

CHAPTER NO. 18

HOUSE BILL NO. 95

INTRODUCED BY SCULLY

BY REQUEST OF THE DEPARTMENT OF REVENUE

IN THE HOUSE

January 9, 1979	Introduced and referred to Committee on Judiciary.
January 15, 1979	Committee recommend bill do pass as amended. Report adopted.
January 16, 1979	Printed and placed on members' desks.
January 17, 1979	Second Reading, do pass.
January 18, 1979	Considered correctly engrossed.
January 19, 1979	Third Reading, passed. Transmitted to Second House.

IN THE SENATE

January 20, 1979	Introduced and referred to Committee on Judiciary.
January 26, 1979	Committee recommend bill be concurred in. Report adopted.
January 29, 1979	Second Reading, bill concurred in.
January 31, 1979	Third Reading, bill concurred in.

IN THE HOUSE

February 1, 1979	Returned from second house. Bill concurred in. Sent to enrolling. Reported correctly enrolled.
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1 House BILL NO. 95
2 INTRODUCED BY Schultz
3 BY REQUEST OF THE DEPARTMENT OF REVENUE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 16-4-206, MCA, TO REMOVE CRIMINAL SANCTIONS WHEN THE
7 APPLICANT MAKES A FALSE STATEMENT ON THE LICENSE
8 APPLICATION."

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

11 Section 1. Section 16-4-206, MCA, is amended to read:

12 "16-4-206. Application for all-beverages license --

13 penalty for false statements. (1) Prior to the issuance of

14 an all-beverages license as provided in 16-4-201 any license

15 under this code, the applicant shall file with the

16 department an application in writing, signed by the

17 applicant and containing such information and statements

18 relative to the applicant and the premises where the

19 alcoholic beverage is to be sold as may be required by the

20 department.

21 (2) The application shall be verified by the affidavit
22 of the person making the same before a person authorized to
23 administer oaths. ~~If any false statement is made in any~~
24 ~~part of the application, the applicant or applicants are~~
25 ~~guilty of a contempt of court and upon conviction thereof the~~

1 license--if--issued--shall--be--revoked--and--the--applicant--or
2 applicants--subjected--to--the--penalties--provided--by--law. Upon
3 proof--that--any--applicant--made--a--false--statement--in--any--part
4 of--the--application--the--application--for--the--license--shall--be
5 denied--and--if--issued--the--license--shall--be--revoked."

-End-

Approved by Committee
on Judiciary

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA,

14 Section 1. Section 16-4-206, MCA, is amended to read:

15 "16-4-206. Application for ~~alt~~-beverages license --

16 penalty for false statements. (1) Prior to the issuance of

17 ~~an alt-beverages-+license-as-provided-in-16-4-201~~ any license

18 under ~~this~~ code ~~CHAPTER~~, the applicant shall file with the

19 department an application in writing, signed by the

20 applicant and containing such information and statements

21 relative to the applicant and the premises where the

22 alcoholic beverage is to be sold as may be required by the

23 department.

24 (2) The application shall be verified by the affidavit
25 of the person making the same before a person authorized to

1 administer oaths. If--any--false--statement--is--made--in--any
2 part--of--the--application--the--applicant--or--applicants--are
3 guilty--of--a--misdemeanor--and--upon--conviction--thereof--the
4 licensee--if--issued--shall--be--revoked--and--the--applicant--or
5 applicants--subjected--to--the--penalties--provided--by--law. Upon
6 proof that any applicant made a false statement in any part
7 of the application, the application for the license shall
8 MAY be denied; and if issued, the license shall MAY be
9 revoked."

-End-

HOUSE BILL NO. 95

INTRODUCED BY SCULLY

BY REQUEST OF THE DEPARTMENT OF REVENUE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 16-4-206, MCA, TO MAKE THE SECTION APPLICABLE TO ALL
7 LICENSES UNDER THE LIQUORS CODE; TO REMOVE LANGUAGE RELATING
8 TO CRIMINAL SANCTIONS WHEN THE APPLICANT MAKES A FALSE
9 STATEMENT ON THE LICENSE APPLICATION; AND TO PROVIDE FOR
10 DENIAL OR REVOCATION OF LICENSES WHENEVER FALSE STATEMENTS
11 ARE MADE IN LICENSE APPLICATIONS."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 16-4-206, MCA, is amended to read:
15 "16-4-206. Application for ~~alt~~-beverages license --
16 penalty for false statements. (1) Prior to the issuance of
17 ~~an~~-~~alt~~-beverages-~~license~~-as-provided-in-~~16~~-4-207 any license
18 under this code ~~CHAPTER~~, the applicant shall file with the
19 department an application in writing, signed by the
20 applicant and containing such information and statements
21 relative to the applicant and the premises where the
22 alcoholic beverage is to be sold as may be required by the
23 department.

24 (2) The application shall be verified by the affidavit
25 of the person making the same before a person authorized to

1 administer oaths. If any false statement is made in any
2 part of the application, the applicant or applicants are
3 guilty of a misdemeanor and upon conviction thereof the
4 license if issued shall be revoked and the applicant or
5 applicants subjected to the penalties provided by law. Upon
6 proof that any applicant made a false statement in any part
7 of the application, the application for the license shall
8 MAY be denied and if issued the license shall MAY be
9 revoked."

- End -

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 16-4-206, MCA, TO MAKE THE SECTION APPLICABLE TO ALL
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10 DENIAL OR REVOCATION OF LICENSES WHENEVER FALSE STATEMENTS
11 ARE MADE IN LICENSE APPLICATIONS."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA

14 Section 1. Section 16-4-206, MCA, is amended to read:

15 "16-4-206. Application for ~~alt-beverages~~ license --

16 penalty for false statements. (1) Prior to the issuance of

17 an ~~alt-beverages~~-~~license-as-provided-in-16-4-207~~ any license

18 under ~~this~~ code CHAPTER, the applicant shall file with the

19 department an application in writing, signed by the

20 applicant and containing such information and statements

21 relative to the applicant and the premises where the

22 alcoholic beverage is to be sold as may be required by the

23 department.

24 (2) The application shall be verified by the affidavit
25 of the person making the same before a person authorized to

1 administer oaths. If--any--false--statement--is--made--in--any
2 part--of--the--application,--the--applicant--or--applicants--are
3 guilty--of--a--misdemeanor--and--upon--conviction--thereof--the
4 licensee--if--issued--shall--be--revoked--and--the--applicant--or
5 applicants--subjected--to--the--penalties--provided--by--law. Upon
6 proof--that--any--applicant--made--a--false--statement--in--any--part
7 of--the--application,--the--application--for--the--license--shall
8 MAY--be--denied,--and--if--issued,--the--license--shall--MAY--be
9 revoked."

-End-