

10

11 (ii) The location of areas where alcoholic and
12 malt beverages may be consumed on the state fairgrounds;

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14 **Section 2.** W.S. 12-1-101(a)(viii)(E) is repealed.

15

16 **Section 3.** This act is effective July 1, 2012.

17

18 (END)