

HOUSE BILL NO. 350

INTRODUCED BY R. SHAW, Z. BROWN, R. COOK, G. CUSTER, C. GLIMM, R. HOLLANDSWORTH,
R. LYNCH, J. WELBORN, K. WHITE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING VENDOR REPRESENTATIVE REQUIREMENTS FOR
LIQUOR SALES; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 16-3-107, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 16-3-107, MCA, is amended to read:

"16-3-107. Resident representatives required. (1) For the purposes of this section, "vendor" means
~~a person,~~ an individual or a partnership, association, or corporation that sells liquor to the department.

(2) A vendor who desires to promote the sale of the vendor's product in the state shall employ at least
~~one representative and may employ two additional representatives to promote the sale of the vendor's product~~
AND, EXCEPT AS PROVIDED IN SUBSECTION (4), MAY EMPLOY TWO ADDITIONAL REPRESENTATIVES TO PROMOTE THE SALE
OF THE VENDOR'S PRODUCT. A representative employed under this section must be a resident of the state or
become a resident after employment. A representative may not be under the age of 21. The department may
determine further registration requirements by rule.

(3) If a vacancy occurs in the one required position, the vendor shall fill the position within 60 days after
the vacancy occurs.

(4) A VENDOR MAY EMPLOY AN UNLIMITED NUMBER OF REPRESENTATIVES IF THE REPRESENTATIVE IS A DIRECT
EMPLOYEE, AN OWNER, OR AN OFFICER OF THE DISTILLERY AND IS NOT EMPLOYED THROUGH AN INDEPENDENT
CONTRACTOR."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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