

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. 12-2-303(a)
11 or directly from the permit holder's manufacturing site
12 subject to W.S. 12-2-303(d). The satellite manufacturer's
13 permit may be issued on application to the appropriate
14 licensing authority. The local licensing authority may
15 require a public hearing and the payment of an additional
16 permit fee not to exceed one hundred dollars (\$100.00). The
17 satellite manufacturer's permit shall be subject to the terms
18 and conditions of W.S. 12-4-106, the schedule of operating
19 hours set pursuant to W.S. 12-5-101 and the licensed building
20 provisions pursuant to W.S. 12-5-201.

21

22 **12-2-301. Generally.**

23

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

12

13 **12-2-303. Purchase and sale of alcoholic liquors;**
14 **shortages.**

15

16 (d) The holder of a manufacturer's license under W.S.
17 12-2-203(a) that sells alcoholic liquor not obtained through
18 the division as provided in W.S. 12-2-203(g), shall on or
19 before the last day of each month remit to the division an
20 assessment in an amount equal to the profit that would have
21 been received by the division had the holder of a
22 manufacturer's license first obtained the alcoholic liquor
23 from the division as provided in subsection (a) of this

1 section. The department shall by rule define the procedure
2 under which a holder of a manufacturer's license shall report
3 and remit the appropriate assessment under this subsection.

4
5 **12-4-103. Restrictions upon license or permit**
6 **applicants and holders; license limitation per person.**

7
8 (a) A license or permit authorized by this title shall
9 not be held by, issued or transferred to:

10
11 (vi) A manufacturer of alcoholic beverages or
12 wholesaler of malt beverages, except as authorized under W.S.
13 12-2-203(g);

14
15 **Section 2.** The department shall promulgate rules and
16 regulations necessary to implement this act by July 1, 2019.

17
18 **Section 3.**

19
20 (a) Except as provided in subsection (b) of this
21 section, this act is effective July 1, 2019.

22

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

5

6

(END)