

HOUSE BILL NO. 584

1/31 Introduced  
1/31 Referred to Business & Labor  
2/05 Hearing  
Died in Committee

1 HOUSE BILL NO. 584  
2 INTRODUCED BY J. Brown

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING BREWERS TO  
5 NUMBER KEGS OF BEER SOLD TO MONTANA WHOLESALERS; REQUIRING  
6 MONTANA WHOLESALERS TO RECORD SERIAL NUMBERS OF KEGS;  
7 REQUIRING RETAILERS TO KEEP RECORDS OF EACH PERSON WHO BUYS  
8 BEER IN A KEG; AMENDING SECTIONS 16-3-212, 16-3-232, AND  
9 16-3-303, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN  
10 APPLICABILITY DATE."

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

12 Section 1. Section 16-3-212, MCA, is amended to read:  
13 "16-3-212. Brewers' sales to wholesalers lawful --  
14 numbering of kegs required. (1) It shall be lawful for any  
15 brewer to sell or dispose of beer manufactured by him to any  
16 licensed wholesaler.

17 (2) Each brewer who sells beer in Montana in kegs  
18 shall permanently mark each keg with a unique serial  
19 number."

20 Section 2. Section 16-3-232, MCA, is amended to read:  
21 "16-3-232. Beer sales by wholesaler -- record of beer  
22 kegs required. (1) It shall be lawful for any wholesaler to  
23 sell and deliver beer purchased or acquired by him to a  
24 wholesaler, retailer, or to a common carrier, holding and  
25

1 having a license under this code.  
2 (2) Each wholesaler shall record the serial number of  
3 each keg of beer sold and the name and place of business of  
4 the retailer to whom it was sold. These records must be kept  
5 current and made available for inspection by the department  
6 or the sheriff of any county at any time, and the record for  
7 each keg must be retained for at least 6 months after the  
8 keg is returned by the retailer."

9 Section 3. Section 16-3-303, MCA, is amended to read:  
10 "16-3-303. Sale of beer by retailer for consumption  
11 off premises -- record of beer keg purchases required. (1)  
12 It shall be lawful for such retailer to sell or furnish beer  
13 to the public with intent that such beer shall be taken away  
14 from the premises of such retailer for consumption off the  
15 premises of such retailer.

16 (2) Whenever a retailer sells beer in a keg he shall  
17 record the serial number of the keg, the date of sale, and  
18 the name, address, and driver's license or identification  
19 card number of the person to whom the beer is sold. This  
20 record must be retained for at least 6 months after the sale  
21 and made available for inspection by the department or the  
22 sheriff of any county at any time."

23 NEW SECTION. Section 4. Extension of authority. Any  
24 existing authority of the department of revenue to make  
25 rules on the subject of the provisions of this act is



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LC 1120/01

1 extended to the provisions of this act.

2 NEW SECTION. Section 5. Effective date --  
3 applicability. This act is effective July 1, 1985, and  
4 applies to kegs of beer sold to wholesalers on or after July  
5 1, 1985.

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