

HOUSE BILL 281

IN THE HOUSE

January 19, 1979

Introduced and referred to  
Committee on Business and  
Industry.

February 1, 1979

Committee recommend bill,  
do not pass.

February 2, 1979

Report adopted.

*Menahan*

1 *House* BILL NO. *281*  
 2 INTRODUCED BY *Bartholomew Daily - Hays, Limited*  
 3 *Harrington Crow, Manning, Lambert, Bentley*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
 5 16-3-304, MCA, TO PERMIT THE EXTENSION OF BUSINESS HOURS OF  
 6 LICENSED RETAIL LIQUOR ESTABLISHMENTS IF AN ADDITIONAL  
 7 LICENSE FEE IS PAID."

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

10 Section 1. Section 16-3-304, MCA, is amended to read:  
 11 "16-3-304. Closing hours for licensed retail  
 12 establishments - option to extend hours if additional fee  
 13 paid. \*\*\* (1) Except as provided in subsection (2), all  
 14 licensed establishments wherein alcoholic beverages are  
 15 sold, offered for sale, or given away at retail shall be  
 16 closed each day between 2 a.m. and 8 a.m.; provided,  
 17 however, that when any municipal incorporation has by  
 18 ordinance further restricted the hours of sale of alcoholic  
 19 beverages, then the sale of alcoholic beverages is  
 20 prohibited within the limits of any such city or town during  
 21 the time such sale is prohibited by this code and in  
 22 addition thereto during the hours that it is prohibited by  
 23 such ordinance. During such hours all persons except the  
 24 owner and employees of such licensed establishments shall be  
 25 excluded therefrom except as provided in 16-3-305.

1 (2) A licensed establishment may extend its business  
 2 hours from 2 a.m. to 4 a.m. if an additional annual license  
 3 fee of \$200 is paid to the state and \$100 to any local  
 4 government unit licensing the establishment pursuant to  
 5 16-4-503a."

-End-

## STATE OF MONTANA

REQUEST NO. 79-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 22, 19 79, there is hereby submitted a Fiscal Note for House Bill 281 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION

This proposed bill permits the extension of business hours of licensed retail liquor establishments if an additional license fee is paid.

ASSUMPTIONS

- 1) There are approximately 2,400 licensed retail liquor establishments in the state.
- 2) 5% of these establishments will take advantage of the option to extend their hours from 2:00 a.m. to 4:00 a.m..
- 3) An additional annual license fee of \$200 paid to the state.
- 4) An additional annual license fee of \$100 paid to the Local Government Unit.
- 5) Administrative costs will be absorbed.

FISCAL IMPACT

Liquor Retail License (\$200 additional fee to extend hours from 2:00 a.m. to 4:00 a.m.)	<u>FY 80</u>	<u>FY 81</u>
under current law	0	0
under proposed law	\$24,000	\$24,000
Estimated Increase	<u>\$24,000</u>	<u>\$24,000</u>

FUND INFORMATION

General Fund		
Estimated Increase	<u>\$24,000</u>	<u>\$24,000</u>

EFFECT ON LOCAL GOVERNMENTS

Local revenues should increase \$12,000 per year for FY80 and FY81.

PREPARED BY DEPARTMENT OF REVENUE

*Richard L. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 4/6/79