

ENROLLED ACT NO. 91, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to the regulation of alcoholic liquor; amending the number of satellite locations for liquor manufacturers; conforming provisions; and providing for an effective date.

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

Section 1. W.S. 12-2-203(g)(i), 12-2-303(d) and 12-5-401(a) are amended to read:

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

(g) The local licensing authority may issue to the holder of a manufacturer's license granted under subsection (a) of this section who is a federally licensed distiller or rectifier:

(i) A satellite manufacturer's permit which allows the permittee to sell product manufactured at the site identified on the manufacturer's license at not more than ~~one (1) two (2)~~ satellite ~~location~~ locations within Wyoming separate from its manufacturing site under the original permit. Products sold at a manufacturer's satellite location may be obtained through the division as provided by W.S. 12-2-303(a). If ~~the a~~ satellite location is situated within the property boundary of the manufacturing site, the product may be distributed directly from the permit holder's manufacturing site subject to W.S. 12-2-303(d). The satellite manufacturer's permit may be issued on application to the appropriate licensing authority. The local licensing authority may require a public hearing and the payment of an additional permit fee not to exceed one hundred dollars (\$100.00) per satellite location. The satellite manufacturer's permit shall be

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subject to the terms and conditions of W.S. 12-4-106, the schedule of operating hours set pursuant to W.S. 12-5-101 and the licensed building provisions pursuant to W.S. 12-5-201;

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

(d) The holder of a manufacturer's license under W.S. 12-2-203(a) that sells alcoholic liquor not obtained through the division as provided in W.S. 12-2-203(g) shall, before the transfer of the product to ~~the~~^a satellite location, remit to the division an assessment in an amount equal to the profit allowed under subsection (a) of this section and the associated excise tax assessed under W.S. 12-3-101 that would have been received by the division had the holder of a manufacturer's license first obtained the alcoholic liquor from the division as provided in subsection (a) of this section. The department shall by rule define the procedure under which a holder of a manufacturer's license shall report and remit the assessment under this subsection.

12-5-401. Interests in licenses or permits to sell.

(a) No industry representative shall hold any interest, stock or ownership directly or indirectly, in any license to sell products of the industry at retail under privileges of a license or permit to sell any beverage or liquor in Wyoming or in any premises so licensed. This section shall not apply to any person holding a microbrewery or winery permit pursuant to W.S. 12-4-412. This section shall also not apply to a person holding a manufacturer's license under W.S. 12-2-203(a) when the license is held under the complete ownership of a retail

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business and to the extent he may be permitted ~~one (1)~~ two (2) satellite manufacturer's ~~permit~~ permits pursuant to W.S. 12-2-203(g)(i) or an off-premises permit pursuant to W.S. 12-2-203(g)(ii).

Section 2. This act is effective July 1, 2021.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk