

## 1 HOUSE BILL NO. 625

2 INTRODUCED BY B. TSCHIDA

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A LIMITED SPECIAL PERMIT FOR WINE SALES BY  
5 TOURISM, CULTURAL, ARTISTIC, EDUCATIONAL, AND OTHER ENTITIES."

6

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

8

9 NEW SECTION. Section 1. Wine-only special permit -- rulemaking. (1) A for-profit or nonprofit entity  
10 filing taxes under Title 15, chapter 30, and not covered under 16-4-301 or 16-4-303 may obtain a wine-only  
11 special permit for on-premises consumption if:

12 (a) the entity earns at least 90% of its revenue from:

13 (i) a tourism, cultural, historical, artistic, or educational operation, as defined by the department by rule;

14 (ii) a bed and breakfast, as defined in 50-51-102; or

15 (iii) a day spa that provides services by individuals licensed under Title 37, chapter 31 or chapter 33; and

16 (b) the facility at which the entity functions is subject to inspection by and meets regulations of the local  
17 health department. If the entity serves food, the entity must be licensed as provided in Title 50.18 (2) An applicant for a special permit shall pay a fee, determined by the department by rule, and provide  
19 an operating plan to the department detailing:

20 (a) the percentage of income expected from wine sales in relation to other revenue;

21 (b) the responsible server and sales training programs attended by staff; and

22 (c) any other information required by the department by rule.

23 (3) The department shall adopt rules to implement this section. In addition to developing criteria that limit  
24 the number of people served under each special permit, the rules must limit the applicant pool to only entities that:

25 (a) have customers paying for classes that last more than one session;

26 (b) charge for admission; or

27 (c) require payment for spa services or bed and breakfast lodging.

28

29 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an  
30 integral part of Title 16, chapter 4, part 3, and the provisions of Title 16, chapter 4, part 3, apply to [section 1].

31

- END -