

SENATE FILE NO. SF0064

Wholesale malt beverage distributors-limitations.

Sponsored by: Senator(s) Coe, Bebout, Landen and Ross and
Representative(s) Berger and Krone

A BILL

for

1 AN ACT relating to alcohol licensing; limiting nonresident
2 interests in wholesale licenses for sale of malt beverages;
3 providing exceptions; providing for a temporary license;
4 and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 12-2-201(a) is amended to read:

9

10 **12-2-201. Wholesale license for sale of malt**
11 **beverages only; fee.**

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13 (a) A wholesale license authorizing the sale of malt
14 beverages only may be granted by the commission to
15 breweries, microbreweries and malt beverage wholesalers
16 resident within this state. Wholesale licensees have the

1 exclusive right to sell malt beverages at wholesale. Any
2 qualified person desiring a wholesale license shall apply
3 to the commission on forms to be provided and pay a license
4 fee of two hundred fifty dollars (\$250.00) annually in
5 advance. A wholesale license issued under this subsection
6 shall be subject to the following:

7
8 (i) Except as provided in paragraph (ii) of this
9 section, no nonresident brewery, nonresident malt beverage
10 manufacturer or nonresident malt beverage importer may have
11 any interest, in whole or in part, directly or indirectly,
12 in the license, business, assets or corporate stock of a
13 licensee under this subsection;

14
15 (ii) The commission may issue a temporary
16 wholesale license under this subsection to a nonresident
17 brewery, nonresident malt beverage manufacturer or
18 nonresident malt beverage importer if a current licensee
19 who has been granted distribution rights for a brand in a
20 designated sales territory is unable to service the
21 territory as a result of the loss of his license,
22 bankruptcy or insolvency, and the loss of license,
23 bankruptcy or insolvency is not the result of action by the
24 nonresident brewery, nonresident malt beverage manufacturer

1 or nonresident malt beverage importer that is prohibited
2 under the franchise agreement. A temporary license under
3 this paragraph may be issued for a period not to exceed one
4 (1) year and shall be limited to the sale of products in
5 the designated territory.

6

7 **Section 2.** This act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming
10 Constitution.

11

12 (END)