

SENATE FILE NO. SF0012

Tavern and entertainment liquor license.

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

A BILL

for

1 AN ACT relating to alcoholic beverages; authorizing a
2 tavern and entertainment liquor license; specifying
3 requirements; providing definitions; requiring rulemaking;
4 and providing for effective dates.

5

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

7

8 **Section 1.** W.S. 12-4-416 is created to read:

9

10

ARTICLE 4

11

RESORT, RESTAURANT AND TAVERN AND

12

ENTERTAINMENT LIQUOR LICENSES

13

1 **12-4-416. Tavern and entertainment liquor licenses;**
2 **authorized; requirements; revenues of licensee to be**
3 **derived primarily from food services and entertainment.**

4

5 (a) Taverns and entertainment establishments as
6 defined by W.S. 12-1-101(a)(xxvii) may be licensed by the
7 appropriate licensing authority in counties, cities and
8 towns under a tavern and entertainment liquor license.

9

10 (b) An applicant for a tavern and entertainment
11 liquor license shall satisfy the appropriate licensing
12 authority that at least sixty percent (60%) of revenue from
13 the operation of the tavern and entertainment establishment
14 to be licensed is projected to be derived from food
15 services, entertainment or a combination of food services
16 and entertainment and not from the sale of alcoholic or
17 malt beverages. In addition to the other application
18 requirements established by this title, the license
19 applicant shall submit a valid food service permit upon
20 application if the establishment prepares food.

21

22 (c) When renewing a tavern and entertainment liquor
23 license, the following requirements apply:

1

2 (i) The appropriate licensing authority shall
3 condition renewal upon a requirement that not less than
4 sixty percent (60%) of gross sales from the preceding
5 twelve (12) months operation of a licensed tavern and
6 entertainment establishment be derived from food services,
7 entertainment or a combination of food services and
8 entertainment;

9

10 (ii) Upon application for license renewal, a
11 license holder shall submit an annual report to the
12 licensing authority on the sales of the licensed tavern and
13 entertainment establishment. The report shall contain the
14 annual gross sales figures of the tavern and entertainment
15 establishment and shall separate the gross sales figures
16 into two (2) categories:

17

18 (A) Food service and entertainment sales;
19 and

20

21 (B) Alcoholic and malt beverage sales.

22

1 (d) The annual license fee assessed for a tavern and
2 entertainment liquor license shall be not less than one
3 thousand five hundred dollars (\$1,500.00) nor more than ten
4 thousand five hundred dollars (\$10,500.00).

5

6 (e) A tavern and entertainment liquor license shall
7 not be sold, transferred or assigned by the holder.

8

9 (f) Tavern and entertainment liquor licenses shall
10 not sell alcoholic or malt beverages for off-premises
11 consumption from the licensed building owned or leased by
12 the licensee except as allowed by W.S. 12-4-410(e).

13

14 (g) Population formulas have no application to
15 issuance of tavern and entertainment liquor licenses.

16

17 (h) Alcoholic liquor and malt beverages shall be
18 dispensed and prepared for consumption in the licensed
19 building in areas approved by the local licensing
20 authority. No consumption of alcoholic or malt beverages
21 shall be permitted within the dispensing areas nor shall
22 any person other than employees over eighteen (18) years of
23 age be permitted to enter the dispensing areas.

1

2 (j) The licensing authority may determine on a case
3 by case basis the types of entertainment that qualify for a
4 tavern and entertainment liquor license.

5

6 **Section 2.** W.S. 12-1-101(a)(viii)(T), (U), by
7 creating a new subparagraph (W) and by creating a new
8 paragraph (xxvii) is amended to read:

9

10 **12-1-101. Definitions.**

11

12 (a) As used in this title:

13

14 (viii) "Licensee" means a person holding a:

15

16 (T) Special malt beverage permit issued
17 under W.S. 12-4-504; ~~or~~

18

19 (U) Malt beverage permit for events
20 conducted at rodeo arenas issued under W.S. 12-4-507 ~~;~~ or

21

22 (W) Tavern and entertainment liquor
23 license.

1

2

(xxvii) "Tavern and entertainment establishment"

3

means an establishment where food, alcoholic and malt

4

beverages are sold to be consumed on the premises and where

5

the primary source of revenue from the operation is from

6

the sale of entertainment, food or a combination of

7

entertainment and food and not from the sale of alcoholic

8

and malt beverages.

9

10

Section 3. The liquor division and the department of

11

revenue shall promulgate any rules necessary to implement

12

this act.

13

1 **Section 4.**

2

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

5

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)