

During the 2019 Legislative Session, the Legislature passed HB 2481, SB 511, SB 529 & SB 561 and the following are some highlights of the changes enacted. For more details and statutory information, please review the actual bills or amended WV code sections.

### Wine – SB 511 – effective June 5, 2019

- Alternating wine proprietorships are permitted for farm wineries;
- Properly licensed farm wineries may be approved to attend certain fairs and festivals with prior approval;
- Clarifies quantities for farm wineries to provide complimentary samples;
- One Day Charitable Wine license - limited to 6 licenses per charity, wine may be auctioned via silent, verbal or electronic auctions & wine may be donated or purchased and prior approval is required;
- Private Wine College Stadium license - \$250, now for Division I, II & III colleges;
- Curbside Wine Delivery license - \$250, certain wine specialty shops with \$100,000 fresh food inventory - wine bought via an APP delivered to a designated parking area (persons 21 YOA+);
- Wine with a Gift Basket license - \$250, certain wine specialty shops may deliver wine in their county after in-person purchase (persons 21 YOA+);
- \$100 Operational fee for certain licensees; and
- \$150 Reactivation fee for failing to renew a license on or before June 30.



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### Beer – SB 529 – effective June 6, 2019

- Nonintoxicating Beer limit raised from 12% ABV to 15% ABV;
- Nonintoxicating Beer Floorplan Extension – \$100, certain licensees in good standing may apply for this extension to an adjoining, contiguous and bounded outdoor area for the consumption of nonintoxicating beer;
- One Day Charitable Beer license - limited to 6 licenses per charity, beer must be purchased (no donation) from the distributors/resident brewers in the area and prior approval is required;
- Growler quantity limits removed and growler may be up to 128 fluid ounces;
- Growler Complimentary Sampling - Growler licensee limited to 3 different, 1 oz., samples per patron/day and licensee pays for sample/tax.
- Curbside Beer Delivery license - \$250, certain Class B retailers with \$100,000 fresh food inventory - beer bought, via an APP, delivered to a designated parking area (persons 21 YOA+);
- Beer Labeling/Registration requirements strengthened, Beer Representatives licensure required and Beer Transportation Permits added for Brewers, Resident Brewers, Distributors and any 3<sup>rd</sup> party transporters;
- No Bonds for Brewer, Resident Brewer, Distributor, Class S License & brewpub;
- \$100 Operational fee for certain licensees; and
- \$150 Reactivation fee for failing to renew a license on or before June 30.



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### Liquor – SB 561 – effective June 7, 2019

- **Sundays** - Retail Liquor Outlets may sell liquor at 1 p.m. – starts March 3, 2019;
- **Sundays** - Statewide Brunch hours for on-premise licensees starts June 9, 2019;
- Specifies that Bring Your Own Bottle (BYOBs) entities are illegal & also illegal to tender alcohol without a license;
- Wine Bottle Sales - permitted to 2+ persons at a properly licensed entity;
- Liquor Bottle Sales license – \$1000, a PC in good standing, may offer liquor bottle for sale to 2+ patrons at a 300% markup, liquor cannot leave PC and PC must control liquor service and liquor is for personal use and not for resale;
- Frozen Drink Machines - pre-mixing liquor &/or wine, non-alcoholic mixer and ice permitted in a machine, if machine sanitized daily & record maintained;
- Private Hotel license - \$4,250, hotel with 1 to 3 acres that meets requirements;
- Private 9-hole Golf Club – \$2,250, 9 hole golf club license;
- Private Fair and Festival license – \$750, liquor/wine/beer at festival up to 10 consecutive days, subject to requirements (no donated or catered alcohol);
- Properly licensed Casino/Racetrack/Historic Hotel and a Private Resort Hotel may operate alcohol sales per WV Lottery hours of operation or 24-7;
- Private Resort Hotel may have an inner-connected Resident Brewer/Brewpub;
- Licensed WV Lottery games, Charitable Raffle & Bingo permissible in a PC;
- \$100 Operational fee for certain licensees; and
- \$150 Reactivation fee for failing to renew a license on or before June 30.

