



**STATE OF WEST VIRGINIA  
DEPARTMENT OF REVENUE  
ALCOHOL BEVERAGE CONTROL ADMINISTRATION  
900 Pennsylvania Avenue, 4<sup>th</sup> Floor  
Charleston, WV 25302**

**INSTRUCTIONS FOR NON-RETAIL WINE LICENSE APPLICATION FORM ABCA-WS-3W**

PLEASE READ ALL THE INSTRUCTIONS CAREFULLY. ALL QUESTIONS ARE TO BE ANSWERED IN FULL. APPLICANT'S ACCURACY AND THOROUGHNESS IN COMPLETING THE APPLICATION FORM WILL ASSIST THIS OFFICE IN PROCESSING THE APPLICATION AND PREVENT UNNECESSARY DELAYS.

PLEASE VISIT THE WVABCA WEBSITE [WWW.ABCA.WV.GOV](http://WWW.ABCA.WV.GOV) FOR MORE DETAILED INSTRUCTIONS REGARDING "SERVICES" AND NEW LICENSE TYPES IN HB 2025.

**APPLICANTS MUST TYPE OR PRINT, IN INK, ALL ANSWERS ON ALL FORMS.**

**INSTRUCTIONS**

False representations made in application or failure to comply with Chapter 60 of the West Virginia Code and Legislative Rules and regulations promulgated thereunder, may result in denial, revocation, or suspension of the license.

Any person holding any interest in a Wine Supplier, West Virginia Licensed Wine Distributor, or Hard Cider Distributor may not hold any interest in a retail wine establishment, private wine restaurant, private wine bed and breakfast or private wine spa.

Licensing Periods:

- Wine Supplier, Wine Distributor, Farm Winery, Multi Capacity, Hard Cider Distributor, and Direct Shipper license period begins July 1 and ends June 30 of each year.
- Winery license period begins January 1 and ends December 31 each year.

License fees must be paid by Certified Check, Cashier's Check, Company Check or Money Order payable to the West Virginia Alcohol Beverage Control Administration. Personal checks or cash will not be accepted.

If the license is for a Wine Supplier, Wine Distributor, Hard Cider Distributor or Direct Shipper and is issued for less than a full year, the fee may be prorated as follows:

License Application Submitted  
July 1 Through June 30  
January 1 through June 30

License Fee  
Full License Fee  
½ of the License Fee

All other license types must pay a full year fee (licenses are not prorated).

**An additional \$100.00 Operational Fee is to be submitted with your application (This fee does not apply to direct shippers or Hard Cider Distributors); and may be included with all fees in your Certified Check, Cashier's Check or Money Order. This fee is non-prorated and non-refundable.**

Documents which must accompany the application:

- If an Association – a copy of the WV Secretary of State’s Certificate of Authority.
- If a Limited Liability Company - a copy of the WV Secretary of State’s Certificate of Authority.
- If a Corporation – a copy of the WV Secretary of State’s Certificate of Authority.
- A copy of the applicant’s federal permit, as required under the Federal Alcohol Administration Act.
- A copy of West Virginia business license registration.
- If out-of-state entity, a copy of current wine license from state of domicile.
- A letter of Good Standing from the WV State Tax Department and if an out-of-state entity, a letter of good standing from the state of domicile (Forms to request a Letter of Good Standing from WV are included with this packet).

The application must be signed as follows and all signatures must be notarized:

- If an Individual, by the owner.
- If a Partnership/Limited Partnership, all parties.
- If an Association, all members.
- If a Corporation, president or vice president.
- If a Limited Liability Company all members if member managed/manager if manager managed.

**\*All Members, Officers, Managers, Individuals and Associates must be U.S. Citizens.**

A farm winery or winery must be bonded and hold the appropriate permit(s) under the laws and regulations of the United States. Forms and instructions are available by calling the toll-free number at 800-937-8864 or on-line forms are available through <https://www.ttb.gov/ponl/customer-support>.

All applicants must apply for the “Special Occupation Tax (TTB F 5630.5d)” with the Alcohol and Tobacco Tax and Trade Bureau. Form and instructions are available by calling the toll-free number at 800-937-8864 or an on-line form is available for download at the following website: <https://www.ttb.gov/images/pdfs/forms/f56305d.pdf>

**\*A Trust cannot hold a percentage of ownership in any license listed on this application other than a Distributors license.**

**\*\*For wine growers, see growler form.**

**MAIL COMPLETED APPLICATION, FEES, AND REQUIRED ACCOMPANYING FORMS TO:**

West Virginia Alcohol Beverage Control Administration  
ATTN: Licensing Division  
900 Pennsylvania Avenue, 4<sup>th</sup> Floor  
Charleston, WV 25302

**IF YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE PLEASE CALL THE ADMINISTRATION AT 1-800-642-8208 OR (304) 356-5500 AND ASK FOR THE LICENSING DIVISION.**



- Applying As:
- Individual
  - Partnership
  - Ltd. Partnership
  - Ltd. Liability Company
  - Limited Liability Company
  - Corporation
  - Association

**West Virginia Alcohol Beverage Control Administration**  
900 Pennsylvania Avenue, 4<sup>th</sup> Floor Charleston, WV 25302

**Non-Retail Wine License Application**

<input type="checkbox"/> Wine Supplier Complete Questions 1 – 15 License Fee.... \$150 *Operational Fee ..... \$100	<input type="checkbox"/> Winery Complete Questions 1 – 15 Sections I & III License Fee ... \$1,500 *Operational Fee ..... \$100	<input type="checkbox"/> Farm Winery Complete Questions 1 – 15 Sections I & III License Fee .... \$50 *Operational Fee ..... \$100	<input type="checkbox"/> Multi Capacity Complete Questions 1 – 15 License Fee... \$300 *Must be licensed as a Winery or Farm Winery	<input type="checkbox"/> Wine Distributor Complete Questions 1 – 15 Sections I & II License Fee... \$2,500 *Operational Fee ..... \$100	<input type="checkbox"/> Direct Wine Shipper Complete Questions 1 – 15 License Fee <input type="checkbox"/> \$150 to ship < 14% ABV <b>OR</b> <input type="checkbox"/> \$250 to ship >14% ABV
<input type="checkbox"/> Hard Cider Distributor Complete questions 1-15 Sections I & II .....\$250 (For each warehouse) (If also licensed as a non-intoxicating beer or wine distributor then \$0 licensing fee to distribute Hard Cider) *No operational fee for a hard cider distributor.					

1. Business Entity Name \_\_\_\_\_ 2. FEIN \_\_\_\_\_

3. Business DBA Name \_\_\_\_\_ 4. Telephone \_\_\_\_\_

5. Business Physical Address \_\_\_\_\_  
(STREET) (CITY) (STATE) (ZIP CODE)

6. Business Mailing Address \_\_\_\_\_  
(STREET) (CITY) (STATE) (ZIP CODE)

7. Email \_\_\_\_\_

8. Contact Person \_\_\_\_\_ Telephone \_\_\_\_\_

9. Has applicant or any officer been:
- a. Convicted of a felony? When \_\_\_\_\_ If yes, attach written explanation. Yes  No
  - b. Convicted of a violation of federal or state alcohol laws? If yes, attach written explanation. Yes  No
  - c. Convicted of a criminal offense (misdemeanor) within the last 5 years? If yes, attach explanation. Yes  No
  - d. Refused any type of alcohol license or permit in any state? State \_\_\_\_\_ If yes, attach written explanation. Yes  No
  - e. Provide certified copies of all arrests.

10. Has applicant or any officer had:
- a. A hearing before the WVABCA Commissioner? If yes, attach written explanation. Yes  No
  - b. Any type of WVABCA license or permit sanctioned? If yes, attach written explanation. Yes  No

11. Does applicant, officers, directors or any blood relative hold any real estate, buildings, or equipment used by any WV retail licensee? If yes, attach a written explanation and provide name, address and interest. Yes  No

12. Does applicant, partner, member, stockholder, director, or any blood relative hold any financial, ownership or other interest in a licensed retailer in West Virginia? If yes, attach a written explanation and provide name, address and interest. Yes  No

13. Date and state your business incorporate or organized \_\_\_\_\_

Please include corporate charter or organization papers.

14. Supply the following information about the owners, officers, directors, individuals, associates and manager (If you list an entity, provide full detail about the entity):

Title _____	Title _____	Title _____
Name _____	Name _____	Name _____
Res. Address _____ _____	Res. Address _____ _____	Res. Address _____ _____
Telephone _____	Telephone _____	Telephone _____
% Ownership _____ DOB _____	% Ownership _____ DOB _____	% Ownership _____ DOB _____
SSN _____	SSN _____	SSN _____
WV Resident Y / N US CITIZEN* Y / N	WV Resident Y / N US CITIZEN* Y / N	WV Resident Y / N US CITIZEN* Y / N

Use a separate sheet, if necessary.

**\*\* IF NATURALIZED U.S. CITIZEN, MUST SUBMIT COPY OF NATURALIZATION DOCUMENTS. ALL MEMBERS, OFFICERS, MANAGERS, INDIVIDUALS AND ASSOCIATES MUST BE US CITIZENS.**

**\*\*TITLE REFERS TO CORPORATE OFFICERS, PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER, MEMBER, ETC.**

**\*\*All entities must list a manager in compliance with State Code.**

**SECTION I: To be completed by Wine Distributors, Wineries, Hard Cider Distributors and Farm Wineries.**

A. County in which business is located? \_\_\_\_\_

B. Does the applicant own the premises to be licensed?  Yes  No

If no, does applicant hold a valid lease?  Yes  No Expiration date of lease \_\_\_\_\_

Property owner name/address: \_\_\_\_\_

\*Attach a Copy of the Lease.

C. Does the premises to be licensed conform to health, fire and zoning regulations?  Yes  No

D. Does it have a health permit?  Yes  No

E. If a WV Winery, have you appointed a WV Distributor(s) for your wine (a supplier must appoint 2 distributors)?

Yes  No

Name of at least two WV Distributor(s): \_\_\_\_\_

F. Prior to a license being granted, **all** WV Winery and WV Farm Winery applicants must complete the attached affidavit (Production Affidavit 6/2020).

G. All WV Wineries and WV Farm Wineries applicants must complete the attached affidavit (Production Affidavit 6/2020) and submit it with their annual renewal.

\*Note no license will be issued to a location that shares a connection with a domicile.

**SECTION II: To be Completed by Wine Distributors or Hard Cider Distributors.**

A. Has applicant entered into any exclusive franchise agreement with a manufacturer, producer, processor, distributor, or supplier of wine whereby the applicant has been given the exclusive right within West Virginia or any given territory within West Virginia to distribute the product(s) of such manufacturer, producer, processor, distributor or supplier which are to be sold or distributed in West Virginia?  Yes  No

If yes, please explain. \_\_\_\_\_

**SECTION III: To be completed by Wine Distributors or Hard Cider Distributors.**

- A. Is the applicant, directly or indirectly, by means of signs, equipment, money, property or otherwise furnishing things of value, giving aid to assist the holder of any retail beer, wine or liquor permit issued by the WVABCA?  Yes  No
- If yes, please explain: \_\_\_\_\_
- B. Does applicant own or control any real or personal property, which is rented, leased or used by the holder of any retail beer, wine or liquor permit issued by the WVABCA?  Yes  No
- If yes, please explain: \_\_\_\_\_
- C. Is your place of business in a location zoned by a county or municipality?  Yes  No
- D. Is place of business located in a business, residential or rural neighborhood? \_\_\_\_\_
- E. Do you have any ownership interest in a winery, farm winery, wine retailer, private wine restaurant, private wine bed and breakfast, private wine spa or private club?  Yes  No
- If yes, please explain: \_\_\_\_\_

Should the applicant fail to fully carry out and fulfill in every respect the laws of West Virginia, then the Commissioner shall have the right to terminate or revoke this license or permit and declare forfeited the penalty of the bond (if a bond is required for the selected license type). However, it is agreed and understood by and between the parties hereto that before such bond shall be forfeited a hearing shall be held at the Offices of the West Virginia Alcohol Beverage Control Administration Commissioner Charleston, West Virginia, after 10 days written notice to the applicant and the notice setting forth the charge and the time and place of hearing.

Instructions for signing:

- If an individual, by the owner.
- If a Partnership/Limited Partnership, all partners
- If an Association, all members
- If a Corporation, president or vice president
- If a Firm, all members if member managed/manager if manager managed

**NOTE: All changes in ownership interest during the license year must be reported immediately to the WVABCA Commissioner.**

STATE OF \_\_\_\_\_,

COUNTY OF \_\_\_\_\_, to wit:

In support of the foregoing application, the undersigned makes oath that the statements contained herein and all attachments are true to the best of his/her knowledge and belief.

Date \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_



Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_ Commission Expires \_\_\_\_\_

Seal of Notary

**WINE PRODUCTION AFFIDAIT**

I \_\_\_\_\_, that my entity \_\_\_\_\_, doing business as \_\_\_\_\_, will comply with the wine production requirements as noted below. I am

applying for a \_\_\_\_\_ license, to produce wine. I understand that producing wine contrary to the provisions found in Chapter §60-1-1, 60-3-1 et seq, 60-4-1et seq., 60-6-1 et seq, 60-8-1 et seq. and Legislative Rules 175 CSR 3 and 175 CSR4 may result in monetary fines, suspension of licensure or revocation of licensure if a license is granted.

- Farm Winery - May produce no more than 50,000 gallons of wine, non-fortified wine and port, sherry and madeira wine. At least 25% of the raw products used to make the wines mentioned above must be grown on the premises of the farm winery. No more than 25% of the raw products used to make the said wines may be from any source outside WV.

\*Note provisions in WV Code Chapter 60 pertaining to exceptions for 25% raw product due to planting of young nonbearing fruit plants and for crop failure in WV.

A farm winery may self-distribute wines manufactured at its farm location when obtaining a supplier license or multicausality license.

- Winery - May produce more than 50,000 gallons of wine, non-fortified wine and port, sherry and madeira wine. A winery may purchase raw product within or outside of WV.

A winery may act as a Supplier with the purchase of a Supplier license or a Multi-capacity license. A winery must appoint at least 2 Distributors in WV, they may not self-distribute.

- Multi-Capacity - Allows a winery or farm winery to act as their own supplier, retailer and direct shipper. A winery or farm winery that does not hold a multi-capacity license must purchase each individual license when acting in one or more of those capacities.

- Complimentary Samples - A winery or farm winery may, on its premises, give complimentary samples. Samples are not to exceed 2 ounces and no more than 3 such samples may be given to a patron in 1 day.

I hereby estimate wine production to be \_\_\_\_\_ liters over the course of the upcoming licensing period \_\_\_\_\_ to \_\_\_\_\_.

Actual wine production for the previous licensing period \_\_\_\_\_ to \_\_\_\_\_ was \_\_\_\_\_ liters.

\*Must be filled out and signed by all individuals, associates, partners, officers and members of the entity.

State of \_\_\_\_\_,

County of \_\_\_\_\_, to wit;

In support of the forgoing affidavit, the undersigned makes oath that the statements contained are true in the best of his/her knowledge and belief.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



Seal of Notary

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Commission Expires





**State of West Virginia  
Department of Revenue  
Alcohol Beverage Control Administration  
900 Pennsylvania Avenue, 4<sup>th</sup> Floor  
Charleston, WV 25302**

Every person, company, or corporation intending to do business in West Virginia must register with the West Virginia State Tax Department. Additionally, corporations, limited partnerships and limited liability companies must register with the West Virginia Secretary of State.

Please consult with the appropriate person (s) in your organization about compliance with the business registration requirements in West Virginia. Should further assistance be necessary, you may contact the following sources for registration information:

**West Virginia State Tax Department**

Taxpayer Services Division

P.O. Box 3784

Charleston, WV 25337-3784

(304) 558-3333 or 1-800-982-8297

<http://www.state.wv.us/taxrev/forms/2009/businessRegistration.booklet.pdf>

**Secretary of State**

Corporations Division

Capitol Complex

Building 1, Room 151

1900 Kanawha Blvd. E.

Charleston, WV 25305 (304) 558-

8000

<http://www.sos.wv.gov/business-licensing/business/Pages/businessdivision.aspx>

## Request for Statement of Good Standing

Taxpayer Identification Number \_\_\_\_\_ Complete Business Name \_\_\_\_\_

Parent Company FEIN (If applicable, this would be the company that business returns are filed under.) \_\_\_\_\_

Business Location \_\_\_\_\_

Mailing Address \_\_\_\_\_  
Street City State Zip

Purpose for request (check one):					
<input type="checkbox"/> ABCA	<input type="checkbox"/> DMV	<input type="checkbox"/> DOH	<input type="checkbox"/> SOS	<input type="checkbox"/> Bank Loan	<input type="checkbox"/> Other (specify below) _____

I understand that in the event that this business is not in good standing with the Tax Department I will be notified in writing as to what tax returns or tax payments are considered not filed or paid and who to contact with any questions regarding that situation.

By signing this Request for Statement of Good Standing, I certify under penalty of perjury that I am the taxpayer or the taxpayer's authorized representative and am entitled to receive the result of this request.

If you are a CPA or Attorney completing this Request for Statement of Good Standing for a business of which you are not a principle, a principle of the business must ALSO sign this request as the taxpayer.

If you are authorizing release of information for someone who is not a CPA or Attorney, this form must be notarized.

\_\_\_\_\_  
Taxpayer Signature Title Date

\_\_\_\_\_  
Print Name Phone E-mail

\_\_\_\_\_  
CPA/Attorney Signature Title Date

\_\_\_\_\_  
Print Name Phone E-mail

\_\_\_\_\_  
Signature of person other than taxpayer, CPA, or attorney (Form must be notarized). Title Date

\_\_\_\_\_  
Print Name Phone E-mail

State of West Virginia  County of _____, to-wit, This day appeared before me, the undersigned notary public _____, who acknowledge under oath the signature above.  _____ Notary public
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My commission expires: _____	_____ Date
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send this request to:	Phone numbers:
West Virginia State Tax Department ATTN: TPS – Support Unit PO Box 885 Charleston, WV 25323-0885	(304) 558-3333 (800) 982-8297 Follow Prompts for Statement of Good Standing Requests.

**GENERAL WINE BOND INFORMATION**  
**(FORM # ABCC-WS-3-B or ABCC-WS-1-B)**

1. All bonds filed before July of each year should show July 1 as the effective date. For those filing after July 1, the effective date should be the same date the bond is executed and signed. Also, bond must be dated same date as bond is executed.
2. Principal's name must show the person signing for the principal as president or vice president. If any other officer signs, attach a corporate resolution or Power of Attorney permitting that person to bind corporation. Also, the **affixed Corporation Seal** is required.
3. The surety company must be authorized to do business in West Virginia. The company name with the agent's signature, along with the company's **fixed seal** on both the bond and the Power of Attorney, is required.
4. Power of Attorney should be attached and dated and notarized the same day as issuance of bond.
5. Need copies of Corporation/Limited Liability Company papers.
6. **Out of State** - Need Certificate of Authority.

**WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

900 Pennsylvania Avenue, 4<sup>th</sup> Floor  
Charleston, West Virginia 25302

**WINE SUPPLIER BOND**

Bond Number

**KNOW ALL MEN BY THESE PRESENTS:**

- (1) That we, \_\_\_\_\_, being a/an \_\_\_\_\_
- (2) doing business under the name of \_\_\_\_\_
- (3) of \_\_\_\_\_, \_\_\_\_\_ County, West Virginia, as principal,
- (4) and \_\_\_\_\_
- (5) \_\_\_\_\_

a corporation authorized to do business in the State of West Virginia, as Surety, are held and firmly bound unto the State of West Virginia, in the just and full sum of Ten thousand dollars (\$10,000.00), to the payment whereof well and truly made, we bind ourselves, our successors and assign, jointly and severally, firmly by these presents.

THE CONDITION of the above obligation is such that whereas the above bound principal is about to obtain a license as a wine supplier in pursuance of the provisions of Article 8, Chapter 60 of the Code of West Virginia, of 1931, as amended and of the rules and regulations promulgated thereunder by the Commissioner.

NOW, THEREFORE, if the said principal shall faithfully perform and observe the laws of the State of West Virginia, and comply therewith and with the rules and regulations promulgated thereunder by the Commissioner with respect to the distribution and sale of wine, including but not limited to, the payment of all taxes and fees prescribed by Article 8, Chapter 60 of said Code, then this obligation to be void; otherwise to remain in full force and effect, and if license of said principal shall be revoked, then the full amount of this bond shall be forfeited to the State of West Virginia, and said amount when received by the State shall be credited to the state fund, general revenue.

This bond is executed in pursuance of the provisions of said Article 8, Chapter 60 of the Code of West Virginia of 1931, as amended, and rules and regulations promulgated thereunder by the Commissioner and the pertinent provisions of said article and rules and regulations are hereby made a part of this bond.

- (6) This bond shall be effective from the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to
- (7) the 30<sup>th</sup> day of June, 20\_\_\_\_, unless sooner released by the State of West Virginia or cancelled by the surety after due notice to all parties concerned.

IN WITNESS WHEREOF the said principal has hereunto set his hand and affixed his seal, and said surety has caused its corporate name to be signed hereto and its corporate seal to be hereunto affixed its

- (8) duly authorized official or agent and executed this bond this day of \_\_\_\_\_, 20\_\_\_\_.

(9) Principal: \_\_\_\_\_

(11) Corporate Seal

(10) By: \_\_\_\_\_  
Title: \_\_\_\_\_

*Must be President or Vice President*

(12) Surety: \_\_\_\_\_

(14) Surety Corporate Seal

(13) By: \_\_\_\_\_

**ACKNOWLEDGMENT BY PRINCIPAL IF INDIVIDUAL OR PARTNERSHIP**

(15) STATE OF \_\_\_\_\_  
(16) County of \_\_\_\_\_, to wit:  
(17) I, \_\_\_\_\_, a Notary Public  
(18) in and for the county and state aforesaid, do hereby certify that  
\_\_\_\_\_  
(19) whose name is signed to the foregoing writing, bearing the execution date of the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_, has this day acknowledged the same before me in my said county.  
(20) Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(21) Notary Seal (22) \_\_\_\_\_,  
Notary Public  
(23) Commission Expires: \_\_\_\_\_

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**ACKNOWLEDGMENT BY PRINCIPAL IF CORPORATION, LLC or LLP**

(24) STATE OF \_\_\_\_\_  
(25) County of \_\_\_\_\_, to wit:  
(26) I, \_\_\_\_\_, a Notary Public in and for the county and state  
(27) aforesaid, do hereby certify that \_\_\_\_\_ who  
as \_\_\_\_\_,  
(28) signed the foregoing writing for \_\_\_\_\_, a  
corporation,  
(29) bearing the execution date of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, has  
this day, in my said county, before me, acknowledged the said writing to be the act and deed of the  
said corporation.  
(30) Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
(31) Notary Seal (32) \_\_\_\_\_,  
Notary Public  
(33) Commission Expires: \_\_\_\_\_

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**ACKNOWLEDGMENT FOR SURETY**

(34) STATE OF \_\_\_\_\_  
(35) County of \_\_\_\_\_, to wit:  
(36) I, \_\_\_\_\_, a Notary Public in and for the county and state  
(37) aforesaid, do hereby certify that \_\_\_\_\_, who  
signed the  
(38) foregoing writing, or hereto annexed, for \_\_\_\_\_, a  
corporation,  
(39) bearing the execution date of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, has this day  
in my said county, before me, acknowledged the said writing to be the act and deed of the said  
corporation.

(40) Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(41) Notary Seal (42) \_\_\_\_\_,  
Notary Public

(43) Commission Expires: \_\_\_\_\_

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Sufficiency in Form and Manner of Execution Approved:

Attorney General

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_

Assistant Attorney General

**BOND PREPARATION INSTRUCTIONS**  
(Forms ABCC-WS-1-B and ABCC-WS-3-B)

**1. If Principal Is an Individual or Partnership:**

- a) Complete the bond, lines (1) thru (14);
- b) Have Notary complete lines (15) thru (23) on the back of the bond; the application section of acknowledgment titled *Acknowledgment by Principal if Individual or Partnership*.

**2. If Principal Is a Corporation, LLC or LLP:**

- a) Complete the bond, lines (1) thru (14);
- b) Have Notary complete lines (24) thru (33) on the back of the bond; the application section of acknowledgment titled *Acknowledgment by Principal if Corporation*;
- c) Affix corporate seal as requested on the face of the bond;
- d) Limited Liability Company must attach a copy of their operating agreement.

**3. Surety:**

- a) Complete applicable portion of bond;
- b) Have Notary complete lines (34) thru (43) on the back of the bond; application section of acknowledgment titled *Acknowledgment for Surety*;
- c) Attach Power of Attorney to bond if surety signatory is an attorney in fact;
- d) Affix raised Surety seal as request on the face of the bond and to the Power of Attorney.

**4. Line by Line Instructions:**

- (1) Enter the name of Principal and specify individual, partnership, or corporation to be covered by bond.
- (2) Enter the dba (doing business as) of the Principal, if applicable.
- (3) Enter the address of the Principal.
- (4) Enter the name of the Surety Company issuing the bond.
- (5) Enter the address of the Surety Company issuing the bond.
- (6) Enter the effective date of the bond.
- (7) Enter the year that the bond will expire (should be the same year as the expiration of the license).
- (8) Enter the bearing date of the bond (also known as the execution date of the bond).
- (9) Enter the name of the Principal (individual, partnership, or corporation covered by the bond).
- (10) If principal is an individual, affix signature. If principal is a corporation, the President or Vice President must sign bond and indicate current title. If bond is to be signed by one other than

the President or Vice President, affix copy of corporate resolutions showing authorization of individual to bind corporation.

- (11) If Principal is a corporation, affix corporate seal. If corporation does not have a seal, one may be drawn by writing the company name and the word "Seal" and drawing a circle around them.
- (12) Enter the name of the Surety Company.
- (13) Affix signature of person having Power of Attorney to bind Surety.
- (14) Affix corporate seal of Surety.

#### 5. Notary Public's must Complete:

##### ***Acknowledgment by Principal if Individual or Partnership:***

- (15) Enter the name of the State.
- (16) Enter the name of the County.
- (17) Enter the name of Notary Public witnessing transaction.
- (18) Enter name of Principal covered by bond, if Individual or Partnership.
- (19) Enter the bearing date of bond (also known as execution date). **Must be the same date as entered on Line 8 of the bond.**
- (20) Enter the date bond was witnessed by Notary. May be same as bearing date or any date thereafter.
- (21) Affix Notary Seal.
- (22) Affix Notary signature here.
- (23) Enter the date the Notary's commission expires.

##### ***Acknowledgment by Principal if Corporation, LLC or LLP:***

- (24) Enter the name of the State.
- (25) Enter the name of the County.
- (26) Enter the name of the Notary Public witnessing transaction.
- (27) Enter the name and title of the Corporate Officer signing the bond. (Should be President or Vice President)
- (28) Enter the name of the Company or Corporation.
- (29) Enter the bearing date of bond (also known as execution date). **Must be the same date as entered on Line 8 of the bond.**
- (30) Enter the date bond was witnessed by Notary. May be same as bearing date or any date thereafter.
- (31) Affix Notary Seal.
- (32) Affix Notary signature here.
- (33) Enter the date the Notary's commission expires.

##### ***Acknowledgment by Surety:***

- (34) Enter the name of the State.
- (35) Enter the name of the County.
- (36) Enter the name of the Notary Public witnessing transaction.
- (37) Enter the name of the person having power of attorney to bind Surety Company.
- (38) Enter the name of the Surety (Insurance Company).
- (39) Enter the bearing date of bond (also known as execution date). **Must be the same date as entered on Line 8 of the bond.**
- (40) Enter the date bond was witnessed by Notary. May be same as bearing date or any date thereafter.
- (41) Affix Notary Seal.
- (42) Affix Notary signature here.
- (43) Enter the date the Notary's commission expires.

## POWER OF ATTORNEY INSTRUCTIONS

Power of Attorney for Surety must be attached and it must show that it was in full force and effect on the bearing date (also known as execution date), indicated on Line 8 of the bond. Surety corporate seal must also be affixed to the Power of Attorney.

- a. Name of person on Line 13 must be listed on Power of Attorney.
- b. Power of Attorney may not exceed imposed limitations.
- c. Certificate date, preferably the bearing date (also known as execution date that is recorded on Line 8 of the bond), but no date later than the bearing date must be entered.
- d. Signature of authorizing official must be affixed. (Signature may be a facsimile).
- e. Raised seal must be affixed.