

Meckler #6

95 LSO - 0452

# HOUSE BILL 0183

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HB0183

AN ACT to amend W.S. 12-4-412 relating to liquor license and permits; authorizing a winery permit allowing for the manufacture and limited sales of wine; imposing conditions and limitations and authorizing dual licensure similar to microbreweries; imposing fees; and providing for an effective date.

Introduced by: *James W. Hinkle*

*Charles Lee Brown* *Herb Rich* *Richard Catcott*

### HOUSE ACTION ON HOUSE BILL

- 1113  Introduced  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- Read First Time and Ref. to Committee No. 6
- Failed Introduction  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- 1 Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- 1 Re-referred to Committee No. \_\_\_
- 1 Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- 1 Considered in Comm. of Whole  
 Amended  
 Recommended Do Pass  
 Failed Comm. of Whole  
 Indefinitely Postponed  
 Other: \_\_\_
- 1 Read Second Time  
 Amended  
 Do Pass  
 Do Not Pass  
 Accelerated to 3rd Rdg.
- 1 Read Third Time  
 Amended  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 Held for Reconsideration  
1 Motion to Reconsider  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
1 Third Reading Vote  
(On Reconsideration)  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- 1 Sent to Senate (No Amendments)
- 1 Sent to LSO for Engrossing
- 1 ENGROSSED
- 1 Sent to Senate

### SENATE ACTION ON HOUSE BILL

- 1 Received. Read First Time.  
Referred to Committee No. \_\_\_
- 1 Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- 1 Re-referred to Committee No. \_\_\_
- 1 Returned from Committee No. \_\_\_  
with Recommendation:  
 Do Pass;  Amend & Do Pass;  Do Not Pass;  
 W/O Recomm;  Re-Refer to Committee No. \_\_\_
- 1 Considered in Comm. of Whole  
 Amended  
 Recommended Do Pass  
 Failed Comm. of Whole  
 Indefinitely Postponed  
 Other: \_\_\_
- 1 Read Second Time  
 Amended  
 Do Pass  
 Do Not Pass  
 Accelerated to 3rd Rdg.
- 1 Read Third Time  
 Amended  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 Held for Reconsideration  
1 Motion to Reconsider  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
1 Third Reading Vote  
(On Reconsideration)  
 Passed  Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_
- 1 Sent to House
- 1 Sent for Enrolling  
HEA No. \_\_\_
- 1 Signed by Speaker
- 1 Signed by President
- 1 Approved by Governor
- 1 Chapter No. \_\_\_

1995

STATE OF WYOMING

95LSO-0457.01

HOUSE BILL NO. 0183

Winery permits.

Sponsored by: Representative(s) MOCKLER

A BILL

for

1 AN ACT to amend W.S. 12-4-412 relating to liquor license  
 2 and permits; authorizing a winery permit allowing for the  
 3 manufacture and limited sales of wine; imposing conditions  
 4 and limitations and authorizing dual licensure similar to  
 5 microbreweries; imposing fees; and providing for an effec-  
 6 tive date.

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

8 Section 1. W.S. 12-4-412 is amended to read:

9 12-4-412. MICROBREWERY AND WINERY PERMITS; AUTHO-  
 10 RIZED; LIMITATIONS; DUAL PERMITS AND LICENSES; FEES.

11 (a) In lieu of a manufacturer's license under W.S.

=====  
 LEGEND: Underlined = New text added to existing statutes  
 Stricken = Text deleted from existing statutes  
 =====

1 12-2-203 and subject to restrictions imposed under W.S.  
2 12-4-103, excluding W.S. 12-4-103(a)(vi), a local licens-  
3 ing authority may issue:

4 (i) A microbrewery is the authority permit under  
5 which a permittee is allowed to brew -a- and dispense the  
6 brewed malt beverage.--The permit shall be issued by the  
7 local licensing authority and subject to the--restrictions  
8 in--W.S.--12-4-103,--except--W.S.--12-3-103(a)(vi): for on-  
9 premises and limited personal off-premises consumption; or

10 (ii) A winery permit under which a permittee may  
11 manufacture and dispense the manufactured wine for on-  
12 premises and limited personal off-premises consumption.

13 (b) The local licensing authority:

14 (i) May allow the--sale--of the holder of a  
15 microbrewery permit to sell for on-premises consumption  
16 other malt beverages when obtained through licensed whole-  
17 sale malt beverage distributors;

18 (ii) May allow the holder of a winery permit to  
19 sell for on-premises consumption other wines and malt bev-  
20 erages obtained through licensed distributors;

21 ~~(ii)~~ (iii) May approve the dual holding of a

1 microbrewery permit or wine permit and one (1) of the fol-  
2 lowing licenses:

3 (A) A retail liquor license as provided in  
4 W.S. 12-4-101 through 12-4-202;

5 (B) A restaurant license as provided in  
6 W.S. 12-4-411; or

7 (C) A resort license as provided in W.S.  
8 12-4-401 through 12-4-406 12-4-405.

9 ~~{iii}~~ (iv) May allow the microbrewery to sell on  
10 site only its brewed product for off-premises personal  
11 consumption, not for retail sale, in packaging of bottles,  
12 cans or packs of an aggregate volume not to exceed two  
13 thousand (2,000) ounces per sale;

14 (v) May allow the winery to sell its manufac-  
15 tured wine for off-premises personal consumption and not  
16 for retail sale, in packaging of bottles of an aggregate  
17 volume not to exceed fifty-nine (59) liters (15.6 gal-  
18 lons);

19 ~~{iv}~~ (vi) Shall limit the number of  
20 microbreweries or the number of winery permits to no more  
21 than those allowed in W.S. 12-4-201(d);

1           ~~(v)~~(vii) Shall not allow the transfer of a  
2   microbrewery license or winery permit to another location,  
3   but ownership of the microbrewery or winery may be trans-  
4   ferred upon the approval by the local licensing authority;  
5   and

6           ~~(vi)~~(viii) Shall assess a fee for each permit  
7   issued under this section of not less than three hundred  
8   dollars (\$300.00) nor more than five hundred dollars  
9   (\$500.00) payable annually in advance. When dual ownership  
10  of a microbrewery or winery permit and a liquor license  
11  exists, no additional fee shall be assessed other than the  
12  retail, restaurant or resort license fee.

13           Section 2. This act is effective immediately upon  
14  completion of all acts necessary for a bill to become law  
15  as provided by Article 4, Section 8 of the Wyoming Consti-  
16  tution.

17

(END)

Winery permits.

95LSO-0457.L1

FISCAL NOTE

No significant fiscal or personnel impact.