

SENATE FILE NO. SF0013

Bar and grill liquor license phaseout.

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

A BILL

for

1 AN ACT relating to alcoholic beverages; amending bar and  
2 grill liquor license requirements; specifying sunset dates  
3 for bar and grill license population formulas; providing  
4 for rulemaking; and providing for effective dates.

5

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

7

8       **Section 1.** W.S. 12-1-101(a) by creating a new  
9 paragraph (xxvii) and 12-4-413(b)(intro) and by creating  
10 new paragraphs (v) through (vii), (c) by creating new  
11 paragraphs (ii) through (iv), (d), (f) and by creating new  
12 subsections (g) through (m) are amended to read:

13

14       **12-1-101. Definitions.**

15

1 (a) As used in this title:

2

3 (xxvii) "Entertainment" means any activity  
4 designed to provide diversion or amusement, regardless of  
5 the age required for the activity. "Entertainment" shall  
6 not include adult entertainment as defined by the local  
7 licensing authority or gambling.

8

9 **12-4-413. Bar and grill liquor license; authorized;**  
10 **requirements.**

11

12 (b) ~~The number of bar and grill liquor licenses for~~  
13 ~~cities and towns shall be based on the following population~~  
14 ~~formula~~ Bar and grill liquor licenses shall be issued as  
15 follows:

16

17 (v) Beginning July 1, 2023, the number of bar  
18 and grill liquor licenses for cities and towns shall be  
19 based on the following population formula:

20

21 (A) Not more than four (4) licenses in  
22 incorporated cities or towns with populations of seven  
23 thousand five hundred (7,500) or less;

1

2

(B) Not more than ten (10) licenses in incorporated cities with populations between seven thousand five hundred one (7,501) and twenty thousand (20,000);

5

6

(C) Not more than fourteen (14) licenses in incorporated cities with populations between twenty thousand one (20,001) and thirty thousand (30,000); and

9

10

(D) Not more than one (1) additional license for each additional five thousand (5,000) persons residing in incorporated cities over thirty thousand (30,000);

14

15

(E) This paragraph is repealed effective June 30, 2028.

17

18

(vi) Beginning July 1, 2028, the number of bar and grill liquor licenses for cities and towns shall be based on the following population formula:

21

1                   (A) Not more than six (6) licenses in  
2 incorporated cities or towns with populations of seven  
3 thousand five hundred (7,500) or less;

4

5                   (B) Not more than fourteen (14) licenses in  
6 incorporated cities with populations between seven thousand  
7 five hundred one (7,501) and twenty thousand (20,000);

8

9                   (C) Not more than eighteen (18) licenses in  
10 incorporated cities with populations between twenty  
11 thousand one (20,001) and thirty thousand (30,000); and

12

13                   (D) Not more than one (1) additional  
14 license for each additional three thousand (3,000) persons  
15 residing in incorporated cities over thirty thousand  
16 (30,000);

17

18                   (E) This paragraph is repealed effective  
19 June 30, 2033.

20

21                   (vii) Beginning July 1, 2033, population  
22 formulas shall have no application to issuance of bar and  
23 grill liquor licenses.

1

2 (c) Bar and grill liquor licenses may be granted by  
3 the county commissioners as the appropriate licensing  
4 authority in a county outside of incorporated cities and  
5 towns as follows:

6

7 (ii) Beginning July 1, 2023, four (4) licenses  
8 for each seven thousand five hundred (7,500) persons  
9 residing outside incorporated cities and towns. This  
10 paragraph is repealed effective June 30, 2028;

11

12 (iii) Beginning July 1, 2028, six (6) licenses  
13 for each seven thousand five hundred (7,500) persons  
14 residing outside incorporated cities and towns;

15

16 (iv) This subsection is repealed effective June  
17 30, 2033.

18

19 (d) The license fee assessed for a bar and grill  
20 liquor license shall be not less than one thousand five  
21 hundred dollars (\$1,500.00) nor more than ten thousand five  
22 hundred dollars (\$10,500.00). This subsection is repealed  
23 effective June 30, 2033.

1

2           ~~(f) Bar and grill liquor licenses shall be subject to~~  
3 ~~the provisions of W.S. 12-4-408 and 12-4-410(c) to the same~~  
4 ~~extent those provisions are applicable to restaurant liquor~~  
5 ~~licenses.~~ Bar and grill liquor licensees shall not sell

6 alcoholic or malt beverages for off-premises consumption  
7 from the licensed building owned or leased by the licensee  
8 except as allowed under ~~W.S. 12-4-410(c)~~ this subsection.

9 The following shall apply to sales of alcoholic and malt  
10 beverages:

11

12           (i) All sales of alcoholic and malt beverages  
13 authorized by a bar and grill liquor license shall cease at  
14 the time food sales and services cease or at the hours  
15 specified by W.S. 12-5-101(a) if food sales and services  
16 extend beyond the hours specified therein;

17

18           (ii) A bar and grill liquor licensee may permit  
19 a patron to remove one (1) partially consumed bottle of  
20 wine for off-premises consumption provided that the patron  
21 has purchased a full course meal and consumed a portion of  
22 the bottle of wine with the meal on the bar and grill  
23 premises. For purposes of this paragraph the term "full

1 course meal" shall mean food which cannot conveniently be  
2 consumed while standing or walking. A partially consumed  
3 bottle of wine that is to be removed from the premises  
4 pursuant to this paragraph shall be securely sealed by the  
5 licensee or an agent of the licensee and placed in a  
6 tamper-proof transparent bag which shall also be securely  
7 sealed prior to removal from the premises, so that it is  
8 visibly apparent that the resealed bottle of wine has not  
9 been tampered with. The licensee or agent of the licensee  
10 shall provide a dated receipt for the bottle of wine to the  
11 patron. Wine which is resealed in accordance with the  
12 provisions of this paragraph shall not be deemed an open  
13 container for purposes of W.S. 31-5-235.

14

15 (g) An applicant for a bar and grill liquor license  
16 shall satisfy the appropriate licensing authority that not  
17 less than sixty percent (60%) of revenue from the operation  
18 of the bar and grill to be licensed will be derived from  
19 food services, entertainment or a combination of food  
20 services and entertainment and not from the sale of  
21 alcoholic or malt beverages.

22

1       (h) When renewing a bar and grill liquor license, the  
2 appropriate licensing authority shall condition renewal  
3 upon a requirement that not less than sixty percent (60%)  
4 of gross sales from the preceding twelve (12) months  
5 operation of a licensed bar and grill be derived from food  
6 services, entertainment or a combination of food services  
7 and entertainment.

8  
9       (j) The appropriate licensing authority shall  
10 consider the type, level and appropriateness of food  
11 services and entertainment sales proposed in each  
12 application when determining whether to issue or renew a  
13 bar and grill license.

14  
15       (k) Upon application for license renewal, a license  
16 holder shall submit an annual report to the licensing  
17 authority on the sales of the licensed bar and grill. The  
18 report shall contain the annual gross sales figures of the  
19 bar and grill and shall separate the gross sales figures  
20 into the following three (3) categories:

21  
22               (i) Food service sales;  
23

1           (ii) Alcoholic and malt beverage sales;

2

3           (iii) Entertainment sales.

4

5           (m) Beginning July 1, 2033, the annual fee for a bar  
6 and grill liquor license shall be no more than three  
7 thousand dollars (\$3,000.00) and no less than five hundred  
8 dollars (\$500.00).

9

10           **Section 2.** W.S. 12-4-413(b)(i) through (iv) and  
11 (c)(i) are repealed.

12

13           **Section 3.** The liquor division and the department of  
14 revenue shall promulgate any rules necessary to implement  
15 this act.

16

1       **Section 4.**

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3           (a) Except as otherwise provided by subsection (b) of  
4 this section, this act is effective July 1, 2023.

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

10

11

(END)