

SENATE FILE NO. SF0014

Inoperative liquor licenses.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to alcoholic beverages; modifying
2 requirements on liquor licensees to demonstrate a business
3 or enterprise will be operational or open for business; and
4 providing for an effective date.

5

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

7

8 **Section 1.** W.S. 12-1-101(a)(xxi) and 12-4-103(a)(iv)

9 are amended to read:

10

11 **12-1-101. Definitions.**

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13 (a) As used in this title:

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1 (xxi) "Operational" means offering for sale to
2 the general public alcoholic liquor and malt beverages as
3 authorized under a license or permit issued under this
4 title for not less than twelve (12) consecutive months or,
5 for not less than three (3) consecutive months during any
6 calendar year if determined by the local licensing
7 authority to be a seasonal operation;

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9 **12-4-103. Restrictions upon license or permit**
10 **applicants and holders; license limitation per person.**

11
12 (a) A license or permit authorized by this title
13 shall not be held by, issued or transferred to:

14
15 (iv) Any licensee who fails to demonstrate that
16 his licensed alcoholic or malt beverage enterprise will be
17 operational in a planned but not physically functional
18 building within ~~two (2) years~~ one (1) year after a license
19 or permit has been issued or transferred, or if holding a
20 license, fails to open his business in a functional
21 building within ~~two (2) years~~ one (1) year after license
22 issuance or transfer. Upon a showing of good cause by the
23 licensee and for an additional period of not to exceed one

1 (1) year, the local licensing authority may extend the time
2 period in which the business or enterprise of the licensee
3 is required to become operational or open for business
4 pursuant to this paragraph. Any license or permit in
5 violation of this paragraph shall not be renewed by the
6 local licensing authority and once the enterprise is
7 operational or open for business, no licensee shall be
8 eligible to repeat the grace periods made available by this
9 paragraph without the consent of the local licensing
10 authority due to extraordinary circumstances;

11

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

13

14 (END)