

HOUSE BILL NO. HB0096

Microbrewery permits.

Sponsored by: Representative(s) Greear, Blake, Henderson,
Laursen, Lindholm, Madden and Pownall and
Senator(s) Driskill

A BILL

for

1 AN ACT relating to microbrewery permits; authorizing
2 holders of a microbrewery permit to dispense malt beverages
3 in areas adjacent to its site as specified; providing for
4 the dispensing of malt beverages at satellite locations as
5 specified; providing for a licensing fee; and providing for
6 an effective date.

7

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

9

10 **Section 1.** W.S. 12-4-412(a)(i), (c)(iii), by creating
11 a new paragraph (v), (d), (e)(ii) and by creating a new
12 paragraph (iv) and 12-5-201(a) are amended to read:

13

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

4
5 (a) Subject to restrictions imposed under W.S.
6 12-4-103 excluding W.S. 12-4-103(a)(vi), a local licensing
7 authority may issue:

8
9 (i) A microbrewery permit authorizing a permit
10 holder to brew a malt beverage and dispense the brewed malt
11 beverage for on-premises and limited off-premises personal
12 consumption. Notwithstanding W.S. 12-5-201, "on-premises"
13 may include a fenced or enclosed area immediately adjacent
14 to its licensed manufacturing site as approved by the local
15 licensing authority. The dispensing of malt beverages in
16 an immediately adjacent area authorized by this paragraph
17 shall be subject to the schedule of operating hours
18 provided in W.S. 12-5-101;

19
20 (c) W.S. 12-4-410 shall apply to any person holding a
21 microbrewery or winery permit and a restaurant liquor
22 license pursuant to subparagraph (b)(iii)(B) of this
23 section, except the dual holder:

1

2 (iii) May upon cessation of full service
3 restaurant operations, serve a limited menu and continue to
4 serve malt beverages authorized under the microbrewery
5 permit or wines authorized under the winery permit; ~~and~~

6

7 (v) May dispense the brewed malt beverage in
8 areas immediately adjacent to its licensed manufacturing
9 site as authorized by paragraph (a) (i) of this section.

10

11 (d) In addition to subsection (b) of this section,
12 the local licensing authority may issue to the holder of a
13 microbrewery or winery permit under this section a
14 satellite microbrewery or winery permit which allows the
15 permittee to sell its brewed malt beverage or manufactured
16 wine at up to three (3) satellite locations within Wyoming
17 separate from its licensed manufacturing site under the
18 original permit fee. ~~The A~~ satellite microbrewery or winery
19 permit may be issued on application to the appropriate
20 licensing authority. The local licensing authority may
21 require a public hearing and the payment of an additional
22 permit fee not to exceed one hundred dollars (\$100.00)
23 regardless of the number of satellite locations. ~~The A~~

1 satellite microbrewery or winery permit shall be subject to
2 the terms and conditions of W.S. 12-4-106, the schedule of
3 operating hours provided in W.S. 12-5-101 and the
4 dispensing room provisions of W.S. 12-5-201.

5
6 (e) The provisions of W.S. 12-4-413 shall apply to
7 any person holding a microbrewery or winery permit and a
8 bar and grill liquor license pursuant to subparagraph
9 (b)(iii)(F) of this section, except the dual holder:

10
11 (ii) May upon cessation of full service
12 restaurant operations serve a limited menu and continue to
13 serve malt beverages authorized under the microbrewery
14 permit or wines authorized under the winery permit; ~~and~~

15
16 (iv) May dispense the brewed malt beverage in
17 areas immediately adjacent to its licensed manufacturing
18 site as authorized by paragraph (a)(i) of this section.

19
20 **12-5-201. Location, regulation and restrictions as to**
21 **place of sale; inspections; additional dispensing rooms.**

1 (a) Except as otherwise provided in this section and
2 W.S. 12-4-412(a)(i), the principal place in which alcoholic
3 liquor and malt beverages are sold under a license shall be
4 located in one (1) room upon the premises for which the
5 license is issued and as approved by the licensing
6 authority. Upon payment of an additional license fee equal
7 to two-thirds (2/3) of the fee paid for the original
8 license, a licensee may have and maintain one (1)
9 additional dispensing room in the same building under the
10 authority of the original license. Alcoholic beverages
11 secured in the licensed room by a server may be served only
12 in the building in which the licensed room is located and
13 in an immediately adjacent fenced or enclosed area as
14 approved by the local licensing authority. This area shall
15 not be in another building and shall be located on the
16 licensed premises. Only alcoholic and malt beverages,
17 nonalcoholic beverages, food, tobacco, alcoholic liquor and
18 malt beverage promotional sales items sold to the licensee
19 bearing the name and trademark of the alcoholic liquor and
20 malt beverage firm or company whose product the item is
21 advertising, promotional products bearing the name of the
22 licensed retailer, billiard and dart supplies, newspapers,
23 magazines and periodicals may be sold and served in the

1 licensed room. The licensing authority shall, as often as
2 necessary, inspect the licensed room and adjoining rooms
3 where alcoholic beverages are served to insure that the
4 licensee is in compliance with sanitation and fire hazard
5 requirements and other applicable laws. A licensee may
6 separate the facility for the sale of alcoholic liquor and
7 malt beverages for off-premise consumption from the
8 facility used to serve customers for on-premise consumption
9 without payment of an additional fee. A separated facility
10 for making sales for off-premise consumption shall be
11 located adjoining the facility for making sales for
12 on-premise consumption. The two (2) facilities may be
13 separated by a glass or other suitable partition.

14

15 **Section 2.** This act is effective July 1, 2017.

16

17 (END)