

Amendment - 1st Reading-white - Requested by: Keith Regier - (S) Business, Labor, and Economic Affairs

- 2023

68th Legislature 2023

Drafter: Erin Sullivan, 406-444-3594

SB0264.001.001

1 SENATE BILL NO. 264
2 INTRODUCED BY K. REGIER
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO AIRPORT ALL-BEVERAGES
5 LICENSES; ALLOWING A LICENSEE TO LEASE THE AIRPORT ALL-BEVERAGES LICENSE TO UP TO
6 THREE INDIVIDUALS OR ENTITIES; ESTABLISHING PROVISIONS FOR LICENSEES; AMENDING AN
7 AIRPORT'S MINIMUM TOTAL ANNUAL PASSENGERS TO QUALIFY FOR THE LICENSE; AND AMENDING
8 SECTION 16-4-208, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 16-4-208, MCA, is amended to read:

13 **"16-4-208. Airport all-beverages license.** (1) The department of revenue shall issue one all-
14 beverages license, to be known as a public airport all-beverages license, for use at each publicly owned airport
15 served by scheduled airlines and enplaning and deplaning a minimum total of ~~20,000~~ 5,000 passengers
16 annually when:

- 17 (a) application is made;
- 18 (b) upon finding that this license is justified by public convenience and necessity, including the
19 convenience and necessity of the public traveling by scheduled airlines; and
- 20 (c) following a hearing as provided in 16-4-207.

21 (2) Application must be made by the agency owning and operating the airport. The agency owning
22 and operating the airport may lease the airport all-beverages license to ~~an individual or entity up to three~~
23 individuals or entities approved by the department.

24 (3) The lessee of an airport all-beverages license may purchase alcohol and the lease may be
25 based on the percentage of sales of alcoholic beverages by the lessee. ~~The lessee has the same rights and~~
26 privileges as an airport all-beverage license issued under this section, and, in the event of a violation, is subject
27 to reprimand, suspension of the lessee's alcohol operations, or a civil penalty not to exceed \$1,500 as provided

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1 for a retail licensee under 16-4-406.

2 ~~(3)~~(4) A public airport all-beverages license and all retail alcoholic beverage sales under it are subject
3 to all statutes and rules governing all-beverages licenses.

4 (4)~~(5)~~ The department of revenue shall issue a public airport all-beverages license to a qualified
5 applicant regardless of the number of all-beverages licenses already issued within the all-beverages license
6 quota area in which the airport is situated.

7 ~~(5)~~(6) A license issued under this section may offer curbside pickup between 8 a.m. and 2 a.m. in
8 original packaging, prepared servings, or growlers."

9 - END -