

SENATE FILE NO. SF0104

Resort liquor licenses for nonprofit organizations.

Sponsored by: Senator(s) Burns, Coe, Driskill, Kinskey and Rothfuss and Representative(s) Connolly, Gierau, Kinner, Madden, Pelkey and Schwartz

A BILL

for

1 AN ACT relating to alcoholic beverages; authorizing
2 nonprofit organizations to obtain resort liquor licenses as
3 specified; specifying licensure conditions and
4 restrictions; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 12-4-401(a) and by creating a new
9 subsection (d), 12-4-404 and 12-4-405 are amended to read:

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11 **12-4-401. Resort retail liquor licenses; authorized;**
12 **qualifications; provision for licenses issued prior to**
13 **January 1, 1980.**

14

1 (a) The appropriate licensing authority in a county,
2 city or town may issue resort retail liquor licenses to
3 applicants who are owners or lessees of a resort complex
4 where the resort complex satisfies the requirements of
5 subsection (b) of this section and to applicants who are
6 nonprofit organizations that satisfy the requirements of
7 subsection (d) of this section.

8
9 (d) To qualify for a resort liquor license, the
10 appropriate licensing authority shall require a nonprofit
11 organization to:

12
13 (i) Describe the dedicated location where it
14 will sell alcoholic or malt beverages;

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16 (ii) Demonstrate that its purpose is fraternal,
17 charitable, religious or public service;

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19 (iii) Demonstrate that it is exempt from federal
20 income tax pursuant to section 501(c) of the Internal
21 Revenue Code.

22

1 **12-4-404. Sale of beverages for off-premises**
2 **consumption prohibited; exception.**

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4 (a) Except as otherwise provided in subsection (b) of
5 this section, resort liquor licensees shall not sell
6 alcoholic or malt beverages for consumption off the
7 premises owned or leased by the licensee, except pursuant
8 to a catering permit. The dispensing of alcoholic or malt
9 beverages licensed to be sold hereunder shall be controlled
10 by W.S. 12-5-201 and if a catering permit has been issued
11 by W.S. 12-4-502 (b) .

12
13 (b) Resort liquor licensees licensed that are
14 nonprofit organizations may permit closed container items
15 sold at an auction for the benefit of a nonprofit
16 organization to be taken off of the licensee's premises.

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18 **12-4-405. Annual fee.**

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20 The annual fee for a resort liquor license shall be not
21 less than five hundred dollars (\$500.00) nor more than
22 three thousand dollars (\$3,000.00), except that the annual
23 fee for a resort liquor license issued to a nonprofit

