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INTRODUCED BY

House BILL NO. *409*
Hanna *HARRIS* *Swanson*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING LIQUOR AND WINE SAMPLING ON THE PREMISES OF AN AGENCY LIQUOR STORE; AND AMENDING SECTION 16-2-107, MCA."

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

Section 1. Section 16-2-107, MCA, is amended to read:

"16-2-107. No open alcoholic beverage container or alcoholic beverage consumption on premises of agency liquor store -- exception for sampling. (1) Except as provided in subsections (2) and (3), An agent and the agent's employees in an agency liquor store may not:

(a) allow any alcoholic beverage container to be opened on the premises of an agency liquor store;

or

(b) allow any alcoholic beverage to be consumed on the premises of an agency liquor store;

may any or

(c) allow a person to open an alcoholic beverage container or consume any alcoholic beverage in

an agency liquor store.

(2) A vendor's representative or a wine distributor may provide samples of liquor or wine to an agent or an agent's employees but only if the vendor's representative or the wine distributor, the agent, and the agent's employees comply with all state and federal laws, rules, and regulations pertaining to the shipment of alcoholic beverages.

(3) (a) An agent, an agent's employees, a vendor's representative, or a wine distributor in an agency liquor store may not allow any person to consume more than 200 milliliters of wine a day on the premises.

(b) A person may not open a wine container or consume any wine in an agency liquor store unless the wine is served to the person without charge by the agent, an agent's employees, a vendor's representative, or a wine distributor.

(4) Except for an agent's employees in the normal course of their duties, it is unlawful for a person under 21 years of age to be in the room or area of the agency liquor store where liquor or wine samples

1 are served."

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