

1 SENATE BILL NO. 179

2 INTRODUCED BY J. SMALL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ALCOHOL LAWS ALLOWING CERTAIN RETAILERS  
5 TO BUY AND SELL BEER OUTSIDE OF THE TERRITORY OF THE WHOLESALER IN WHICH THE  
6 RETAILER IS LOCATED; AND AMENDING SECTION 16-3-219, MCA."

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

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10 **Section 1.** Section 16-3-219, MCA, is amended to read:

11 **"16-3-219. Dock sales restricted -- exceptions.** (1) Except as provided in subsections (2) through  
12 (4), beer may not be delivered to a licensed retailer at any location other than the retailer's licensed premises.

13 (2) An all-beverages licensee or an on-premises beer licensee may personally or through an  
14 employee obtain from any wholesaler's warehouse any quantity of beer as the all-beverages licensee or on-  
15 premises beer licensee and the wholesaler may agree to buy and sell.

16 (3) Retailers other than an all-beverages licensee or an on-premises beer licensee may personally  
17 or through an employee obtain from the wholesaler's warehouse any quantity of beer that the retailer and  
18 wholesaler may agree to buy and sell ~~only within the territory of the wholesaler in which the retailer is located~~  
19 only within the territory of the wholesaler in which the retailer is located.

20 (4) When a beer wholesaler's trucks and equipment are incapable of delivering beer to a retail  
21 licensee's premises due to the unique physical location of the retail licensee's premises, examples of which are  
22 premises located on an island or atop a mountain, the beer wholesaler and retail licensee may seek prior  
23 department approval for an alternative delivery arrangement on a form provided by the department. If the  
24 department approves the alternative delivery arrangement request, the department shall provide the beer  
25 wholesaler and the retail licensee a written summary of the conditions of the approved delivery arrangement.  
26 Failure to comply with the approved alternative delivery arrangement may subject the beer wholesaler or retail  
27 licensee to administrative action."

**Amendment - 1st Reading/2nd House-blue - Requested by: Jason Small - (H) Business and Labor**

- 2023  
68th Legislature 2023

Drafter: Jameson Walker, 406-444-3722

SB0179.001.001

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- END -

AMEND