

SENATE FILE NO. SF0013

Bar and grill liquor license amendments.

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. 12-4-413(b)(intro) and by creating
9 new paragraphs (v) through (vii), (c) by creating new
10 paragraphs (ii) through (iv), (d), (f) and by creating new
11 subsections (g) through (k) is amended to read:

12

13 **12-4-413. Bar and grill liquor license; authorized;**
14 **requirements.**

15

1 (b) ~~The number of bar and grill liquor licenses for~~
2 ~~cities and towns shall be based on the following population~~
3 ~~formula~~ Bar and grill liquor licenses shall be issued as
4 follows:

5
6 (v) Beginning July 1, 2023, the number of bar
7 and grill liquor licenses for cities and towns shall be
8 based on the following population formula:

9
10 (A) Not more than four (4) licenses in
11 incorporated cities or towns with populations of seven
12 thousand five hundred (7,500) or less;

13
14 (B) Not more than ten (10) licenses in
15 incorporated cities with populations between seven thousand
16 five hundred one (7,501) and twenty thousand (20,000);

17
18 (C) Not more than fourteen (14) licenses in
19 incorporated cities with populations between twenty
20 thousand one (20,001) and thirty thousand (30,000); and

21
22 (D) Not more than one (1) additional
23 license for each additional five thousand (5,000) persons

1 residing in incorporated cities over thirty thousand
2 (30,000);

3
4 (E) This paragraph is repealed effective
5 June 30, 2028.

6
7 (vi) Beginning July 1, 2028, the number of bar
8 and grill liquor licenses for cities and towns shall be
9 based on the following population formula:

10
11 (A) Not more than six (6) licenses in
12 incorporated cities or towns with populations of seven
13 thousand five hundred (7,500) or less;

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

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

22

1 (D) Not more than one (1) additional
2 license for each additional three thousand (3,000) persons
3 residing in incorporated cities over thirty thousand
4 (30,000);

5
6 (E) This paragraph is repealed effective
7 June 30, 2033.

8
9 (vii) Beginning July 1, 2033, population
10 formulas shall have no application to issuance of bar and
11 grill liquor licenses.

12
13 (c) Bar and grill liquor licenses may be granted by
14 the county commissioners as the appropriate licensing
15 authority in a county outside of incorporated cities and
16 towns as follows:

17
18 (ii) Beginning July 1, 2023, four (4) licenses
19 for each seven thousand five hundred (7,500) persons
20 residing outside incorporated cities and towns. This
21 paragraph is repealed effective June 30, 2028;

22

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

4
5 (iv) This subsection is repealed effective June
6 30, 2033.

7
8 (d) The license fee assessed for a bar and grill
9 liquor license shall be not less than one thousand five
10 hundred dollars (\$1,500.00) nor more than ten thousand five
11 hundred dollars (\$10,500.00). This subsection is repealed
12 effective June 30, 2033.

13
14 (f) ~~Bar and grill liquor licenses shall be subject to~~
15 ~~the provisions of W.S. 12-4-408 and 12-4-410(e) to the same~~
16 ~~extent those provisions are applicable to restaurant liquor~~
17 ~~licenses.~~—Bar and grill liquor licensees shall not sell
18 alcoholic or malt beverages for off-premises consumption
19 from the licensed building owned or leased by the licensee
20 except as allowed under ~~W.S. 12-4-410(e)~~ this subsection.
21 The following shall apply to sales of alcoholic and malt
22 beverages:

23

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

6
7 (ii) A bar and grill liquor licensee may permit
8 a patron to remove one (1) partially consumed bottle of
9 wine for off-premises consumption provided that the patron
10 has purchased a full course meal and consumed a portion of
11 the bottle of wine with the meal on the bar and grill
12 premises. For purposes of this paragraph the term "full
13 course meal" shall mean food which cannot conveniently be
14 consumed while standing or walking. A partially consumed
15 bottle of wine that is to be removed from the premises
16 pursuant to this paragraph shall be securely sealed by the
17 licensee or an agent of the licensee and placed in a
18 tamper-proof transparent bag which shall also be securely
19 sealed prior to removal from the premises, so that it is
20 visibly apparent that the resealed bottle of wine has not
21 been tampered with. The licensee or agent of the licensee
22 shall provide a dated receipt for the bottle of wine to the
23 patron. Wine which is resealed in accordance with the

1 provisions of this paragraph shall not be deemed an open
2 container for purposes of W.S. 31-5-235.

3
4 (g) An applicant for a bar and grill liquor license
5 shall satisfy the appropriate licensing authority that not
6 less than sixty percent (60%) of revenue from the operation
7 of the bar and grill to be licensed will be derived from
8 food services and not from the sale of alcoholic or malt
9 beverages.

10
11 (h) When renewing a bar and grill liquor license, the
12 appropriate licensing authority shall condition renewal
13 upon a requirement that not less than sixty percent (60%)
14 of gross sales from the preceding twelve (12) months
15 operation of a licensed bar and grill be derived from food
16 services.

17
18 (j) Upon application for license renewal, a license
19 holder shall submit an annual report to the licensing
20 authority on the sales of the licensed bar and grill. The
21 report shall contain the annual gross sales figures of the
22 bar and grill and shall separate the gross sales figures
23 into two (2) categories:

1

2

(i) Food service sales; and

3

4

(ii) Alcoholic and malt beverage sales.

5

6

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

10

11

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

13

14

15

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

16

17

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)