

## HOUSE BILL NO. HB0043

Liquor licenses-dispensing rooms.

Sponsored by: Representative(s) Byrd

A BILL

for

1 AN ACT relating to liquor licenses; repealing additional  
2 fees for additional dispensing rooms in licensed  
3 facilities; providing for notification of additional  
4 dispensing rooms as specified; and providing for an  
5 effective date.

6

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

8

9 **Section 1.** W.S. 12-5-201(a), (b)(intro), (c) through  
10 (f) and (j) is amended to read:

11

12 **12-5-201. Location, regulation and restrictions as to**  
13 **place of sale; inspections; additional dispensing rooms.**

14

15 (a) Except as otherwise provided in this section, the  
16 principal place in which alcoholic liquor and malt  
17 beverages are sold under a license shall be located in one

1 (1) room upon the premises for which the license is issued  
2 and as approved by the licensing authority. Upon payment  
3 ~~of an additional license fee equal to two thirds (2/3) of~~  
4 ~~the fee paid for the original license~~ notification to the  
5 local licensing authority, a licensee may have and maintain  
6 one (1) additional dispensing room in the same building  
7 under the authority of the original license. Alcoholic  
8 beverages secured in the licensed room by a server may be  
9 served only in the building in which the licensed room is  
10 located and in an immediately adjacent fenced or enclosed  
11 area as approved by the local licensing authority. This  
12 area shall not be in another building and shall be located  
13 on the licensed premises. Only alcoholic and malt  
14 beverages, nonalcoholic beverages, food, tobacco, alcoholic  
15 liquor and malt beverage promotional sales items sold to  
16 the licensee bearing the name and trademark of the  
17 alcoholic liquor and malt beverage firm or company whose  
18 product the item is advertising, promotional products  
19 bearing the name of the licensed retailer, billiard and  
20 dart supplies, newspapers, magazines and periodicals may be  
21 sold and served in the licensed room. The licensing  
22 authority shall, as often as necessary, inspect the  
23 licensed room and adjoining rooms where alcoholic beverages  
24 are served to insure that the licensee is in compliance

1 with sanitation and fire hazard requirements and other  
2 applicable laws. A licensee may separate the facility for  
3 the sale of alcoholic liquor and malt beverages for off-  
4 premise consumption from the facility used to serve  
5 customers for on-premise consumption without ~~payment of an~~  
6 ~~additional fee~~ notification to the local licensing  
7 authority. A separated facility for making sales for off-  
8 premise consumption shall be located adjoining the facility  
9 for making sales for on-premise consumption. The two (2)  
10 facilities may be separated by a glass or other suitable  
11 partition.

12

13 (b) If a licensee is engaged in a business operation  
14 with convention facilities, the licensee may maintain more  
15 than one (1) additional dispensing room under the same ~~fee~~  
16 notification referred to in subsection (a) of this section.  
17 For purposes of this subsection, a convention facility  
18 shall have and maintain all of the following:

19

20 (c) Licensing authorities may issue a twenty-four  
21 (24) hour permit to any licensee authorizing the sale of  
22 alcoholic or malt beverages in one (1) additional  
23 dispensing room in the same building licensed by the  
24 original license for a twenty-four (24) hour period only.

1 No one (1) licensee shall be issued more than six (6)  
2 permits in any one (1) year period. ~~The fee for the permit~~  
3 ~~shall be not less than ten dollars (\$10.00) nor more than~~  
4 ~~one hundred dollars (\$100.00)~~ There shall be no additional  
5 fee for the permit.

6  
7 (d) If the licensee is engaged in the operation of or  
8 is a concessionaire for a public auditorium, civic center  
9 or events center, the licensee may dispense alcoholic  
10 liquors or malt beverages in any room or other appropriate  
11 location within the confines of the licensed premises  
12 approved by the licensing authority under the same ~~fee~~  
13 notification specified in subsection (a) of this section.

14  
15 (e) Notwithstanding subsection (a) of this section, a  
16 licensee who holds a license other than a club license  
17 issued under W.S. 12-4-301 or restaurant license issued  
18 under W.S. 12-4-407, and who is engaged in a business  
19 operation with motel or hotel sleeping room accommodations  
20 at the same premises may, ~~at an additional fee of not to~~  
21 ~~exceed one half (1/2) of the fee paid for the original~~  
22 ~~license,~~ sell alcoholic liquor and malt beverages in sealed  
23 containers from a minibar located in any sleeping room of  
24 the licensee's motel or hotel operation occupied by a

1 registered guest twenty-one (21) years of age or older.  
2 Sales under this subsection shall be only to registered  
3 guests age twenty-one (21) years or more, are not subject  
4 to hours of operation imposed under W.S. 12-5-101 and shall  
5 be only for consumption within the motel or hotel sleeping  
6 room premises occupied by the guest. Restrictions imposed  
7 upon minors under W.S. 12-6-101 apply to sales authorized  
8 under this subsection. The price imposed upon alcoholic  
9 liquor, malt beverages and all other items available for  
10 sale from the minibar shall be clearly posted. A minibar  
11 used for purposes of this subsection shall be a closed  
12 container, refrigerated or nonrefrigerated, access to the  
13 interior of which is restricted by means of a locking  
14 device requiring the use of a key, magnetic card or similar  
15 device. The appropriate licensing authority may impose  
16 additional reasonable restrictions on the operation of a  
17 minibar licensed under this subsection.

18

19 (f) A holder of a resort retail liquor license may  
20 dispense alcoholic beverages from any location within the  
21 boundaries of the resort premises. The resort premises  
22 shall be a single property within a contiguous boundary  
23 upon which the resort is located and which shall be  
24 identified in the license. Subsections (a) through (c) and

1 (e) of this section do not apply to holders of a resort  
2 retail liquor license with respect to alcoholic beverages  
3 dispensed within the contiguous boundaries of the resort  
4 premises for which a resort retail liquor license is  
5 issued, except that any location on the resort premises  
6 where alcoholic beverages are dispensed as approved by the  
7 licensing authority shall comply with applicable sanitation  
8 and fire hazard requirements and other applicable laws.  
9 The licensing authority shall, as often as necessary,  
10 inspect the licensed location where alcoholic beverages are  
11 dispensed to ensure that the licensee is in compliance with  
12 sanitation and fire hazard requirements. ~~For each~~  
13 ~~additional fixed dispensing location, the applicant shall~~  
14 ~~pay an annual fee equal to sixty six and two thirds percent~~  
15 ~~(66 2/3%) of the original license fee.~~

16  
17 (j) Any retail or restaurant liquor licensee  
18 operating on a guest ranch as defined by W.S.  
19 12-1-101(a)(xxiii) may dispense alcoholic beverages from  
20 any location within the boundaries of the guest ranch  
21 premises. The guest ranch premises shall be a single  
22 property within a contiguous boundary upon which the guest  
23 ranch is located and which shall be identified in the  
24 license. Subsections (a) through (c) and (e) of this

1 section do not apply to holders of such licenses. The  
2 licensing authority shall, as often as necessary, inspect  
3 the licensed location where alcoholic beverages are  
4 dispensed to ensure that the licensee is in compliance with  
5 sanitation and fire hazard requirements and other  
6 applicable laws. ~~For each additional fixed dispensing  
7 location, the applicant shall pay an annual fee equal to  
8 two thirds (2/3) of the original license fee.~~

9

10 **Section 2.** This act is effective July 1, 2012.

11

12

(END)