

Bill No.: SF0014 **Effective:** 7/1/2017
LSO No.: 17LSO-0031
Enrolled Act No.: SEA No. 0069
Chapter No.: [Chapter Number_RO]
Prime Sponsor: Joint Corporations, Elections & Political Subdivisions Interim Committee
Catch Title: Inoperative liquor licenses.
Subject: Modifies requirements on liquor licensees to demonstrate a business or enterprise will be operational or open for business.

Summary/Major Elements:

- Existing law prohibits the issuance or transfer of a license or permit to a licensee who fails to demonstrate that his licensee enterprise will be operational in a planned but not physically functional building within two (2) years after issuance or transfer. This act decreases that time period to one (1) year. The act also modifies the definition of “operational” to mean offering for sale on an ongoing weekly basis to the general public alcoholic liquor and malt beverages.
- Existing law prohibits the holding of a license by a licensee who fails to open his business in a functional building within two (2) years after license issuance or transfer. This act decreases that time period and specifies that the prohibition applies to a licensee who fails to open his business within that one (1) year and remain operational thereafter. The act defines “remain operational” as operational consecutively, in any license term year, for twelve (12) months or for not less than three (3) months if determined by the local licensing authority to be a seasonal operation.
- Existing law authorizes a local licensing authority, upon a showing of good cause by the licensee, to extend the time periods in which the business or enterprise is required to become operational or open for business for an additional period of not to exceed one (1) year. This act specifies that once an enterprise is operational or open for business, no licensee shall be eligible to repeat any grace period without the consent of the local licensing authority due to extraordinary circumstances.

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