

SENATE FILE NO. SF0140

Alcoholic beverages-direct sales.

Sponsored by: Senator(s) Perkins, Agar and Gierau and
Representative(s) Loucks, Sweeney and
Zwonitzer

A BILL

for

1 AN ACT relating to alcoholic beverages; amending provisions
2 related to satellite manufacturer's permits; clarifying
3 authority of local authorities to issue satellite
4 manufacturer's permits; making conforming amendments; and
5 providing for effective dates.

6

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

8

9 **Section 1.** W.S. 12-2-203(g), 12-2-301(a), 12-2-303 by
10 creating a new subsection (d) and 12-4-103(a)(vi) are amended
11 to read:

12

13 **12-2-203. Manufacturing and rectifying; importing and**
14 **industry representatives; licensing; fees.**

15

1 (g) The local licensing authority may issue to the
2 holder of a manufacturer's license granted under subsection
3 (a) of this section who is a federally licensed distiller or
4 rectifier, a satellite manufacturer's permit which allows the
5 permittee to sell product manufactured at the site identified
6 on the manufacturer's license at not more than one (1)
7 satellite location within Wyoming separate from its
8 manufacturing site under the original permit. ~~All~~ Products
9 sold at a manufacturer's satellite location ~~shall~~ may be
10 obtained through the division as provided by W.S.
11 12-2-303(a). If the satellite location is situated within
12 the property boundary of the manufacturing site, the product
13 may be distributed directly from the permit holder's
14 manufacturing site subject to W.S. 12-2-303(d). The satellite
15 manufacturer's permit may be issued on application to the
16 appropriate licensing authority. The local licensing
17 authority may require a public hearing and the payment of an
18 additional permit fee not to exceed one hundred dollars
19 (\$100.00). The satellite manufacturer's permit shall be
20 subject to the terms and conditions of W.S. 12-4-106, the
21 schedule of operating hours set pursuant to W.S. 12-5-101 and
22 the licensed building provisions pursuant to W.S. 12-5-201.

23

1 **12-2-301. Generally.**

2

3 (a) Except as provided in W.S. 12-2-203(g), the
4 division is the exclusive wholesale distributor and seller of
5 alcoholic liquor within Wyoming. It is granted the sole right
6 to sell alcoholic liquors at wholesale, and no licensee or
7 permittee who is granted the right to sell, distribute or
8 receive alcoholic liquors at retail shall purchase any
9 alcoholic liquors from any source other than the division,
10 unless otherwise expressly authorized by state law. Any
11 out-of-state shipment of alcoholic liquor or malt beverage
12 into this state is prohibited unless otherwise expressly
13 authorized by state law.

14

15 **12-2-303. Purchase and sale of alcoholic liquors;**
16 **shortages.**

17

18 (d) The holder of a manufacturer's license under W.S.
19 12-2-203(a) that sells alcoholic liquor not obtained through
20 the division as provided in W.S. 12-2-203(g) shall, before
21 the transfer of the product to the satellite location, remit
22 to the division an assessment in an amount equal to the profit
23 allowed under subsection (a) of this section and the

1 associated excise tax assessed under W.S. 12-3-101 that would
2 have been received by the division had the holder of a
3 manufacturer's license first obtained the alcoholic liquor
4 from the division as provided in subsection (a) of this
5 section. The department shall by rule define the procedure
6 under which a holder of a manufacturer's license shall report
7 and remit the assessment under this subsection.

8
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 shall
13 not be held by, issued or transferred to:

14
15 (vi) A manufacturer of alcoholic beverages or
16 wholesaler of malt beverages, except as authorized under W.S.
17 12-2-203(g);

18
19 **Section 2.** The department shall promulgate rules and
20 regulations necessary to implement this act by July 1, 2019.

21
22 **Section 3.**

1 (a) Except as provided in subsection (b) of this
2 section, this act is effective July 1, 2019.

3

4 (b) Sections 2 and 3 of this act are effective
5 immediately upon completion of all acts necessary for a bill
6 to become law as provided by Article 4, Section 8 of the
7 Wyoming Constitution.

8

9

(END)