

HOUSE BILL 347

IN THE HOUSE

January 24, 1979

Introduced and referred to
Committee on Business and
Industry.

1 HOUSE BILL NO. 347
2 INTRODUCED BY Gerke

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 16-4-501, MCA, TO CLARIFY AND PROVIDE LIQUOR LICENSE FEES
6 FOR NATIONALLY CHARTERED VETERANS' ORGANIZATIONS."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 16-4-501, MCA, is amended to read:

10 "16-4-501. License and permit fees. (1) Each beer
11 licensee, under the provisions of this code, shall pay an
12 annual license fee as follows:

13 (a) each brewer, wherever located, whose product is
14 sold or offered for sale within the state, \$500; for each
15 storage depot, \$400;

16 (b) each wholesaler, \$400;

17 (c) each beer retailer, \$200; with a wine license
18 amendment, an additional \$200;

19 (d) for a license to sell beer at retail for
20 off-premises consumption only, the same as a retail beer
21 license;

22 (e) ~~for a retail beer license issued to~~ any unit of a
23 nationally chartered veterans' organization, \$50.

24 (2) The permit fee under 16-4-301(1) is computed at
25 the rate of \$15 a day for each day beer is sold at those

1 events lasting 2 or more days but in no case be less than
2 \$30.

3 (3) The permit fee under 16-4-301(2) is \$10 for the
4 sale of beer only or \$20 for the sale of all alcoholic
5 beverages.

6 (4) Passenger carrier licenses shall be issued upon
7 payment by the applicant of an annual license fee in the sum
8 of \$300.

9 (5) The annual license fee for a license to sell wine
10 on the premises, when issued as an amendment to a beer-only
11 license, is \$200.

12 (6) The annual fee for resort retail liquor licenses
13 within a given resort area shall be \$2,000 for each license.

14 (7) Each licensee licensed under the quotas of
15 16-4-201 and each recognized national fraternal organization
16 licensed under 16-4-201(4) shall pay an annual license fee
17 as follows:

18 (a) except as hereinafter provided, for each license
19 outside of incorporated cities and incorporated towns or in
20 incorporated cities and incorporated towns with a population
21 of less than 2,000, \$400;

22 (b) except as hereinafter provided, for each license
23 in incorporated cities with a population of more than 2,000
24 and less than 5,000 or within a distance of 5 miles thereof,
25 measured in a straight line from the nearest entrance of the

1 premises to be licensed to the nearest boundary of such
2 city, \$500;

3 (c) except as hereinafter provided, for each license
4 in incorporated cities with a population of more than 5,000
5 and less than 10,000 or within a distance of 5 miles
6 thereof, measured in a straight line from the nearest
7 entrance of the premises to be licensed to the nearest
8 boundary of such city, \$650;

9 (d) for each license in incorporated cities with a
10 population of 10,000 or more or within a distance of 5 miles
11 thereof, measured in a straight line from the nearest
12 entrance of the premises to be licensed to the nearest
13 boundary of such city, \$800;

14 (e) the distance of 5 miles from the corporate limits
15 of any incorporated cities and incorporated towns is
16 measured in a straight line from the nearest entrance of the
17 premises to be licensed to the nearest boundary of such city
18 or town; and where the premises of the applicant to be
19 licensed are situated within 5 miles of the corporate
20 boundaries of two or more incorporated cities or
21 incorporated towns of different populations, the license fee
22 chargeable by the larger incorporated city or incorporated
23 town applies and shall be paid by the applicant. When the
24 premises of the applicant to be licensed are situated within
25 an incorporated town or incorporated city and any portion of

1 the incorporated town or incorporated city is without a
2 5-mile limit, the license fee chargeable by the smaller
3 incorporated town or incorporated city applies and shall be
4 paid by the applicant.

5 (f) an applicant for the issuance of an original
6 license to be located in areas described in subsection (d)
7 of this subsection shall pay a one-time original license fee
8 of \$20,000 for any such license issued. The one-time license
9 fee of \$20,000 shall not apply to any transfer or renewal of
10 a license duly issued prior to July 1, 1974, nor to those
11 licenses approved for use by nationally chartered veterans'
12 organizations or recognized national fraternal
13 organizations. All licenses, however, are subject to the
14 annual renewal fee of ~~\$800~~ fees.

15 (8) Each nationally chartered veterans' organization
16 issued a retail all-beverages license under the provisions
17 of 16-4-201(4) shall pay an annual license fee as follows:

18 (a) if located outside of an incorporated city and
19 incorporated town, or in an incorporated city or
20 incorporated town with a population of less than 2,000,
21 \$250;

22 (b) if located in an incorporated city with a
23 population of more than 2,000 and less than 5,000 or within
24 a distance of 5 miles thereof, \$350;

25 (c) if located in an incorporated city with a

1 population of more than 5,000 and less than 10,000 or within
2 a distance of 5 miles thereof, \$500;

3 (d) if located in an incorporated city with a
4 population of 10,000 or more or within a distance of 5 miles
5 thereof, \$650.

6 ~~(b)(2)~~ The license fees herein provided for are
7 exclusive of and in addition to other license fees
8 chargeable in Montana for the sale of alcoholic beverages."

-End-

STATE OF MONTANA

REQUEST NO. 139-79

FISCAL NOTE

Form BD-15

In compliance with a written request received January 27, 19 79, there is hereby submitted a Fiscal Note for House Bill 347 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 bill will amend section 16-4-501, MCA, to clarify and provide liquor license fees for nationally chartered veterans' organizations

ASSUMPTIONS

No Fiscal Impact

- 1) This legislation clarifies the language in Section 16-4-501, MCA.
- 2) The liquor license fees proposed for nationally chartered veterans' organizations are currently being charged.

FISCAL IMPACT

NO FISCAL IMPACT

(Prepared by the Department of Revenue)

Richard L. Franzen
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1/30/79