

SENATE BILL NO. 317

INTRODUCED BY J. SESSO

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING AGENCY LIQUOR STORE OPERATING DAYS; REVISING THE DEFINITION OF "A HOLIDAY"; AMENDING SECTION 16-2-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 16-2-104, MCA, is amended to read:

**"16-2-104. Hours.** (1) Agency liquor stores may remain open during the period between 8 a.m. and 2 a.m. The stores must be closed for the transaction of business on ~~legal holidays~~ a holiday and between the close of normal business Saturday afternoon up to the opening of normal business Tuesday morning.

(2) (a) An agency liquor store may be open on Sundays and Mondays that are not ~~legal holidays~~ a holiday if 51% of the all-beverages licensees within the agency liquor store's immediate market area sign a petition agreeing that agency liquor stores located within the immediate market area may be open on Sundays and Mondays. The petition must be on a form prescribed by the department. The department shall verify the validity of the signatures on the petition. If the department determines that the petition contains sufficient valid signatures, all agency liquor stores within the designated market area must be allowed to transact business on Sundays and Mondays that are not ~~legal holidays~~ a holiday. To determine the number of signatures needed, the department shall round up to the nearest whole number any fractional number of all-beverages licensees.

(b) For the purposes of subsection (2)(a), immediate market area means:

- (i) the city limits for stores located in incorporated cities or towns; and
- (ii) the area contained within a 5-mile radius from a store or stores located in unincorporated cities or towns or in a consolidated local government.

(3) For the purpose of this section, "a holiday" means Christmas Day, December 25.

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

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