

SENATE FILE NO. SF0052

Special permits for alcoholic beverages-exception.

Sponsored by: Senator(s) Coe

A BILL

for

1 AN ACT relating to alcoholic beverages; amending the
2 applicability of general definitions as specified; providing
3 a definition for purposes of special permits; clarifying
4 applicability of twenty-four hour malt beverage permit and
5 catering permits; amending penalties for sales without a
6 license or permit; and providing for an effective date.

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

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10 **Section 1.** W.S. 12-1-101(a)(xvi), 12-4-502 by creating
11 new subsections (f) and (g) and 12-8-102(b) are amended to
12 read:

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14 **12-1-101. Definitions.**

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16 (a) As used in this title:

1

2 (xvi) "Sell" or "sale" includes offering for sale,
3 trafficking in, bartering, delivering or dispensing and
4 pouring for value, exchanging for goods, services or
5 patronage or an exchange in any way other than purely
6 gratuitously. Every delivery of any alcoholic liquor or malt
7 beverage made otherwise than by gift constitutes a sale. This
8 definition shall not apply to permits issued under W.S.
9 12-4-502;

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11 **12-4-502. Twenty-four hour malt beverage permit and**
12 **catering permit; restrictions; application procedure; fees;**
13 **penalties.**

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15 (f) For purposes of this section, "sell" or "sale"
16 means any transaction where an alcoholic beverage is
17 exchanged or transferred directly for any consideration.

18

19 (g) Any person who sells any alcoholic liquor or malt
20 beverage without holding a license or permit authorizing the
21 sale under this section is guilty of a misdemeanor punishable
22 by a fine of not more than one thousand dollars (\$1,000.00),
23 imprisonment for not more than one (1) year, or both. The

1 provisions of W.S. 12-8-102(b) shall not apply to this
2 section.

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4 **12-8-102. Manufacturing, rectifying or sale without**
5 **license or permit; penalties.**

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7 (b) Except as otherwise provided in W.S. 12-10-102 and
8 12-4-502(g), any person who sells any alcoholic liquor or
9 malt beverage without holding a license or permit authorizing
10 the sale is guilty of a misdemeanor punishable by a fine of
11 not more than one thousand dollars (\$1,000.00), imprisonment
12 for not more than one (1) year, or both.

13

14 **Section 2.** This act is effective July 1, 2019.

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(END)